



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

February 16, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Marc C. Bruner, Ph.D
Solid Waste Authority of Palm Beach County
7501 North Jog Road
West Palm Beach, Florida 33412

RE: North (Palm Beach) County Resource Recovery Facility
Modification to Conditions of Certification
DEP Case Number PA 84-20L
OGC Case Number 10-0857

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Bruner:

On July 29, 1986, the Florida Siting Board certified the construction and operation of the North (Palm Beach) County Resource Recovery Facility in Palm Beach County. Since then the Department of Environmental Protection (Department) has modified the Conditions of Certification by Final Order on eleven other occasions.

The Department published notice of its intent to issue Air Construction Permit Number 0990234-015-AC for North (Palm Beach) County Resource Recovery Facility on August 5, 2009. The final permit was issued by the Department on September 21, 2009. This federally issued permit has been incorporated into the Conditions of Certification through this modification.

Pursuant to 403.516 (1) (b), Florida Statutes ("F.S."), the Department may modify Specific Conditions of a site Certification which are inconsistent with the terms of any federally delegated or approved permit. Such modification(s) may be made without further notice if the matter has been previously noticed under the requirements for any federally delegated or approved permit program. The Conditions of Certification for the North (Palm Beach) County Resource Recovery Facility are hereby modified as follows:

XIV. OPERATION

A. Air

The construction and operation of the Palm Beach County Resource Recovery Facility shall be in accordance with all applicable provisions of Chapters 62-210 through 62-297, F.A.C., and the Air Construction and Title V Operation Permits, including their subsequent modifications, amendments, or renewals.

~~Title V Air Operation Permit 0990234-013-AV, Air Construction Permits 0990234-008-AC, 0990234-009-AC and 0990234-012-AC, and PSD permit PSD-FL-108 (including subsequent modifications) are incorporated by reference herein as part of this Certification and attached as Appendix A through Appendix H. The Air Construction Permits are incorporated by reference herein as part of this Certification and attached as Appendix I. The current Title V Air Operation Permit (0990234-013-AV) is incorporated by reference herein as part of the Certification and attached as Appendix II.~~

The provisions of the above shall be ~~conditions of this certification.~~ The licensee shall comply with the substantive provisions and limitations set forth in ~~Title V Air Operation Permit Number 0990234-13-AV, Air Construction Permits 0990234-008-AC, 0990234-009-AC and 0990234-012-AC, and PSD permits PSD-FL-108 as part of these Conditions of Certification, and as those provisions may be modified, amended, or renewed in the future by the Department.~~ Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions shall be a violation of these Conditions of Certification.

A complete set of the Conditions of Certification (including attachments) can be viewed and downloaded from the following website:
<http://www.dep.state.fl.us/siting/certification.htm>. Copies of the Conditions of Certification and/or attachments may also be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd, M.S. 48, Tallahassee, Florida 32399, (850) 245-2002.

Any party to this Order has a right to seek judicial review of it pursuant to Section 120.68, F.S., by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

February 16, 2010

The Department also notes that in the near future it will be initiating a modification pursuant to Section 403.516(1)(c), F.S., to update North (Palm Beach) County Resource Recovery Facility's existing Conditions of Certification to incorporate a uniform set of General Conditions consistent with recent Site Certifications. If you have any questions regarding this upcoming modification, please contact Jessica Dalton at (850) 245-2002.

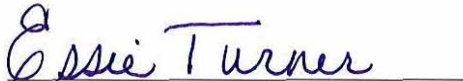
Sincerely,



Michael P. Halpin, P.E.
Administrator,
Siting Coordination Office

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.


Clerk

2-16-10
Date

CC by certified mail or email (return receipt requested)

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