



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

DEP05-1267

Colleen M. Castille
Secretary

08/15/05

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Christopher M. Carey
General Manager
Wheelabrator South Broward Inc.
4400 South State Road 7
Ft. Lauderdale, FL 33314

**RE: Wheelabrator South Broward, Inc.
South Broward County Resource Recovery
Modification to Conditions of Certification
DEP Case Number PA 85-21G
OGC Case Number 05-1567**

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Carey:

On December 8, 2004, the Department of Environmental Protection (DEP) issued a final Title – V permit revision (No. 0112119-008-AV) for South Broward County Resource Recovery Facility (Wheelabrator). Review of the Conditions of Certification for Wheelabrator indicated that a modification would be necessary. Incorporation of the revised Title V changes were made in Modification F dated 5/20/05. However, one part of the language was inadvertently omitted which we have addressed in this modification.

On or before July 1, 2005 all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. Additionally, on July 1, 2005, notice of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." Those notices specified that pursuant to Section 403.516, Florida Statutes ("F.S."), and Rule 62-17.211, Florida Administrative Code ("F.A.C."), all parties to the certification proceeding have 45 days from the issuance of notice by mail to such party's last address of record in which to file a written objection to the modification; that any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice on the Department's internet home page to object in writing; that failure to act within the time frame constitutes a waiver of the right to become a party; and that the Department will issue an Order Modifying the Conditions of Certification for this facility if no written objections are received by the Department.

No objections to the modification have been received by the Department. The Conditions of Certification for South Broward County Resource Recovery Facility are hereby modified as follows:

XIV. AIR

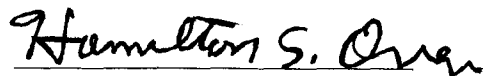
C. Emissions Limiting Standards

2. Compliance:

a. Continuous compliance with the emission limits for opacity, carbon monoxide (CO), nitrogen oxides (NOx), and sulfur dioxide (SO₂) and for operational parameters steam production (lb/hr) or feedwater flowrate (lb/hr) and fabric filter inlet flue gas temperature shall be demonstrated by continuous emission monitoring systems (CEMS) operated in accordance with 40 CFR 60.58b and 60.59b(f). SO₂ monitors shall be located both upstream of the scrubber and downstream of the baghouse, in order to calculate percent removal efficiency using the procedures in specific condition B.57 of Permit No. 0112119-008-AV.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes 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.

Executed in Tallahassee, Florida.



Hamilton S. Oven, 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 Date

8/15/05

CC by certified mail:

James Antista, Esquire
Fish and Wildlife Conservation Commission
6230 South Meridian Street
Tallahassee, FL 32399-1600

Craig Varn, Esquire
Department of Community Affairs
2555 Shumard Oak Boulevard
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Scott Burns
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And by hand delivery to:

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