



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

MAILED
25 Feb 03
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February 24, 2003

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Paul Grego
Plant Manager
Wheelabrator North Broward, Inc.
2600 N.W. 48th Street
Pompano Beach, Florida 33073

**RE: Wheelabrator North Broward, Inc.
North Broward County Resource Recovery Facility
Modification to Conditions of Certification
DEP Case Number PA 86-22H**

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Grego:

On October 22, 2002, the Department issued modification number 0112120-003-AC to permit PSD-FL-112C for the North Broward County Resource Recovery Facility. Pursuant to Rule 62-17.211(4), Florida Administrative Code ("F.A.C.") the Department is required to modify the Conditions of Certification for this facility to conform them to the PSD permit.

On December 2, 2002, 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 January 17, 2003, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly ("FAW"), and 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, F.A.C., all parties to the certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which 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 in the FAW 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 a Final 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 the North Broward County Resource Recovery Facility are hereby modified as follows:

Condition XIV.A.1.a.(1)(b) is hereby modified to read:

(b) Fugitive Ash Emissions From Ash

Conveying Systems:

No owner or operator of this facility shall cause to be discharged to the atmosphere visible emissions of combustion ash from an ash conveying system (including conveyor transfer points) in excess of 5 % of the observation period (i.e., 9 minutes per 3-hour period) as determined by EPA Reference Method 22. The 5 percent visible ash emission limit does not cover visible ash emissions discharged inside a building or ash conveying systems, but the visible emission limit does cover visible emissions discharged to the atmosphere from buildings or enclosures of ash conveying systems (including conveyor transfer points) and the wet scrubber vent. [Rule 62-204.800(8)(b), F.A.C., 40 CFR 60.36b; 60.55b and 62-4-070(3) F.A.C.]

Condition XIV.A.1.a.(1)(d) is hereby modified to read:

(d) Ash Handling Facilities:

The potential for dust generation by ash handling activities will be mitigated by quenching or conditioning the ash prior to loading in ash transport trucks. Ash handling facilities shall be primarily enclosed (including the proposed future metal recovery area), but the ash handling building shall have a wet scrubber installed to control PM emissions. Unprocessed refuse storage areas which must be open for operational purposes (e.g., tipping floor of the refuse bunker while trucks are entering and leaving) will be under negative air pressure. Residue from the grates, and grate siftings shall be discharged into the bottom ash quenching flyash conditioning system, and ash from the combustor/boiler and fabric filter hoppers shall be discharged into the flyash conditioning system during normal operations to minimize visible dust generation. The ash/residue in the Ash Handling Building shall remain sufficiently moist to minimize dust during storage and handling operations. Compliance with this condition shall be determined in accordance with Condition XIV.A.1.a.(1)(b). [Rule 62-204.800(8)(b), F.A.C., 40 CFR 60.36b; 60.55b and 62-4-070(3) F.A.C.]

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

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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. Owen
Hamilton S. Owen, 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.

Linda F. Korokos 2/24/03
Clerk Date

CC:

Mary Beth Busutil ✓
Leonard Kozlov
Douglas Maclaughlin, Esquire ✓
Harold A. McLean, Esquire ✓
Noel M. Pfeffer, esquire ✓
William Roberts ✓
Colin Roopnarine, Esquire ✓

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To <u>Paul Grego</u>	
Street, Apt. No., or PO Box No.	
City, State, ZIP+ 4	
PS Form 3800, January 2001 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	
1. Article Addressed to: Paul Grego, Plant Manager Wheelabrator North Broward, Inc. 2600 NW 48th Street Pompano Beach, FL 33073	
2. Article Number (Cop) 7001 1140 0001 7585 1539	
PS Form 3811, July 1999 Domestic Return Receipt 102585-99-M-1789	
3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☒ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
4. Restricted Delivery? (For Mails Only) ☐ Yes	
5. Is delivery address different from item 1? ☐ Yes ☐ No	
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9. Delivery address below: ☐ Yes ☐ No	