



## FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

April 3, 2019

***Sent by Electronic Mail – Document Access Verification Requested***

Mr. Joseph H. O'Neill, P.E.  
Professional Engineer  
Solid Waste Management Division  
Hillsborough County  
PO Box 1110  
Tampa, Florida 33601-1110  
[ONeillJ@hillsboroughcounty.org](mailto:ONeillJ@hillsboroughcounty.org)

RE: Hillsborough County Resource Recovery Facility  
Modification to Conditions of Certification  
DEP Case Number PA83-19H  
OGC Case Number 19-0215 **19-0125**

### **FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION**

Dear Mr. O'Neill:

On December 18, 1984, the Florida Siting Board issued a Site Certification to the Hillsborough County Solid Waste Management Department (HCSWMD) for the construction, operation and maintenance of the Hillsborough County Resource Recovery Facility (HCRRF), and on September 27, 2006, approved the expansion of Unit 4. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for the HCRRF by Final Order on seven other occasions.

The Department has reviewed HCSWMD's petition, dated October 17, 2018, for a modification to HCRRF's Site Certification order pursuant to §403.516(1)(c), Florida Statutes (F.S.), for approval to transport ash residue generated from the combustion of municipal waste at the HCRRF to a permitted facility for screening and storage.

On February 14, 2019, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for HCRRF. On February 21, 2019, notice of the Department's intent to modify the Conditions for HCRRF was also published in the Florida Administrative Register (FAR).

Pursuant to §403.516, 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 in which to file a written objection to the modification. Pursuant to §403.516, F.S., and Rule 62-17.211, F.A.C., 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 FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party.

These timeframes have expired and no objections to the modification have been received by the Department. Therefore, the Conditions for HCRRF are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated February 14, 2019, which can be downloaded from the following file transfer protocol (ftp) site:

[http://publicfiles.dep.state.fl.us/Siting/Outgoing/Hillsborough\\_RRF/Modifications/Mod\\_H\\_Ash\\_Transport/2019\\_2\\_14\\_NOI\\_Mod\\_H.pdf](http://publicfiles.dep.state.fl.us/Siting/Outgoing/Hillsborough_RRF/Modifications/Mod_H_Ash_Transport/2019_2_14_NOI_Mod_H.pdf)

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida, (850) 717-9000.

Any party to the this Order has a right to seek judicial review of it pursuant to §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 30 days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Sincerely,

**Cindy Mulkey**  
Digitally signed by Cindy Mulkey  
Date: 2019.04.03 13:38:38  
-04'00'

Cindy Mulkey  
Administrator,  
Siting Coordination Office

***CC by Electronic Mail:***

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FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52

Florida Statutes, with the designated  
Department Clerk, receipt of which is  
hereby acknowledged.

**Lynn Searce** Digitally signed by Lynn Searce  
Date: 2019.04.03 14:29:52 -04'00'

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

**Service List: *Sent by Electronic Mail – Document Access Verification Requested***

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