



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

October 19, 2021

Sent by Electronic Mail – Document Access Verification Requested

Justin Roessler
Solid Waste Director
Pasco County
Public Infrastructure Branch
14230 Hays Road
Spring Hill, Florida 34610
jroessler@pascocountyfl.net

RE: Pasco County Resource Recovery Facility
Modification to Conditions of Certification
DEP Case Number PA 87-23G
OGC Case Number 21-0922

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Dr. Roessler:

On August 24, 1988, the Florida Siting Board issued a Site Certification to Pasco County for the construction, operation, and maintenance of the Pasco County Resource Recovery Facility (PCRRF). The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for the PCRRF by Final Order on six other occasions.

The Department has reviewed Pasco County's petition dated July 13, 2021 for a modification to the PCRRF's Conditions pursuant to §403.516(1)(c), Florida Statutes (F.S.), to:

1. allow a side slope of three horizontal units to one vertical unit (3H:1V) on the ash monofill;
2. allow vertical expansion of ash monofill cells A-1, A-2, and A-3 by 21 feet to final elevation of 122 feet National Geodetic Vertical Datum; and

3. revise the solid waste Operation Plan (Appendix I to Attachment E of the Conditions) to reflect the above changes and implement a new phasing plan to account for filling in the valleys between cells.

On September 3, 2021, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for PCRRF. On September 8, 2021, notice of the Department's intent to modify the Conditions for PCRRF 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 the PCRRF are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated September 9, 2021, which can be downloaded from the following file transfer protocol (ftp) site:

http://publicfiles.dep.state.fl.us/Siting/Outgoing/Pasco_Cty_RRF/Modifications/Mod_G_AshSlope/2021_9_3_NOI_PA87-23G.pdf

The final version of the modified Conditions (including attachments) can be viewed and obtained from the following website:

http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa87_23_2021_G.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 Rd., M.S. 5500, Tallahassee, Florida, 850-717-9000.

Any party to 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: 2021.10.19
11:31:58 -04'00'

Cindy Mulkey
Administrator,
Division of Air Resource Management

CC by Electronic Mail:

Southwest District Director, FDEP: Kelley.M.Boatwright@dep.state.fl.us

Southwest District Liaison, FDEP: Greg.Alba@FloridaDEP.gov

Chief Engineer, JonesEdmunds: TMcKnight@JonesEdmunds.com

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52

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



Digitally signed by Elizabeth
Walker
Date: 2021.10.19 12:45:13 -04'00'

Clerk

Date

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

Michael Weiss, Esquire
Department of Environmental Protection
3900 Commonwealth Blvd., M.S. 35
Tallahassee, FL 32399-3000
michael.weiss@dep.state.fl.us

Sean T. Sullivan
Executive Director
Tampa Bay Regional Planning Council
4000 Gateway Center Blvd., Suite 100
Pinellas Park, Florida 33782
Sean@tbrpc.org

Emily Norton, Esquire
Florida Fish & Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
Emily.Norton@MyFWC.com
ConservationPlanningServices@myfwc.com

Jon F. Morris, Esquire
Department of the State
Division of Historical Resources
500 South Bronough Street
Tallahassee, Florida 32399-0250
jon.morris@dos.myflorida.com

Valerie Wright, Esquire
Assistant General Counsel
Department of Economic Opportunity
107 East Madison Street
Tallahassee, Florida 32399-4128
Valerie.Wright@deo.myflorida.com
Scott.Rogers@deo.myflorida.com

Elizabeth M. Fernandez, Esquire
Office of General Counsel
Southwest Florida Water Management District
7601 U.S. Highway 301 North
Tampa, Florida 33637
Elizabeth.Fernandez@swfwmd.state.fl.us
James.Golden@watermatters.org

Lee Eng Tan, Esquire
Florida Public Service Commission
Office of General Counsel
2450 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
LTan@psc.state.fl.us

Richard Shine, Esquire
Department of Transportation
605 Suwannee Street, M.S. 58
Tallahassee, Florida 32399-0458
richard.shine2@dot.state.fl.us
jasmin.raffington@dot.state.fl.us
april.combs@dot.state.fl.us
romero.dill@dot.state.fl.us

Jeffery Steinsnyder, Esquire
Joseph Richards, Esquire
Pasco County Attorney's Office
8731 Citizens Drive, Suite 340
New Port Richey, Florida 34654
jsteinsnyder@pascocountyfl.net
jrichards@pascocountyfl.net