



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
Interim Secretary

Via Electronic Mail

July 7, 2021

John Blevins
Acting Regional Administrator
U.S. Environmental Protection Agency (EPA) – Region 4
61 Forsyth Street SW – Mail Code: 9T25
Atlanta, GA 30303-8909

Re: Withdrawal of Certain Provisions of Florida's Section 111(d) State Plan Submittal for Municipal Solid Waste (MSW) Landfills

Dear Mr. Blevins:

On December 22, 2020, the Florida Department of Environmental Protection (Department) submitted a proposed Section 111(d) State Plan pursuant to Section 111 of the Clean Air Act and in compliance with all of the standards and conditions of 40 C.F.R. Part 60, Subparts B and Cf.

On May 21, 2021, EPA issued the Federal Plan for existing MSW landfills, codified at 40 C.F.R. Part 62, Subpart OOO. The Federal Plan applies to Florida because the State Plan the Department submitted has not yet been approved by EPA. The Federal Plan, however, has already imposed certain requirements on existing MSW landfills in Florida. Therefore, the Department is withdrawing the certain provisions that have already been imposed by the Federal Plan. Specifically, the Department is withdrawing the initial design capacity report requirements specified in 40 C.F.R. 60.38f(a) (codified at Paragraph 62-204.800(9)(h), F.A.C.) and the initial NMOC report requirements specified in 40 C.F.R. 60.38f(c) (also codified at Paragraph 62-204.800(9)(h), F.A.C.). Please note, that the department is not withdrawing the ongoing NMOC reporting requirements in 40 C.F.R. 60.38f(c).

The withdrawal of these provisions does not affect the stringency of Florida's State Plan because these requirements will have already been completed pursuant to the Federal Plan. Approval of the State Plan without this withdrawal would merely re-impose these requirements for existing MSW landfills that have already completed the initial design capacity report and initial NMOC report requirements, or are legacy controlled landfills that the Federal Plan exempted because they have already installed gas collection and control systems.

If you have any questions, please contact Mr. Hastings Read at Hastings.Read@dep.state.fl.us or 850-717-9017.

Sincerely,

A handwritten signature in blue ink that reads "Jeffery F. Koerner".

Jeffery F. Koerner, Director, Division of Air Resource Management