FINAL DETERMINATION

PERMITTEE

Solid Waste Authority of Palm Beach County
7501 North Jog Road
West Palm Beach, Florida 33412-2414

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Office of Permitting and Compliance
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

Final Permit No. 0990234-031-AV
Palm Beach Renewable Energy Park

The purpose of this project is to revise the Title V air operation permit for the above referenced facility.

The Title V air operation permit was processed using a parallel review.

PUBLIC NOTICE

A Written Notice of Intent to Issue Air Permits to the Solid Waste Authority of Palm Beach County for the Palm Beach Renewable Energy Park located in Palm Beach County at 7501 North Jog Road in West Palm Beach, Florida, was clerked on December 16, 2013.

The applicant published the Public Notice in The Palm Beach Post in Palm Beach County, Florida on December 24, 2013. The draft/proposed Title V air operation permit was available for public inspection at the permitting authority's office in Tallahassee. The Department received the proof of publication on December 31, 2013.

No requests for an administrative hearing or requests for an extension of time in which to file a petition for an administrative hearing were received by the Agency Clerk in the Department's Office of General Counsel.

COMMENTS

On December 16, 2013, the Department informed U.S. EPA Region 4 that the Title V air operation permit was being processed using a parallel review. U.S. EPA Region 4 was notified of the publication date of the Public Notice on December 31, 2013.

No comments on the permit were received from the public or U.S. EPA during the 30-day public comment period; however, comments were received from the Applicant. The comments were not considered significant enough to reissue the draft/proposed Title V air operation permit and require another Public Notice, therefore, the draft/proposed Title V air operation permit was changed. The comments are addressed below. Additions to the permit are indicated below by double underline. Deletions from the permit are indicated below by ~~strike through~~. All changes are emphasized with yellow highlight in the electronic document.

Email from the Applicant dated and received on January 14, 2014

Applicant Comments

1. Condition D.1. - the compliance date of May 3, 2013 has been removed. The applicant requested that the entire condition be removed as the deadline has passed and with the due date removed, the sentence is incomplete.

***Response*:** The Department agrees with the request which is administrative in nature. The sentence is removed in its entirety to read as follows:

D.1. ~~Compliance Deadline. The permittee shall comply with the following emissions and operating limitations no later than **May 3, 2013**. [40 CFR 63.6595(a)(1)]~~<numbering preserved>

2. Condition D.14. - same comment as in the first comment for Condition D.1.

***Response*:** The same response as for the first comment.

3. Condition D.72.j. - this condition limits sulfur content to 15 ppm. The applicant stated that it seems unnecessary to also have an SO_2 hourly emission limit of 0.0006 lb/hr in the same condition. This language was not in the Permit No. 0990234-029-AC. The applicant requested that this equivalent be removed.

***Response*:** Condition D.72.j. should be numbered as D.72.~~j.~~a. The 0.0006 lb/hr value stated in the permit is simply an equivalent value to the 15 ppm sulfur content limit; it is not an hourly limit. This value was placed in brackets and is stated as an equivalent, reading as follows "{equivalent to: 0.0006 lb SO_2/hour}." The requested removal is not made. Also, Condition D.72.k has been numbered as D.72.~~k~~.b.

4. Condition D.73.a. - The reference should be 60.4211(f)(1).

***Response*:** The Department agrees with the requested administrative change. Condition D.73.a. is corrected to read as follows:

D.73. …

a. *Emergency Situations*. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 60.4211~~(e)~~(f)(1)]

5. Condition D.73.b. - The reference should be 60.4211(f)(2).

***Response*:** The Department agrees with the requested administrative change. Condition D.73.b. is corrected to read as follows:

D.73. …

b. *Maintenance and Testing.* Each RICE is authorized to operate for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by federal, state, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. [40 CFR 60.4211~~(e)~~(f)(2)]

6. Condition D.73.c. - The reference should be 60.4211(f)(3). The applicant also requested the addition of "Each RICE can be operated for up to 50 hours per year in non-emergency situations."

***Response*:** The Department agrees with the requested administrative changes. Condition D.73.c. is corrected and changed to read as follows:

D.73. …

c. *Other Situations*. Each RICE cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. Each RICE may be operated for up to 50 hours per calendar year in non-emergency situations. [40 CFR 60.421~~9~~1(f)(3)]

7. Condition D.80. - this condition applies only if testing is the preferred method of compliance. The applicant requested the following language to be added "If owner or operator demonstrates compliance using performance test."

***Response*:** The Department agrees with the nature of the requested clarification. Condition D.80. is changed to read as follows:

D.80. Performance Tests. Any ~~P~~performance tests conducted pursuant to 40 CFR 60, Subpart IIII must be ~~conducted~~ according to the in-use testing procedures in 40 CFR 1039, Subpart F. [40 CFR 60.4212]

CONCLUSION

The final action of the Department is to issue the final Title V air operation permit revision with the administrative corrections and/or clarifications as noted above.