## PERMITTEE

Seminole Energy, LLC
46280 Dylan Dr, Suite 200
Novi, Michigan 48377

## PERMITTING AUTHORITY

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

## PROJECT

Air Permit No. 1170084-009-AC/PSD-FL-376B
Landfill Gas-to-Energy Project - CO Modifications
Seminole Energy, LLC

The permittee has requested a modification to the carbon monoxide (CO) emissions standards as Best Available Control Technology (BACT) for the permitted engine/generator sets under Permit No. 01170084-05-AC. Four of the permitted engine/generator sets (Emissions Unit Nos. 002-005) have been installed and the other two engine/generator sets (Emissions Unit Nos. 006-007) will be constructed within 18 months of issuance of this final permit or the PSD review will require reevaluation for the BACT determination.

## NOTICE AND PUBLICATION

The Department distributed a draft minor air construction permit package on January 6, 2012. The applicant published the Public Notice in the Sanford Herald on January 11, 2012. The Department received the proof of publication on January 17, 2012. No requests for administrative hearings or requests for extensions of time to file a petition for administrative hearing were received.

## COMMENTS

### Applicant

On January 10, 2012, the Department received comments from the applicant. The following summarizes the comments and the Department's response.

1. *Comment*: Section 3, Subsection B, Specific Condition 1. The previous version of the construction permit indicated that the permit authorizes the installation of Emission Unit 006 (the fifth engine) within five years following the commencement of operations for the initial LFG-to-energy facility; and the installation of Emission Unit 007 (sixth engine) within ten years of initial commencement. If construction of Phase II based on this permit occur more than 18 months following completion of the previous phase (18 months has already elapsed since startup of the initial 4 engines), a PSD application with an updated BACT analysis is required prior to installation of these new engines.

   *Response*: The Department is correcting this specific condition to read:

   If construction of a new phase is to commence 18 months or more after issuance of this permit, the permittee shall submit an application and obtain a modified PSD permit prior to commencing construction on the new phase. [Rules 62-4.070(3), F.A.C. and 40 CFR 52.21(j)(4)]

2. *Comment:* It was our understanding that as long as construction occurred within the 5/10 year periods specified, an updated BACT would be required but than an entirely new air quality demonstration would not

be required (the air quality demonstrations submitted initially and with the 2011 permit modification would remain valid).

*Response:* The Department does not concur with the applicant's comment. A new air quality demonstration will be required with the BACT analysis if construction of Phase II commences 18 months or more after the issuance of this permit.

## CONCLUSION

The final action of the Department is to issue the permit with the minor changes, corrections and clarifications as described above.