STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF FINAL PERMIT REVISION

In the Matter of an
Application for Permit Revision by:

Trail Ridge Energy, LLC
29261 Wall Street
Wixom, Michigan 48393

Authorized Representative:
Mr. Scott Salisbury, Managing Member

Project No. 0310358-011-AC/PSD-FL-374B
Revision of Air Permit No. 0310358-004-AC/PSD-FL-374
Trail Ridge Landfill Facility
Six Reciprocating Internal Combustion Engine-Generator Sets
Applicability Determination of 40 CFR 63, Subpart ZZZZ

Trail Ridge Energy, LLC was authorized by air construction (AC) permit, No. 0310358-004-AC/PSD-FL-374, to construct six reciprocating internal combustion engines (RICE)-generator sets at the existing Trail Ridge Landfill. Each engine is a lean-burn spark-ignition Caterpillar Model G3520C landfill gas fired RICE and the associated generator generates 1,600 kilowatts (kW) of electricity. The permit was issued on December 11, 2006. In the permit, these RICE were deemed subject to the provisions of Title 40, Code of Federal Regulations, Part 63 (40 CFR 63), Subpart ZZZZ, RICE. Based on the amendments to this subpart issued on January 18, 2008, by the U.S. Environmental Protection Agency, and pursuant to 40 CFR 63.6590(a)(1)(iii), a stationary RICE located at an area source of hazardous air pollutant emissions is an existing stationary RICE if the permittee commenced construction before June 12, 2006. The permittee commenced construction (ordered the RICE-generator sets) on December 19, 2005. Pursuant to 40 CFR 63.6590(b)(3), an existing stationary RICE that combusts landfill gas equivalent to 10 percent or more of the gross heat input on an annual basis does not have to meet the requirements of this subpart (ZZZZ) of 40 CFR 63; and no initial notification is necessary. Therefore, the Department of Environmental Protection (Department) concurs with the request and the terms and conditions associated with this subpart have been removed. This permit revision is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida

Trina L Vielhauer 1/22/09

Trina L. Vielhauer, Chief (Date)
Bureau of Air regulation

TLV/jfk/bm

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit Revision (including the Final Determination and the Final Permit Revision) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 1/27/09 to the persons listed below.

Mr. Scott Salisbury, Managing Member, Trail Ridge Energy, LLC (scott.salisbury@landfillenergy.com)
Mr. David Derenzo, Application Contact, Derenzo and Associates, Inc. (dderenzo@derenzo.com)
Mr. Michael Laframboise, V.P. of Operations, Trail Ridge Energy, LLC (michael.laframboise@landfillenergy.com)
Mr. Richard Robinson, Duval County Environmental Quality Division (ROBINSON@coj.net)
Ms. Heather Abrams, U.S. EPA, Region 4 (abrams.heather@epamail.epa.gov)
Ms. Katy Forney, U.S. EPA, Region 4 (forney.kathleen@epamail.epa.gov)
Ms. Catherine Collins, Fish and Wildlife Service (catherine_collins@fws.gov)
Ms. Vickie Gibson, FDEP-BAR (victoria.gibson@dep.state.fl.us) (for read file)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

(Clerk) 1/27/09 (Date)

FINAL DETERMINATION

PERMITTEE

Trail Ridge Energy, LLC
29261 Wall Street
Wixom, Michigan 48393

PERMITTING AUTHORITY

Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation, Air Permitting North Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

Project No. 0310358-011-AC/PSD-FL-374B
Revision to Air Construction (AC) Permit No. 0310358-004-AC/PSD-FL-374
Trail Ridge Landfill Facility

This project revises the initial AC permit and removes the terms and conditions associated with Title 40, Code of Federal Regulations, Part 63 (40 CFR 63), Subpart ZZZZ, Reciprocating Internal Combustion Engines (RICE), based on amendments contained in the Federal Register of January 28, 2008. The six RICE-generator sets will be located and operated at the existing Trail Ridge Landfill located at 5110 U.S. Highway 301 South in Baldwin, Duval County, Florida. The project results in no emission increases and is considered a minor modification.

NOTICE AND PUBLICATION

The Department distributed an initial Intent to Issue Permit package on December 24, 2008. The applicant published the Public Notice of Intent to Issue in The Florida-Times Union on January 4, 2009. The Department received the proof of publication on January 15, 2009. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed.

COMMENTS

There were no comments received during the Public Notice period.

CONCLUSION

The final action of the Department is to issue the permit as noticed.

Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 23, 2009

Sent by Electronic Mail – Received Receipt Requested

Mr. Scott Salisbury
Managing Member
Trail Ridge Energy, LLC
29261 Wall Street
Wixom, Michigan 48393

Re: Final Air Construction (AC) Permit Revision Project No. 0310358-011-AC/PSD-FL-374B
Revision of Permit Project No. 0310358-004-AC/PSD-FL-374
Trail Ridge Energy, LLC – Six Reciprocating Internal Combustion Engine-Generator Sets
Determination of Non-Applicability of 40 CFR 63, Subpart ZZZZ

Dear Mr. Salisbury:

The Department received your request on October 31, 2008, for a revision of air construction (AC) permit, No. 0310358-004-AC/PSD-FL-374, which authorized the construction of six lean-burn spark-ignition reciprocating internal combustion engine (RICE)-generator sets at the existing Trail Ridge Landfill facilty located at 5110 U.S. Highway 301 South in Baldwin, Duval County, Florida. The AC permit was issued on December 11, 2006.

Based on your request, the Department concurs with you that the six RICE are not subject to the provisions of Title 40 of the Code of Federal Regulations Part 63 (40 CFR 63), Subpart ZZZZ. Therefore and as explained in the technical evaluation and preliminary determination, the Department is agreeable to revise AC permit No. 0310358-004-AC/PSD-FL-374 as follows. Please note that double underlined words are additions and strikethrough words are deletions.

I. Section I. Facility Information.

A. Regulatory Classification. Paragraph 2.

The provisions of 40 CFR 60, Subpart A, General Provisions, Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, 40 CFR 63, Subpart A, General Provisions, and 40 CFR 63, Subpart AAAA, National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills ~~and 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines~~ applies to the six internal combustion engines.

II. Section III. Emissions Unit(s) Specific Conditions.

A. Subsection A. Specific Condition A.3. Fuel Specifications and Work Practices.

Emissions Units Nos. 004-009 are subject to 40 CFR 60 Subpart WWW and certain sections of 40 CFR 63 Subparts AAAA ~~and ZZZZ~~ adopted by the Department at Rules 62-204.800(8)(b) and 62-204.800(11)(b), F.A.C., respectively.

III. Appendix GC.

Condition G.13.

This permit also constitutes:

(X) Determination of Best Available Control Technology (BACT)
(X) Determination of Prevention of Significant Deterioration (PSD)
(X) Compliance with New Source Performance Standards (NSPS). Subpart WWW requirements and
(X) Compliance with National Emission Standards for Hazardous Air Pollutants (NESHAP). Subpart AAAA ~~and ZZZZ~~ requirements

A copy of this letter and attachments shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this permitting decision (order) has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Joseph Kahn, Director
Division of Air Resource Management

1/26/09
Date