

NOTICE OF FINAL AIR CONSTRUCTION PERMIT

In the Matter of an Application for Permit:

Table with 2 columns: Applicant Information and File/Location Information. Applicant: Mr. Thomas T. Crandall, Utilities Director, Bay County Utilities Service Department, 3410 Transmitter Road, Panama City, Florida 32409. File/Location: DEP File No. 0050031-011-AC/PSD-FL-129(D), Bay Resource Management Center, Bay County.

Enclosed is the Final Air Construction Permit, No. 0050031-011-AC/PSD-FL-129(D). The purposes for the permit are to: (1) replace those BACT pollutant emission limitations that were established in an air construction permit (PSD-FL-129) with their corresponding pollutant emission limitations that are applicable from the new federal regulations at 40 CFR 60, Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or before August 30, 1999, adopted and incorporated by reference in Rule 62-204.800(9)(e), F.A.C., which are all more stringent except for the emissions of NOx (nitrogen oxides; and, the change is less than significant due to the use of excess air to control the emissions of carbon monoxide (CO)); (2) delete the limitation and test method for beryllium, since the standard at 40 CFR 61, Subpart C, does not apply based on prior Department determinations and discussions with the U.S. EPA, Region 4; and, (3) establish the operational requirements for the facility after performance testing is completed, if completed prior to November 16, 2005. The existing facility is located at 3410 Transmitter Road, Panama City, Bay County, Florida 32409. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.). Comments were received from two persons and the changes recognized did not affect the outcome of the Technical Evaluation and Preliminary Determination nor the permit.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Trina L. Vielhauer, Chief, Bureau of Air Regulation. Includes handwritten signature of Trina L. Vielhauer.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL AIR CONSTRUCTION PERMIT (including the Final permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 6/13/05 to the person(s) listed or as otherwise noted:

- Mr. Thomas T. Crandall *, R.O., Director, Bay County Utilities Service Department
Mr. Chalmous Beechem, Montenay Bay, LLC
Ms. Sandra Veazey, FDEP Northwest District Office
USEPA, Region 4 (INTERNET E-mail Memorandum)

Clerk Stamp

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

Mary Stanley (Clerk) 6/13/05 (Date). Includes handwritten signature of Mary Stanley and date.

Final Determination

Bay County Utilities Service Department
Bay Resource Management Center

Air Construction Permit No.: 0050031-011-AC/PSD-FL-129(D)

I. Public Notice.

An "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" to the Bay County Utilities Service Department's Bay Resource Management Center at 6510 Bay Line Drive, Bay Industrial Park, Panama City, Bay County -- approximately 2 miles North of the intersection of U.S. 231 and County Road 230, was clerked on May 16, 2005. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" was published in The News Herald on May 18, 2005. The Draft Permit was available for public inspection at the Department's Northwest District office in Pensacola and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" was received on May 24, 2005.

II. Public Comment(s).

Comments were received during the Public Notice period from two commenters. One was received from Mr. Moose Beechem on May 17, 2005, via e-mail, on behalf of Mr. Marc Wallace (CDM); and, one was received from Mr. Moose Beechem on May 25, 2005, via e-mail, on behalf of Ms. Anetha Lue (Montenay Power Corporation). The following will address their comments.

a. Comments from Mr. Moose Beechem on May 17, 2005, via e-mail, on behalf of Mr. Marc Wallace (CDM).

1. Technical Evaluation and Preliminary Determination (TE&PD).

(a) Based on the application, the projected tons per year (TPY) for particulate matter, dioxin/furan, cadmium, and lead were incorrectly stated in a table that was comparing the past actual emissions to future potential emissions on a per unit basis. The requested changes do not affect the preconstruction review outcome of the project. Therefore, no changes will be made to the permit regarding the comments. However, the following table is changed in order to recognize the comments:

FROM:

The following table provides a comparison of the annual emissions reduction expected from the new regulations on a per unit basis.

Pollutant	Existing (TPY)	After Retrofit (TPY)	TPY Reduction	% Reduction
HCl	270.2	19.7	- 250.5	92%
SO ₂	156.6	39.2	- 117.4	75%
NO _x	117.8	136.1	+ 18.3	16% increase
PM	29.8	9.0	- 20.8	70%
CO	406.5	121.8	284.7	70%
VOC	31.1	31.1	---	---
Dioxin/Furan	Not Limited	1.0×10^{-05}	---	---
Cadmium	Not Limited	0.015	---	---
Lead	0.4	0.165	- 0.235	59%
Mercury	0.8	0.127	- 0.673	84%
Fluoride	0.657	0.657	---	---

TO:

The following table provides a comparison of the annual emissions reduction expected from the new regulations on a per unit basis.

Pollutant	Existing (TPY)	After Retrofit (TPY) ¹	TPY Reduction	% Reduction
HCl	270.2	19.7	- 250.5	92%
SO ₂	156.6	39.2	- 117.4	75%
NO _x	117.8	136.1	+ 18.3	16% increase
PM	29.8	11.3	- 18.6	62%
CO	406.5	121.8	284.7	70%
VOC	31.1	31.1	---	---
Dioxin/Furan	Not Limited	1.26 x 10 ⁻⁰⁵	---	---
Cadmium	Not Limited	0.0167	---	---
Lead	0.438	0.205	- 0.233	53%
Mercury	0.8	0.127	- 0.673	84%
Fluoride	0.657	0.657	---	---

¹ Based on a gas flow rate of 25,525 dscfm.

b. Comments from Mr. Moose Beechem on May 25, 2005, via e-mail, on behalf of Ms. Anetha Lue (Montenay Power Corporation). The comments on the TE&PD were the same as the first commenter. Therefore, the response is the same as that made in II.a.1.(a), above, and no further changes are required.

III. Conclusion.

Comments were received during the Public Notice period regarding the TE&PD. Since the comments did not require any changes to the permit, it is recommended that the Final Air Construction Permit (letter) be issued as drafted and noticed.



Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

June 6, 2005

CERTIFIED MAIL – Return Receipt Requested

Mr. Thomas T. Crandall
Utilities Director
Bay County Utilities Service Department
3410 Transmitter Road
Panama City, Florida 32409

Re: Final Air Construction Permit No.: 0050031-011-AC/PSD-FL-129(D)
Bay Resource Management Center

Dear Mr. Crandall:

The subject of the air construction permit (letter) is to: (1) replace those BACT pollutant emission limitations that were established in an air construction permit with their corresponding pollutant emission limitations that are applicable from the new federal regulations at 40 CFR 60, Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or before August 30, 1999, adopted and incorporated by reference in Rule 62-204.800(9)(e), F.A.C., which are all more stringent except for the pollutant NO_x (nitrogen oxides; and, the increase is less than significant due to the use of excess air to control carbon monoxide (CO)); (2) delete the limitation and test method for beryllium, since the standard at 40 CFR 61, Subpart C, does not apply based on prior Department determinations and discussions with the U.S. EPA, Region 4; and, (3) establish the operational requirements for the facility after performance testing is completed, if completed prior to November 16, 2005. Therefore, the following are changed as follows:

1. AC03-145061 &-152196/PSD-FL-129: Specific Condition 3.

FROM:

Flue gas emissions from the facility shall not exceed the following:

Pollutant	Emission Limitations		Emissions Factors	
	Per Unit lbs/hr	Facility lbs/hr	Wood lb/ton	MSW lb/ton
PM, PM ₁₀	6.8	13.5	(0.03 gr/dscf)	
CO	92.8	185.6	20.0	3.58
NO _x	26.9	53.9	2.8	2.41
SO ₂	35.8	71.5	0.3	3.36
VOC	7.1	14.2	1.7	0.196
Lead	0.04	0.08	0.0	0.0039
Mercury	0.18	0.36	0.0	0.0017
Beryllium	5x10 ⁻⁶	1x10 ⁻⁵	0.0	4.8x10 ⁻⁷
Hydrogen Chloride	61.7	123.3	0.0	5.8
Sulfuric Acid Mist	1.5	3.0	0.0	0.14
Fluoride	0.15	0.3	0.0	0.014

Visible emissions shall not exceed 15% opacity (6 min. average).

PM₁₀ emissions are conservatively assumed to be equal to 100% PM.

"More Protection, Less Process"

Printed on recycled paper.

TO:

The NSPS at 40 CFR 60.1785(a), allows for the initial compliance tests for the pollutants listed in 40 CFR 60.1775 to be conducted by 180 days after the final compliance date (see Specific Condition **B.39.2.(a)**). In addition, NSPS Subpart A (40 CFR 60.8) requires compliance tests to be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup. Therefore, the affected units shall be tested after installation and debugging of the new control systems and resuming commercial operation. This Specific Condition goes into effect no later than November 16, 2005, at 12:01 a.m.; however, it will become effective on the day the facility resumes commercial operation and conducts the appropriate compliance tests as required above. The Department's Northwest District office shall be notified of the dates of initial startup and commencing commercial operation. Flue gas emissions from each emissions unit shall not exceed the following:

Pollutant	Emission Limit per Emissions Unit
CO	250 ppmvd @ 7% O ₂
Fluorides	0.15 lb/hr
HCl	31 ppmvd @ 7% O ₂ or 95% reduction
Hg	0.070 mg/dscm @ 7% O ₂ or 85% reduction
NO _x	170 ppmvd @ 7% O ₂
Cd	0.040 mg/dscm @ 7% O ₂
Pb	0.490 milligrams/dscm @ 7% O ₂
SAM	1.5 lbs/hr
SO ₂	31 ppmvd @ 7% O ₂ or 75% reduction
PM	27 mg/dscm @ 7% O ₂
Dioxins	30 ng/dscm @ 7% O ₂
VOC	7.1 lbs/hr
Opacity	10% - 6 minute average

Note: Unless otherwise specified, the averaging time(s) shall be based on the specified averaging time of the applicable test method or the corresponding NSPS emissions standard (40 CFR 60, Subpart BBBB).

2. AC03-145061 &-152196/PSD-FL-129: Specific Condition 4. Compliance Tests.

FROM:

- 4.e. The following test methods and procedures of 40 CFR 60 and 61 or other DER approved methods with prior DER approval shall be used for compliance testing:
 (14) Method 104 for beryllium.

TO:

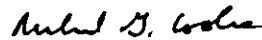
- 4.e. The following test methods and procedures of 40 CFR 60 or other DEP approved methods with prior DEP approval shall be used for compliance testing:
 (14) Deleted.

Mr. Thomas T. Crandall
Bay Resource Management Center
0050031-011-AC/PSD-FL-129(D)
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This permit (letter) 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 thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,



Michael G. Cooke
Director
Division of Air Resource Management

MGC/jfk/bm

cc: Mr. Anthony Lo'Re, P.E., CDMI
Ms. Sandra Veazey, NWD
Mr. Jerry Gross, BRMC
Mr. Gregg Worley, U.S. EPA, Region 4