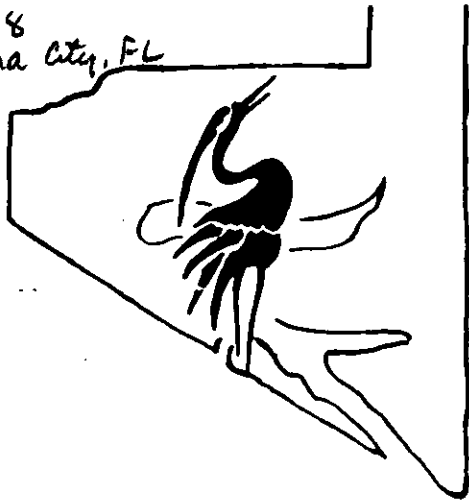


file copy

PM
7-21-88
Panama City, FL

“FROM BIRDWATCHING



TO THE TOTAL ENVIRONMENT”

*Pradeep -
I have a
copy of this
Patty*

RECEIVED

JUL 22 1988

DER-BAQM

July 19, 1988

Mr. Clair Fancy
State Department of Environmental Regulation
2600 Blair Stone Road
Twin Towers Office Building
Tallahassee, FL 32301

Dear Mr. Fancy:

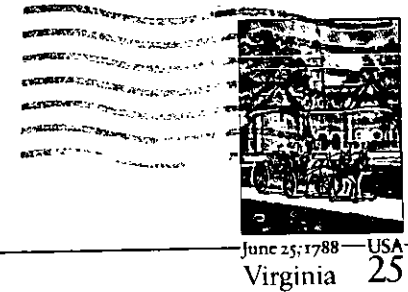
This letter is regarding the Bay County waste-to-energy facility's request for a permit modification that you are in the process of reviewing.

First of all, let us thank you for having Mr. Raval send Audubon's Jeff Palgut a copy of that permit.

In reviewing the application, Bay County Audubon Society was alarmed to see that sulfur dioxide emissions would increase approximately 90 tons per year when burning 510 tons per day of municipal solid waste as opposed to 350 tons per day. Federal regulations do not permit this type of increase.

In consideration of the above information, Bay County Audubon Society actively opposes granting of the permit modification. If the Bay County waste-to-energy facility desires to increase its burning capacity above that granted in its operating permit, it should be required to comply with existing Federal regulations governing prevention of significant deterioration. Such compliance could be achieved with existing technology to remove the offending pollutant sulfur dioxide.

Bay County Audubon Society
P.O. Box 1182
Panama City, Florida 32402



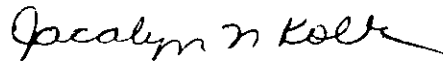
Mr. Clair Fancy
State Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32301



Page Two
July 19, 1988
Mr. Clair Fancy

Bay County Audubon Society at this time formally requests notification concerning preliminary decision on the application, by your office. Should your decision be in favor of granting the terms of the application, we also formally request a public hearing and/or administrative determination.

Respectfully,

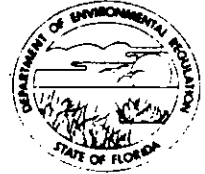


Jacalyn N. Kolk, President
Bay County Audubon

JNK/dt

cc: Environmental Protection Agency
Region IV
Mr. Bill Thomas, Florida D.E.R.
Mr. Pradeep Raval, Florida D.E.R.
Ed Middleman, OW Dist.

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION



Interoffice Memorandum

FOR ROUTING TO OTHER THAN THE ADDRESSEE

To: _____ LOCTN: _____
To: _____ LOCTN: _____
To: _____ LOCTN: _____
FROM: _____ DATE: _____

TO: Bay County Waste-to-Energy Facility File, PSD-129
FROM: Pradeep A. Raval *PR*
DATE: July 13, 1988
SUBJ: Use of Wood Waste in Combustors.

Spencer Brady of Westinghouse called Barry Andrews to request permission to burn wood waste when municipal solid waste was not available in sufficient quantity (to sustain a steady heat rate), for the two O'Connor combustors at the Bay County Waste-to-Energy facility. The permit currently being drafted will reflect this change.

Since rule applicability for the proposed project does not change, and since the applicant accepts the restricted use of wood waste up to 160 tons per day (allowed currently), no new review will be triggered. Changes in the projected emissions will be noted as attached.

PR/plm

Attachment

TABLE 1

<u>Pollutant</u>	<u>Annual Emissions (Tons/Year) Based on 350 TPD MSW 135 TPD Wood</u>	<u>Maximum Annual Emissions (tons/yr) Based on 510 TPD MSW or 350 TPD MSW & 160 TPD Wood</u>	<u>Difference (Tons/Year)</u>	<u>PSD Significant Emissions Rate (Tons/Year)</u>
Particulate Matter	50	59	9	25
Carbon Monoxide	722	813	91	100
Nitrogen Oxides	223	236	13	40
Sulfur Dioxide	223	313	90	40
DOC	54	62	8	40
Lead	0.25	0.36	0.11	0.6
Mercury	0.11	0.16	0.05	0.1
Beryllium	0.000031	0.000045	0.0000136	0.004
Fluorides	0.9	1.30	0.40	3
Sulfuric Acid Mist	9.0	13	4	7
Hydrogen Chloride	370	540	170	-

PM
6-15-88
Panama City, FL
file copy

Board of County Commissioners

Bay County

OFFICE OF THE COUNTY ATTORNEYS
221 MCKENZIE AVENUE
POST OFFICE BOX 70
PANAMA CITY, FLORIDA 32402
TELEPHONE (904) 769-1414
TELECOPY (904) 784-0857

ATTORNEYS:
BURKE & BLUE, P.A.
LES W. BURKE
NEVIN J. ZIMMERMAN

COMMISSIONERS:
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TOMMY LOFTIN
DISTRICT V

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JUN 16 1988

June 15, 1988 DER-BAQM

Mr. C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality Management
Twin Towers Office Building
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Permits

Dear Mr. Fancy:

Please disregard the previous letter sent regarding permits dated June 9, 1988 and replace same with the enclosed letter which has editorial changes on the second page.

Thank you.

Sincerely yours,



Michelle Glover
Office of Nevin J. Zimmerman

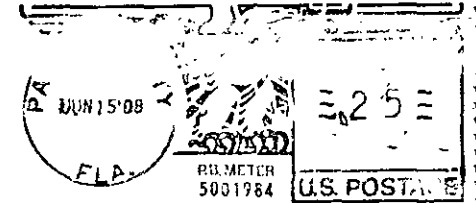
NJZ:mdg
Enclosures

Copied: Pradler Raval
CHF
Barry Andrews
Tom Rogers
Ed Middlewart - NW Dist.
Hayne Aronson - EPA
Miguel Solors - NPS

Board of County Commissioners

Bay County

POST OFFICE BOX 1818
PANAMA CITY, FLORIDA 32402



Mr. C.H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality Management
Twin Towers Office Building
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Fl. 32399-2400



Board of County Commissioners

Bay County

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DISTRICT V

June 9, 1988

Mr. C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality Management
Twin Towers Office Building
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Permits

Dear Mr. Fancy:

The purpose of this letter is to set forth the reasons that the Board of County Commissioners of Bay County ("the Board") believes that the State of Florida Department of Environmental Regulation ("DER") should issue the necessary operational permits to allow the Bay Resource Management Center ("the Facility") to operate at its designed capacity of 510 tons per day of municipal solid waste ("MSW").

The Board has a long history of administrative proceedings, consent orders and enforcement action with regard to the inadequacy of the Board's landfill to dispose of MSW generated in Bay County. Because of the substantial numbers of bays, bayous, creeks, inlets and marsh areas, the County has a high water table which combined with a geology favoring the formation of limestone sink holes, and a large public potable surface water supply in the form of Deerpoint Lake, the Board was unable to locate an adequate site for a new landfill. The efforts of the Board to locate a site spawned numerous citizens groups all opposing the various proposed sites and resulted in several formal administrative hearings involving the Board, DER and citizens groups.

While the County was experiencing problems with its existing landfill, the Florida Legislature developed a legislative policy that designated 19 counties in Florida as having a responsibility for developing a comprehensive solid waste resource recovery and management program that included consideration of incinerators, particularly those able to provide service on a regional basis. (See Fla. Admin. Code Rule §17-7.020(16)) Bay County was the least populated of the 19 counties and was also located in the most economically depressed area of the State. Through a government

grant, the County was able to obtain the necessary funds to do a preliminary feasibility study which concluded that incineration was the best course for the Board to pursue. (Municipal Solid Waste to Energy, Feasibility for Bay County, Florida, dated September 22, 1981, prepared by Stock Equipment Company, a unit of General Signal)

While the public at large was generally opposed to landfills, there was a general public acceptance of the concept of incineration including the formation of a citizens group named PIC for "Protect, Incinerate and Conserve". Because of the Board's desire to plan for the future growth of the County, to provide an opportunity for service on a regional basis and in order to secure better project economics, the Board contracted with Westinghouse Electric Corporation ("Westinghouse") for the development of a two train (each train having a capacity of 255 tons per day), 510 ton per day incinerator named the Bay Resource Management Center.

The feasibility studies with regard to the Facility contemplated that the initial needs of Bay County itself would be approximately 350 tons per day and that the additional capacity of 160 tons per day would be available for use by other counties until Bay County's needs had increased. Because definitive contracts were not in place with other counties, the feasibility of the Facility was further based on a supplementation of MSW by waste wood which was plentiful in area forest lands.

The Board has paid Westinghouse for a 510 ton per day Facility for which Westinghouse has the responsibility for obtaining appropriate environmental permits. Westinghouse was advised by DER that the only permits that could be obtained were permits based upon the actual projected start-up use of the Facility and not on projected future uses of the Facility. Therefore, the initial operational permits were for a capacity of 350 tons per day of MSW with the balance being waste wood. The Board and Westinghouse always contemplated that DER would increase the operational permit as the amount of MSW processed by the Facility increased.

As stated above, public acceptance of the concept of incineration and the Facility in particular has generally been good with the exception of public complaints with regard to cost. While the public appears willing to pay the cost of incineration as a preferable method of disposing of MSW, the cost is substantially more than the cost of running an inadequate, non-permitted landfill and therefore the Board has been under public pressure to clearly account for the cost of the Facility.

One item that has received considerable focus is the cost of purchasing waste wood to supplement the MSW so that the Facility can run at its designed capacity of 510 tons per day. Even though the Facility is economically better off to burn waste wood and generate the additional electricity produced thereby and sell that electricity to Florida Power Company, it is obvious to the public that the County would be much better off if it could avoid

paying for waste wood and instead be paid to dispose of MSW. Since all surrounding counties have inadequate landfills and there is in general no shortage of MSW, the Board and the public believe that the excess capacity of the Facility should be filled with MSW.

Of course, Secretary Twachtman has shared this view and has encouraged surrounding counties to use the Facility but to date, the Board has not been in a position to finalize any arrangements for additional MSW because of a concern about the permitted capacity of the Facility.

Also, as DER is aware, Bay County is a substantial tourist destination and during the summer months the population of the area and consequently the MSW produced increases substantially. Therefore, even without securing MSW from surrounding areas, during the summer months the County will approach or perhaps even exceed 350 tons per day of MSW processed through the Facility.

Thus the failure of DER to issue the 510 ton per day operation permit is costing the public of Bay County and increasing their concern about the cost of incineration.

In addition, DER has also raised the possibility that before issuing the permit to use the Facility up to its designed capacity for the disposal of MSW, additional expensive equipment in the form of acid gas scrubbers should be added to the Facility.

Of course, this only further compounds the cost associated with incineration. The contract between the Board and Westinghouse provides that if there are changes in law, regulation or policy after August 1, 1984, the expense of making such additions to the Facility will be borne by the County rather than by Westinghouse.

Westinghouse has estimated that the cost of adding the acid gas scrubbers and other equipment (including all direct or indirect costs) suggested by DER would be in the range of \$11,328,500 including 176 day shutdown period for required retrofitting and that this would be an expense of the Board and not Westinghouse. This obviously has a substantial negative impact on the County.

As with most public bodies, the method Bay County would use to pay for the costs of retrofitting the incinerator would be to borrow additional money. Bay County presently has outstanding a \$60,000,000 uninsured bond issue that is secured solely by the revenues of the solid waste system. Although we do not know for certain, it is doubtful that the revenues of the System are sufficient to secure additional parity bonds or even junior in lien bonds in the amount necessary to finance the retrofitting expenses.

Estimates of the cost of (i) not allowing the processing of additional MSW (approximately 50,000 tons per year) in lieu of waste wood would cost the public of Bay County an additional fifty

percent (50%) over the present operation and management cost (in other words, if the revenue collected from other counties is \$25 per ton and the cost of wastewood is \$12 per ton, then the additional expense of not being able to burn 510 tons of MSW each day will result in a loss of \$1,250,000 per year in out-of-county tipping fee revenues plus an expense of \$600,000 per year for wastewood which translates into an additional expense of \$17 per ton to the Bay County citizens and (ii) the cost of adding acid gas scrubbers is estimated to add at least \$10 per ton to the cost of disposing of MSW at the Facility.

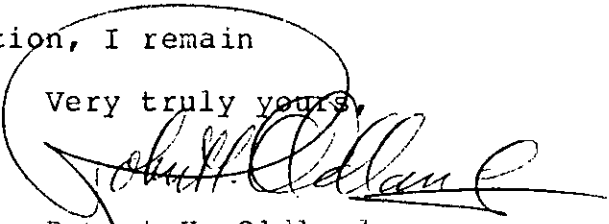
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One final point, the Board understands that EPA is presently in the process of developing its policy with regard to pollution control devices such as acid gas scrubbers on incinerators and that this policy should be finalized in the near future. It appears to be unwise and unfair to make Bay County take some action at the present time before this final policy is established since whatever Bay County does may or may not be in compliance with the final policy. It appears to be a much wiser and sounder course to follow to issue the appropriate operational permit to Bay County at this time and then treat Bay County the same as other similarly situated when EPA's policy is finally determined.

The Board hopes that DER will agree that the 510 ton per day operational permit should be issued at the earliest possible date and will follow through to so issue the necessary permit.

Thanking you for your cooperation, I remain

Very truly yours,



Robert H. Oldland
County Manager

RHO:mdg

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6-9-88
Panama City, FL

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Board of County Commissioners Bay County

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PANAMA CITY, FLORIDA 32402
PHONE: (904) 784-4000



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JUN 10 1988
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COMMISSIONERS:
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S. RICHARD SELTZER
DISTRICT III
HAROLD T. PHILLIPS
DISTRICT IV
TOMMY LOFTIN
DISTRICT V

June 9, 1988

Mr. C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality Management
Twin Towers Office Building
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Permits

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Company: [Redacted]
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City: [Redacted]

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Company: [Redacted]
Department/Floor No.:

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State: FL
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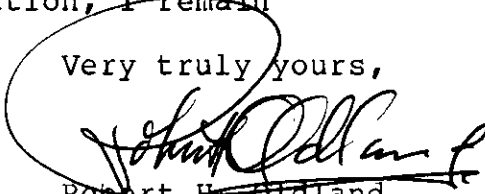
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Robert H. Oldland
County Manager

RHO:mdg

Copied: Pradeep Raval
CHF
Barry Andrews
Tom Rogers
Ed Middlewart
Wayne Olson
Miguel J. J. J. } 6.13.88

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6.9.88
Pittsburgh, PA



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Westinghouse
Electric Corporation
EN1199DB

Resource Energy Systems
Division

Cost Building
2400 Ardmore Boulevard
Pittsburgh Pennsylvania 15221
(412) 636 5800
WIN 261 5800

June 9, 1988

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JUN 10 1988

DER-BAQM

Mr. Clair Fancy
Florida Dept. of Environmental Resources
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32301

Dear Clair:

In response to your May 26, 1988 letter and our subsequent meeting in Atlanta with EPA Region IV on June 1, 1988, the following is a discussion on why the Bay County Resource Recovery Facility permit modification is unique and why acid gas controls should not be required to be retrofitted to burn an additional 160 tons per day of municipal solid waste (MSW). This letter incorporates by reference the original "Request for Permit Modification" PSD Permit Application (January 18, 1988) and the responses to requests for additional information dated April 26, 1988, March 17, 1988, and February 3, 1988, respectively.

The key issues to consider in deeming this project unique are:

- o The Facility was designed and constructed to process 510 tpd of MSW.
- o If DER requires spray dryers as BACT, it will be necessary because of the existing plant layout, to relocate the existing ESPs and to erect a new stack.
- o The costs associated with retrofitting this facility with spray dryers are enormous especially in comparison with the overall project costs.
- o The burden of payment for retrofitting will be born by the residents of Bay County.
- o The incremental amount of pollutants emitted from processing an additional 160 tpd of MSW is minimal.
- o The USEPA is in the process of preparing regulations for new (NSPS) and existing municipal waste combustors.
- o The State of Florida will realize benefits to their overall solid waste management plan as well as protection of their groundwater resources by allowing this project to proceed as planned.

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QUESTIONS? CALL 800-238-5355 TOLL FREE.

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3309356143

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Company WEST INHOUSE/RESOURCE ENERGY
Street Address 2400 ARDMORE BLVD COST BLDG
City PITTSBURGH PA **State** PA **ZIP Required For Correct Invoicing** 15221

To (Recipient's Name) Mr. Clair Faney
Recipient's Phone Number (Very Important) (904) 488-1344
Department/Floor No.
Company Florida Dept. of Environmental Resources
Exact Street Address (Use of P.O. Boxes or P.O. Zip Codes Will Delay Delivery And Result In Extra Charge.) 2600 Blair Stone Road, Office Bldg
City Tallahassee FL **State** FL **ZIP Street Address Zip Required** 32301

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5 **STANDARD AIR** Delivery not later than second business day

SERVICE COMMITMENT
 PRIORITY 1 - Delivery is scheduled early next business morning in most locations. It may take two or more business days if the destination is outside our primary service areas.
 STANDARD AIR - Delivery is generally next business day or not later than second business day. It may take three or more business days if the destination is outside our primary service areas.

Sender authorizes Federal Express to deliver this shipment without obtaining a delivery signature and shall indemnify and hold harmless Federal Express from any claims resulting therefrom.

Release Signature: [Signature]

DELIVERY AND SPECIAL HANDLING CHECK SERVICES REQUIRED

1 **HOLD FOR PICK-UP** (P.1 in Section H at right)

2 **DELIVER WEEKDAY**

3 **DELIVER SATURDAY** (Extra charge)

4 **DANGEROUS GOODS** (P.1 and Standard Air Packages only. Extra charge)

5 **CONSTANT SURVEILLANCE SERVICE (CSS)** (Extra charge) (Do Not Complete Section B)

6 **DRY ICE**

7 **OTHER SPECIAL SERVICE**

8 **SATURDAY PICK-UP** (Extra charge)

9

10

PACKAGES	WEIGHT	YOUR DECLARED VALUE	OVER SIZE
	LBS		
	LBS		
	KGS		
	LBS		
Total	Total	Total	Total

Received At:
 1 Regular Stop
 2 On-Call Stop
 3 Drop Box
 4 B.S.C.
 5 Station

Federal Express Corp. Employee No. [Signature]

Date/Time For Federal Express Use [Signature]

HOLD FOR PICK-UP AT THIS FEDERAL EXPRESS LOCATION:
 Street Address (See Service Guide or Call 800-238-5355)
 City: Tallahassee State: FL

ZIP * Zip Code of Street Address Required
 32301

Emp. No. _____ Date _____

Cash Received
 Return Shipment
 Third Party
 Chg. To Del.
 Chg. To Hold

Street Address: 2600 Blair Stone Road, Office Bldg
 City: Tallahassee State: FL Zip: 32301

Received By: [Signature]
 Date/Time Received: _____ FedEx Employee Number: _____

Federal Express Use

Base Charges

Declared Value Charge

Origin Agent Charge

Other

Total Charges

PART #106001
 FEC-S-751-1000
 REVISION DATE 10/86
 PRINTED U.S.A. GBFE

RECIPIENT'S COPY

Although the Facility is permitted to process 350 tpd of MSW and 160 tpd of wood waste, it is designed to process 510 tpd of MSW. When the original permit application was prepared and submitted to DER in March 1984, only 350 tpd of MSW could be secured, and therefore the permit application reflected the amount of available waste and not the plant's design rated capacity. Since there have been no physical changes made to the plant to increase its capacity, it is felt that a permit should be granted based upon the original design and that DER should not require acid gas controls because of a "paper" modification. You had indicated in your letter to Bruce Miller, EPA Region IV, dated September 16, 1987 that DER would have granted a permit to burn 510 TPD with the same control equipment that is currently installed on the facility. (See Attachment A). As was indicated in previous correspondence to your office, the County requested a permit to burn only 350 TPD MSW because that was the projected waste stream available at the time of permit submission. The additional waste stream is now available, thus the request to burn up to 510 TPD MSW. Also, the June 1987 EPA Guidance Document on BACT for Municipal Solid Waste Incinerators does not actually mandate acid gas controls, but suggests that each application be reviewed on a case-by-case basis.

The addition of lime slurry will increase the grain loading to the ESP from approximately 3.0 to 5.0 gr/dscf. Recent test results at the Bay County facility show that the ESP inlet concentration levels are approximately 3.2 gr/dscf. In order to maintain an outlet concentration level of 0.03 gr/dscf (the permit condition), an additional field must be added to the existing ESPs.

In order to retrofit spray dryers at the Bay County Facility, it will be necessary to relocate the existing ESPs and the stack to make room for the spray drying vessels and ancillary equipment. Westinghouse estimates that the Facility would be shut down for approximately six months to accommodate this retrofit. The total cost for plant renovation and lost revenues is estimated to be 11.3 million dollars. This figure represents 30% of the original plant cost of 38 million dollars. The revised capital cost estimate for the spray dryers has been increased because a more detailed estimate was obtained from the equipment supplier of the existing ESPs, Environmental Elements Corporation (EEC).

Attachment B offers a detailed analysis of the costs associated with a retrofit period of six months both from the capital as well as operational perspective.

Further explanation of some categories of direct costs is appropriate. During the shutdown period the portion of the facility unaffected by construction work would require long term storage precautions as well as periodic maintenance. Therefore, the service fee for plant operations would continue to be felt by the County as efforts were directed to operations other than burning waste.

In addition, the obligations of bond debt servicing and lease payments to the owner trustee would continue during any shutdown period while energy revenues assigned to cover these obligations would not. This would add the burden of payment to the already large County bill.

The County via its response to this issue (Attachment C) has identified the burden these additional costs would place on their constituents toward their acceptance.

It is likely that any additional capital and/or operational costs would be financed by additional bond issuance. We have not calculated in our analysis this additional burden albeit very real. A twenty year bond issue sized to provide funds for the approximate \$12 million in retrofit expense would require repayment of over \$28 million during its lifetime accounting, therefore, for an additional \$16 million in financing expense discounting any up front issuance or legal or administrative cost.

As stated in the previous submittals, the incremental amounts of SO₂ and HCl emitted are projected to be a maximum of 90 and 170 tons per year respectively. These numbers are based upon an inlet SO₂ concentration of 150 ppm and an inlet HCl concentration of 500 ppm, and that the facility is operated 24 hr/day, 365 day/yr. Assuming that the spray dryers will reduce the SO₂ emissions by 70% and the HCl emissions by 90% results in an incremental reduction of 63 tpy for SO₂ and 153 tpy for HCl. Westinghouse estimated that the incremental H₂SO₄ and HF emissions would be 4 and 0.4 tpy, respectively. The reduction in these two pollutants would be 2.8 and 0.36 tpy.

In the previous submittals, Westinghouse provided information regarding ESP control efficiencies for heavy metals (Pb, Be, As, Cd etc.). These efficiencies ranged from 98.5% to 99% for all metals except Cr⁺⁺ and Hg. Adding acid gas controls may increase the removal efficiency for Hg (by lowering the flue gas exit temperature) from 0% to approximately 50% which will reduce the incremental Hg emissions to 0.25 tpy. However, it is doubtful that the other metal emissions will be affected.

Modern waste-to-energy facilities using sophisticated combustion controls and ESPs designed to meet particulate emission concentrations less than 0.03 gr/dscf show very low organic emission levels. Emission data from Chicago NW; Westchester Co., NY; Saugus, MA; North Andover, MA; and Tulsa, OK verify that modern W-T-E plants routinely emit low levels of dioxins and furans.

The annualized cost for retrofitting this facility is \$1,614,871 (See Attachment B). This correlates to the following costs in dollars per ton of pollutant removed:

SO ₂	63 tons	\$ 25,632/ton
HCl	153 tons	\$ 10,555/ton
H ₂ SO ₄	2.8 tons	\$ 576,740/ton
HF	0.36 tons	\$4,485,742/ton
Hg	0.25 tons	\$6,459,484/ton
All of the above	<u>219.41 tons</u>	<u>\$ 7,360/ton</u>

The cost for removing the additional SO₂ generated when burning 510 TPD is approximately \$26,000 per ton removed, which is excessively high. Even the total acid gas and mercury costs per ton removed are extremely high, at approximately \$7400/ton.

As you know, the USEPA is in the process of developing regulations for both new sources (NSPS) and existing municipal waste combustors. EPA has indicated that the proposed regulations for new sources should be published in the Federal Register in late 1989. The regulations for existing sources should also be published in 1989, with proposed rules in 1990. We feel that if regulations are promulgated requiring existing sources to install acid gas scrubbers, the Bay County Facility, along with the 100 or so MSW combustors, would then install acid gas scrubbers. If however, EPA does not require acid gas scrubbers for existing sources, then the Bay County citizens would have to bear the high cost of additional air pollution control equipment that the other existing 100 sources throughout the USA would not be required to incur.

The Bay County facility was designed to burn 510 TPD MSW having a higher heating value of 4500 Btu per lb. This was done so that the plant would be able to handle all of Bay County's waste well into the year 2000. In addition, the plant would also be able to operate as a regional waste combustion facility and process waste from other counties nearby. The facility was originally built because the existing landfill was found to be contaminating the ground water supply. Landfills with similar geological conditions in the panhandle of Florida may also be contaminating the local ground water supplies. The Florida DER Bureau of Solid Waste Management approached the officials of Bay County about the possibility of burning "out-of-County" waste at the Bay County W-T-E plant in 1987. Florida DER then sent letters to the Chairpersons of Gulf, Liberty, Washington, and Calhoun Counties on August 11, 1987 requesting that these counties consider sending their waste to the Bay County Plant to help alleviate their existing landfill problems. These letters are attached as Appendix D. In summary, the citizens of the State of Florida would realize an environmental benefit if the Bay County W-T-E plant did, in fact, burn waste from counties surrounding Bay County, thereby eliminating a source of ground water contamination.

June 9, 1988

Thank you for considering our request. Should you have any questions regarding this matter please feel free to contact me at (412) 636-5806.

Sincerely Yours,



D. S. Beachler, Manager
Environmental and Quality Engineering

cc: W. Aronson, U.S.EPA, Region IV
Nevin Zimmerman - Bay County Legal Counsel

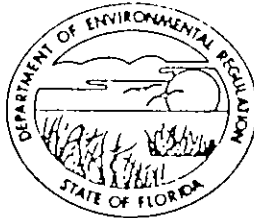
Attachments (4)

/kjd
EN1199DB-EN09

Copied: Pradeep Raval
CHP
Barry Andrews
Tom Rogues
Ed Middelquist, NWDist
Wayne Aronson, EPA
Miguel Flores, NPS } 6.13.88

ATTACHMENT A
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

September 16, 1987

Mr. Bruce P. Miller, Chief
Air Programs Branch
U.S. EPA - Region IV
345 Courtland Street
Atlanta, Georgia 30365

Dear Mr. Miller:

The Bureau of Air Quality Management has received notification that Westinghouse Electric Corporation would like to increase the municipal solid waste (MSW) throughput at their facility (Bay County Resource Recovery Facility) near Panama City, Florida. The request would involve increasing the throughput from the presently permitted value of 350 TPD to 510 TPD in order to handle additional tonnage that would originate from adjacent counties (see attached news release).

As a result of this MSW throughput increase, the emissions of NO_x and SO₂ would increase by 14 and 76 tons per year respectively. This increase would result in a major modification for SO₂, thereby requiring a BACT review. In accordance with this request, the Bureau is seeking your guidance.

Although the Bureau is well aware of EPA's feelings regarding BACT for new resource recovery facilities, we are uncertain as to how a BACT determination should be evaluated for SO₂ emissions from this existing facility. The manner in which this request should be handled is difficult to ascertain based on the permitting history of the facility. In order to better understand this situation it is well to provide some background information.

The Bay County Resource Recovery Facility (RRF) was designed to process a total of 510 TPD MSW. However, in accordance with the guaranteed amount of MSW that was available in Bay County, the applicant requested that the facility be permitted to burn 350 TPD of MSW and 178 TPD of wood wastes as a supplemental fuel.

On, August 3, 1987 the Bureau received Westinghouse's request to increase the MSW throughput at their facility. This request was based on the possibility of the Bay County RRF becoming a regional RRF, thereby requiring that the facility would need to

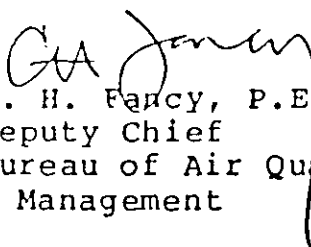
operate at full capacity (510 TPD) with MSW thus eliminating the need for supplementing with wood waste. This change in the quantity of MSW burned results in the SO₂ increase since the emission rate of SO₂ from MSW is much greater than that of wood wastes (3.37 and 0.3 pounds per ton respectively).

Upon evaluating this situation, the Bureau believes that the facility should be allowed to increase the MSW throughput to 510 TPD without having to take additional measures to control SO₂ emissions than were determined in the original BACT determination. It is clearly evident that Westinghouse requested a MSW throughput level which was below maximum capacity only because the County did not have an MSW generation rate which would necessitate operating at full capacity. In addition, the Bureau believes that if Westinghouse did initially apply to operate at full MSW capacity, the BACT determination would have been completed exactly as it stands today.

As you know, the permitting of resource recovery facilities has been subject to much controversy. As is the case, the Bureau does not want to proceed with this request without receiving Region IV's input.

Seeing that a MSW throughput increase for the Bay County Facility would do much to alleviate the present solid waste disposal problems in the area around Bay County, the Bureau would appreciate receiving your input as soon as possible. For your information, I have enclosed a summary of the recent stack testing results. If you have any questions, please contact Barry Andrews at (904) 488-1344.

Sincerely,


C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CF/BA/ss

Enclosures

cc: D. Beachler
T. Moody

SEP 22 1987

ATTACHMENT B

CAPITAL COSTS

I. Spray Dryers

Lime Slurry Feed and Preparation	\$ 450,000
Dryers	750,000
Erection	500,000
Ductwork	150,000
Heat Insulation	300,000
Controls	100,000
Piping	50,000
Access	125,000
Wiring	200,000
Field Supervision	60,000
Start-up and Shakedown	<u>200,000</u>
SUB-TOTAL:	\$ 2,885,000

II. ESP Relocation and Stack Construction

Dismantle and Remove Existing Stack	\$ 200,000
Construct New Stack (including foundations)	510,000
Construct New ESP Foundations	70,400
Dismantle ESP's	150,000
Re-erect ESP's	350,000
Add an Additional Field to Each ESP	<u>400,000</u>
SUB-TOTAL:	\$ 1,680,400

III. Miscellaneous Equipment

Replace Pneumatic Conveyors with Drag Conveyors	\$ 450,000
Replace Induced Draft Fans	<u>88,000</u>
SUB-TOTAL:	\$ 538,000

IV. Direct Costs Related to Six-Month Plant Shutdown

Transportation of By-Pass Waste (510 TPD) (180 days) (\$2/ton)	\$ 183,600
Landfill Depletion (510 TPD) (180 days) (\$20/ton)	1,836,000
Boiler Shutdown Servicing	250,000
Plant Staffing	1,333,072
Electrical Usage	6,000
Lease Payments	1,861,100
Bond Servicing	<u>755,333</u>
SUB-TOTAL:	\$ 6,225,105

TOTAL CAPITAL COSTS: \$11,328,500

ATTACHMENT B (Continued)

OPERATING AND MAINTENANCE COSTS

Lime Consumption	\$ 75,555
Additional Power	56,718
Water	5,440
Maintenance	35,200
Spare Parts	78,280
Increase Disposal Costs	<u>32,580</u>
TOTAL OPERATING COSTS:	\$283,773

ANNUALIZED COSTS

(I=10%, N=20 years)

Capital Cost	=	\$11,328,500
O&M	=	\$ 283,773
Annualized Cost	=	\$11,328,500 (A/P,10%,20) + \$283,773
Annualized Cost	=	\$ 1,614,871

Board of County Commissioners Bay County

POST OFFICE BOX 1818
PANAMA CITY, FLORIDA 32402
PHONE: (904) 784-4000



COMMISSIONERS:

JOHN B. HUTT, JR.
DISTRICT I

RALPH BURGESS
DISTRICT II

S. RICHARD SELTZER
DISTRICT III

HAROLD T. PHILLIPS
DISTRICT IV

TOMMY LOFTIN
DISTRICT V

June 9, 1988

Mr. C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality Management
Twin Towers Office Building
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Permits

Dear Mr. Fancy:

The purpose of this letter is to set forth the reasons that the Board of County Commissioners of Bay County ("the Board") believes that the State of Florida Department of Environmental Regulation ("DER") should issue the necessary operational permits to allow the Bay Resource Management Center ("the Facility") to operate at its designed capacity of 510 tons per day of municipal solid waste ("MSW").

The Board has a long history of administrative proceedings, consent orders and enforcement action with regard to the inadequacy of the Board's landfill to dispose of MSW generated in Bay County. Because of the substantial numbers of bays, bayous, creeks, inlets and marsh areas, the County has a high water table which combined with a geology favoring the formation of limestone sink holes, and a large public potable surface water supply in the form of Deerpoint Lake, the Board was unable to locate an adequate site for a new landfill. The efforts of the Board to locate a site spawned numerous citizens groups all opposing the various proposed sites and resulted in several formal administrative hearings involving the Board, DER and citizens groups.

While the County was experiencing problems with its existing landfill, the Florida Legislature developed a legislative policy that designated 19 counties in Florida as having a responsibility for developing a comprehensive solid waste resource recovery and management program that included consideration of incinerators, particularly those able to provide service on a regional basis. (See Fla. Admin. Code Rule §17-7.020(16)) Bay County was the least populated of the 19 counties and was also located in the most economically depressed area of the State. Through a government

grant, the County was able to obtain the necessary funds to do a preliminary feasibility study which concluded that incineration was the best course for the Board to pursue. (Municipal Solid Waste to Energy, Feasibility for Bay County, Florida, dated September 22, 1981, prepared by Stock Equipment Company, a unit of General Signal)

While the public at large was generally opposed to landfills, there was a general public acceptance of the concept of incineration including the formation of a citizens group named PIC for "Protect, Incinerate and Conserve". Because of the Board's desire to plan for the future growth of the County, to provide an opportunity for service on a regional basis and in order to secure better project economics, the Board contracted with Westinghouse Electric Corporation ("Westinghouse") for the development of a two train (each train having a capacity of 255 tons per day), 510 ton per day incinerator named the Bay Resource Management Center.

The feasibility studies with regard to the Facility contemplated that the initial needs of Bay County itself would be approximately 350 tons per day and that the additional capacity of 160 tons per day would be available for use by other counties until Bay County's needs had increased. Because definitive contracts were not in place with other counties, the feasibility of the Facility was further based on a supplementation of MSW by waste wood which was plentiful in area forest lands.

The Board has paid Westinghouse for a 510 ton per day Facility for which Westinghouse has the responsibility for obtaining appropriate environmental permits. Westinghouse was advised by DER that the only permits that could be obtained were permits based upon the actual projected start-up use of the Facility and not on projected future uses of the Facility. Therefore, the initial operational permits were for a capacity of 350 tons per day of MSW with the balance being waste wood. The Board and Westinghouse always contemplated that DER would increase the operational permit as the amount of MSW processed by the Facility increased.

As stated above, public acceptance of the concept of incineration and the Facility in particular has generally been good with the exception of public complaints with regard to cost. While the public appears willing to pay the cost of incineration as a preferable method of disposing of MSW, the cost is substantially more than the cost of running an inadequate, non-permitted landfill and therefore the Board has been under public pressure to clearly account for the cost of the Facility.

One item that has received considerable focus is the cost of purchasing waste wood to supplement the MSW so that the Facility can run at its designed capacity of 510 tons per day. Even though the Facility is economically better off to burn waste wood and generate the additional electricity produced thereby and sell that electricity to Florida Power Company, it is obvious to the public that the County would be much better off if it could avoid

paying for waste wood and instead be paid to dispose of MSW. Since all surrounding counties have inadequate landfills and there is in general no shortage of MSW, the Board and the public believe that the excess capacity of the Facility should be filled with MSW.

Of course, Secretary Twachtman has shared this view and has encouraged surrounding counties to use the Facility but to date, the Board has not been in a position to finalize any arrangements for additional MSW because of a concern about the permitted capacity of the Facility.

Also, as DER is aware, Bay County is a substantial tourist destination and during the summer months the population of the area and consequently the MSW produced increases substantially. Therefore, even without securing MSW from surrounding areas, during the summer months the County will approach or perhaps even exceed 350 tons per day of MSW processed through the Facility.

Thus the failure of DER to issue the 510 ton per day operation permit is costing the public of Bay County and increasing their concern about the cost of incineration.

In addition, DER has also raised the possibility that before issuing the permit to use the Facility up to its designed capacity for the disposal of MSW, additional expensive equipment in the form of acid gas scrubbers should be added to the Facility.

Of course, this only further compounds the cost associated with incineration. The contract between the Board and Westinghouse provides that if there are changes in law, regulation or policy after August 1, 1984, the expense of making such additions to the Facility will be borne by the County rather than by Westinghouse.

Westinghouse has estimated that the cost of adding the acid gas scrubbers and other equipment (including all direct or indirect costs) suggested by DER would be in the range of \$11,328,500 including 176 day shutdown period for required retrofitting and that this would be an expense of the Board and not Westinghouse. This obviously has a substantial negative impact on the County.

As with most public bodies, the method Bay County would use to pay for the costs of retrofitting the incinerator would be to borrow additional money. Bay County presently has outstanding a \$60,000,000 uninsured bond issue that is secured solely by the revenues of the solid waste system. Although we do not know for certain, it is doubtful that the revenues of the System are sufficient to secure additional parity bonds or even junior in lien bonds in the amount necessary to finance the retrofitting expenses.

Actually, estimates of the cost of (i) not allowing the processing of additional MSW (approximately 50,000 tons per year) in lieu of waste wood cost the public of Bay County an additional fifty

percent (50%) over the present operation and management cost (in other words, if the revenue collected from other counties is \$25 per ton and the cost of wastewood is \$12 per ton, then the additional expense of not being able to burn MSW will result in a loss of \$1,250,000 per year in out-of-county tipping fee revenues and an expense of \$600,000 per year for wastewood which translates into an additional expense of \$17 per ton to the Bay County citizens and (ii) the cost of adding acid gas scrubbers is estimated to add at least \$10 per ton to the cost of disposing of MSW at the Facility.

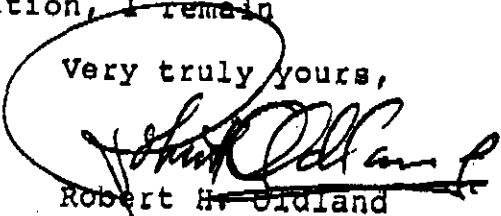
The Board does not believe that there is an adequate cost benefit ratio involved in requiring the addition of acid gas scrubbers and further believes that the Board should not be penalized for its foresight in implementing existing State policy through the development of a Facility sized for the future needs of Bay County and for interim use on a regional basis.

One final point, the Board understands that EPA is presently in the process of developing its policy with regard to pollution control devices such as acid gas scrubbers on incinerators and that this policy should be finalized in the near future. It appears to be unwise and unfair to make Bay County take some action at the present time before this final policy is established since whatever Bay County does may or may not be in compliance with the final policy. It appears to be a much wiser and sounder course to follow to issue the appropriate operational permit to Bay County at this time and then treat Bay County the same as other similarly situated when EPA's policy is finally determined.

The Board hopes that DER will agree that the 510 ton per day operational permit should be issued at the earliest possible date and will follow through to so issue the necessary permit.

Thanking you for your cooperation, I remain

Very truly yours,

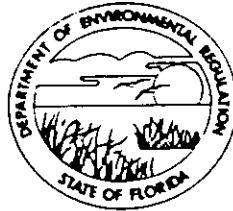


Robert H. Oldland
County Manager

RHO:mdg

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

NORTHWEST DISTRICT
160 GOVERNMENTAL CENTER
PENSACOLA, FLORIDA 32501-5794



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
ROBERT V. KRIEDEL
DISTRICT MANAGER

August 7, 1987

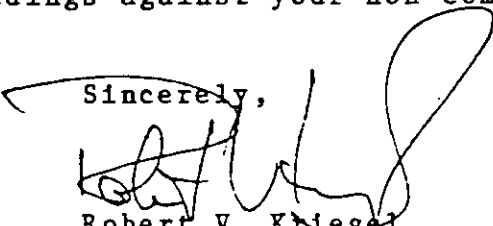
Honorable William Branch
Chairman, Gulf County Board
of County Commissioners
1000 5th Street
Port St. Joe, Florida 32456

Dear Chairman Branch:

Your Buck Horn Landfill does not meet the State's requirements for the operation of landfills. We are concerned about your present status and the likelihood that you will not be able to meet these standards in the near future. However, there are alternatives. In example, Bay County's new Resource Recovery Facility (a refuse to energy plant) may be able to handle up to 510 tons per day of Municipal Solid Waste (MSW). At present, Bay County is providing only about 325 tons per day and thus could handle an additional 185 tons per day in out-of-county waste. The County is actively seeking additional waste sources; I understand the County estimates a tipping fee ranging from \$22 to \$28 per ton at present. Similarly, Timber Energy is examining the availability of MSW for a facility they are considering.

We suggest that you seriously consider any available alternatives. Some may be of mutual benefit to both parties, considering the rising costs of landfill operations. Your having given these alternatives serious consideration may also help you in the event the Department or other parties have to institute enforcement proceedings against your non-complying solid waste operations.

Sincerely,

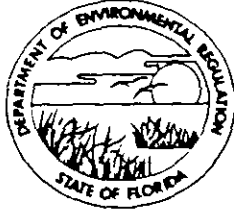


Robert V. Kriedel
District Manager

RVK/rkf

cc: ~~Honorable William Branch~~

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



NORTHWEST DISTRICT
160 GOVERNMENTAL CENTER
PENSACOLA, FLORIDA 32501-5794

BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
ROBERT V. KRIEGLER
DISTRICT MANAGER

August 7, 1987

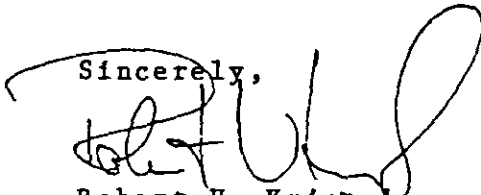
Honorable Gene Sidney Free
Chairman, Liberty County Board
of County Commissioners
Post Office Box 398
Bristol, Florida 32321

Dear Chairman Free:

Your Central Landfill does not meet the State's requirements for the operation of landfills. We are concerned about your present status and the likelihood that you will not be able to meet these standards in the near future. However, there are alternatives. In example, Bay County's new Resource Recovery Facility (a refuse to energy plant) may be able to handle up to 510 tons per day of Municipal Solid Waste (MSW). At present, Bay County is providing only about 325 tons per day and thus could handle an additional 185 tons per day in out-of-county waste. The County is actively seeking additional waste sources; I understand the County estimates a tipping fee ranging from \$22 to \$28 per ton at present. Similarly, Timber Energy is examining the availability of MSW for a facility they are considering.

We suggest that you seriously consider any available alternatives. Some may be of mutual benefit to both parties, considering the rising costs of landfill operations. Your having given these alternatives serious consideration may also help you in the event the Department or other parties have to institute enforcement proceedings against your non-complying solid waste operations.

Sincerely,



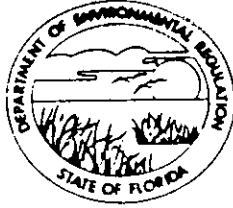
Robert V. Krieger
District Manager

RVK/rkf

cc: ~~XXXXXXXXXXXXXXXXXXXX~~

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

NORTHWEST DISTRICT
160 GOVERNMENTAL CENTER
PENSACOLA, FLORIDA 32501-5794



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
ROBERT V. KRIEDEL
DISTRICT MANAGER

August 11, 1987

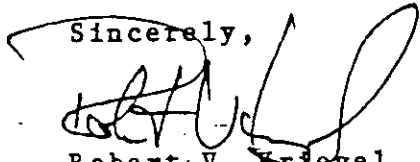
Honorable John Carter
Chairman, Washington County Board
of County Commissioners
Post Office Box 647
Chipley, Florida 32428-00647

Dear Chairman Carter:

Your Chipley and Mudhill Landfills do not meet the State's new requirements for the operation of landfills. We are concerned about your present status and the likelihood that you will not be able to meet these standards in the near future. However, there are alternatives. In example, Bay County's new Resource Recovery Facility (a refuse to energy plant) may be able to handle up to 510 tons per day of Municipal Solid Waste (MSW). At present, Bay County is providing only about 325 tons per day and thus could handle an additional 185 tons per day in out-of-county waste. The County is actively seeking additional waste sources; I understand the County estimates a tipping fee ranging from \$22 to \$28 per ton at present. Similarly, Timber Energy is examining the availability of MSW for a facility they are considering.

We suggest that you seriously consider any available alternatives. Some may be of mutual benefit to both parties, considering the rising costs of landfill operations. Your having given these alternatives serious consideration may also help you in the event the Department or other parties have to institute enforcement proceedings concerning your solid waste operations.

Sincerely,

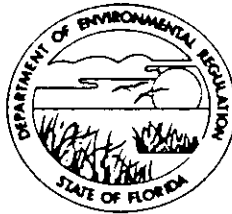

Robert V. Kriegel
District Manager

RVK/rkf

cc: 

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

NORTHWEST DISTRICT
160 GOVERNMENTAL CENTER
PENSACOLA, FLORIDA 32501-5794



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
ROBERT V. KRIEDEL
DISTRICT MANAGER

August 11, 1987

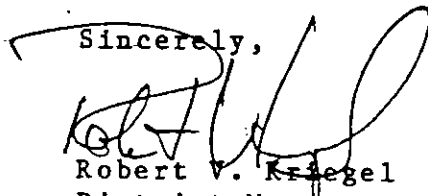
Honorable Ron Wood
Chairman, Calhoun County Board
of County Commissioners
425 East Central Avenue
Blountstown, Florida 32424

Dear Chairman Wood:

Your Central Landfill does not meet the State's new requirements for the operation of landfills and we have executed an agreement with the county outlining corrective actions and a schedule. We are concerned about your present status and the likelihood that you will not be able to meet these standards in the near future. However, there are alternatives. In example, Bay County's new Resource Recovery Facility (a refuse to energy plant) may be able to handle up to 510 tons per day of Municipal Solid Waste (MSW). At present, Bay County is providing only about 325 tons per day and thus could handle an additional 185 tons per day in out-of-county waste. The County is actively seeking additional waste sources; I understand the County estimates a tipping fee ranging from \$22 to \$28 per ton at present. Similarly, Timber Energy is examining the availability of MSW for a facility they are considering.

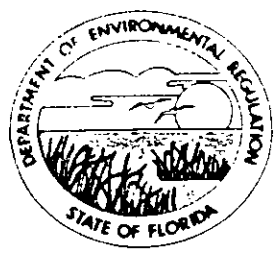
We suggest that you seriously consider any available alternatives. Some may be of mutual benefit to both parties, considering the rising costs of landfill operations. Your having given these alternatives serious consideration may also help you in the event the Department or other parties have to institute further enforcement proceedings against your non-complying solid waste operations.

Sincerely,


Robert V. Kriegel
District Manager

RVK/rkf

cc: ~~_____~~



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400
Bob Martinez, Governor Dale Twachtman, Secretary John Shearer, Assistant Secretary

May 26, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. David S. Beachler
Westinghouse RESD
Cost Building
2400 Ardmore Blvd.
Pittsburgh, Pennsylvania 15221

Dear Mr. Beachler:

Re: Completeness Review of Application to Modify
Bay County Resource Recovery Facility
Permit No. AC 03-145061, PSD-FL-129

As per our discussion of May 19, 1988, please provide unique and convincing arguments to justify your position that acid gas scrubbing should not be required for the above referenced project. EPA has indicated that this justification is needed to avoid the acid gas control issue. I anticipate setting up a meeting between Westinghouse, Bay County, EPA, and myself next week.

If you have any questions please call me at (904)488-1344, or write to me at the above address.

Sincerely,

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/PR/s

cc: E. Middleswart, NW District
W. Aronson, EPA
M. Flores, NPS
A. Richter, P.E.

Pradeep Raval }
Bobby Andrews } 5/26/88 san
Tom Rogers }
Reading }

