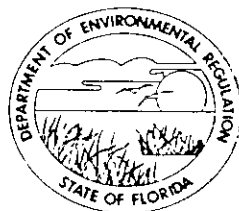


File Copy

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

November 20, 1987

Mr. Bruce Miller, Chief  
Air Programs Branch  
Air, Pesticides and Toxics  
Management Division  
U.E. Environmental Protection  
Agency, Region IV  
345 Courtland Street, N.E.  
Atlanta, Georgia 30365

Dear Mr. Miller:

Re: Implementation of North County Resource Recovery PSD Remand  
The Bay County (FL) Waste-to-Energy Facility Permit  
Amendment.

In response to your letter dated October 27, 1987, the Florida Department of Environmental Regulation, Bureau of Air Quality Management agrees to implement the EPA Guidance dated September 22, 1987, with respect to the air permitting of major stationary sources subject to the Federal Prevention of Significant Deterioration (PSD) rules.

Comments On Remand Decision

Part of that Guidance reaffirms that a Best Available Control Technology (BACT) determination is a case-by-case determination that takes into account the economic, energy, and environmental circumstances of each site specific situation. While the use of dry scrubbers to limit the emissions of acid gases from new Waste-to-Energy facilities is presumptively BACT, it is not necessarily BACT in each specific case. However, for new larger facilities I expect that the use of dry scrubbers will be found to be BACT in just about all cases. With respect to the modification of existing facilities, I think it would be less likely that the installation of dry scrubbers on older facilities will be found to be BACT as often as for new facilities. With respect to recently built facilities for

Mr. Bruce Miller  
Page Two  
November 20, 1987

which dry scrubbers were not found to be BACT, I expect that changes in allowable operating conditions which do not increase the facility's design capacity and which do not result in major increases in pollutant emissions will rarely be cases in which BACT is found to include the installation of a dry scrubber.

#### Bay County (FL) Waste-to-Energy Facility

With respect to this last category in which the Bay County Waste-to-Energy facility falls, the Bureau's technical staff does not believe that it would be reasonable to require "minimum acid gas control" for the proposed 76 ton per year increase in sulfur dioxide emissions for that facility. The Bay County facility, which was constructed only a few years ago, was originally designed to burn 550 tons per day municipal solid waste. The permit was issued at the request of the applicant for burning 370 tons per day municipal solid waste and 150 tons per day of wood chips, only because there was not, at that time, enough MSW available to fully fuel the Waste-to-Energy facility. The recently requested modification to the permit to allow the county to burn up to 550 tons per day of any mixture of municipal solid waste and wood chips only allows the county to utilize the original design capacity and intention of the facility. No physical or operational changes are being made that will increase the original design capacity of the facility. The Department believes that it is far better to dispose of municipal solid waste with a properly designed Waste-to-Energy facility than to put it into a landfill.

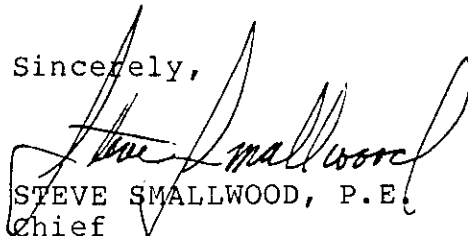
Considering the associated economic and environmental consequences, the Department does not believe that it would be reasonable to require any form of additional acid gas control for the Bay County Waste-to-Energy facility at this time. If at some time in the future, physical changes were to be made to this facility to increase its capacity, that would be another matter. Similarly if, in the future, the EPA adopts new source performance standards under Section 111(d), which would require the States to develop 111(d) plans for existing municipal waste combustors, that would be the appropriate time to determine if acid gas controls need to be required for existing facilities.

If you need additional information either on the Bureau's plans for implementing the September 22 BACT Guidance, or the particular facts and circumstances surrounding the Bay County

Mr. Bruce Miller  
Page Three  
November 20, 1987

Waste-to-Energy facility, Clair Fancy or I will be glad to talk with you about it.

Sincerely,



STEVE SMALLWOOD, P.E.  
Chief  
Bureau of Air Quality  
Management

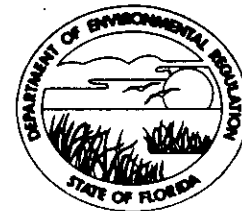
SS:jr

cc: Howard Rhodes, P.E.  
Bob Kriegel  
Clair Fancy, P.E.  
Ed Middleswart  
Randy Armstrong  
Richard Harvey

Intr-Office Mail  
from E. Middleswart  
Pensacola

File Copy

State of Florida  
DEPARTMENT OF ENVIRONMENTAL REGULATION



# Interoffice Memorandum

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

TO: Clair Fancy  
FROM: Ed K. Middleswart *Edm 11/9*  
DATE: November 9, 1987  
SUBJECT: Bay County Board of Commissioners  
Resource Recovery Facility  
MSW Throughput

DER

NOV 12 1987

BAQM

Per our November 9 telephone conversation, I am forwarding the following in order that a timely decision can be made regarding the permitted MSW throughput rate at subject facility.

You stated that it was your understanding that the facility must make a formal request to have their maximum MSW throughput changed from 350 TPD to 510 TPD.

I mentioned that I thought the facility has already made such requests. A letter from Fred S. Pöllier, project manager, dated May 25, 1984, refers to a revised permit application and states that project economics require "increasing plant capacity to the equivalent of 510 TPD of MSW", using wood waste to fill in if the MSW is not available. A copy is attached.

Also attached is a copy of a memo from Ed Palagyi to Jack Preece dated June 29, 1984, transmitting a draft BACT determination and asking for comments. The facility description refers to "combustor units that in combination will fire a total of 510 TPD of MSW," mentioning also that wood waste would be used as a supplemental fuel when required. Thus it seems reasonable to assume that the BACT determination process three and a half years ago already considered the combustion of 510 TPD MSW as a basis for at least some of the cases investigated.

It is difficult to reconstruct what actually happened from our files and the recollection of people here at the time but it appears that when the final BACT was signed and the final permits AC03-84703/4 were issued on September 24, 1984, the provision for a 510 TPD MSW throughput as a possibility was inadvertently omitted. The BACT determination specifies a total of 485 TPD MSW and wood waste. The permits refer to a combined throughput of 300 TPD MSW and 178 TPD wood waste.

DEPARTMENT OF ENVIRONMENTAL REGULATION

**ROUTING AND TRANSMITTAL SLIP**

ACTION NO: \_\_\_\_\_  
ACTION DUE DATE \_\_\_\_\_

1. TO: (NAME, OFFICE, LOCATION)

1. *Clair Nancy* - *TT*  
2. *BAQM*

Initial \_\_\_\_\_  
Date \_\_\_\_\_  
Initial \_\_\_\_\_  
Date \_\_\_\_\_  
Initial \_\_\_\_\_  
Date \_\_\_\_\_  
Initial \_\_\_\_\_  
Date \_\_\_\_\_

REMARKS:

**DER**  
**NOV 12 1987**  
**BAQM**

**INFORMATION**

Review & Return

Review & File

Initial & Forward

**DISPOSITION**

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

*Ed Middleswain*  
*Pensacola Air Program*

DATE *11-10-87*  
PHONE \_\_\_\_\_

Memo to Clair Fancy  
Re: Bay Co. BCC Resource Recov. Fac.  
Page two  
November 9, 1987

Admittedly, the communications were not all as clear as would have been desirable. But the facility's thinking at the time regarding their future requirements was evolving and they probably did not realize that having equipment inadvertently permitted at less than rated capacity was going to be such a problem in the future. In addition, there have been several management changes. However, it is clear from all the paper work that the capacity increase took place long ago and this was communicated to this Department as early as May 29, 1984 and before the BACT determinations were initially made.

EKM/eml

cc: Margaret Elligett (w/attach.)

Copied: CHF/BT  
Pradip Raval  
Barry Andrews

DEPARTMENT OF ENVIRONMENTAL REGULATION

**ROUTING AND TRANSMITTAL SLIP**

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

*Steve Smallwood - Bureau Chief*  
*T.T.*  
*PGM - BAQM*

Initial

Date

Initial

Date

Initial

Date

Initial

Date

2.

*Review by CHF*

*Pradeep*

KS:

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

DER

NOV 12 1987

BAQM

FROM:

*Cersocola*  
*Ed Middleswart*  
*District Air Engineer*

*N.W.*

DATE

*11-10-87*

PHONE

*Pradeep*  
*Patty*  
*for file*

*CHF/*  
~~*CHF*~~ *>* *F4I*  
*Pradeep* *(4)*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET  
ATLANTA, GEORGIA 30355

OCT 27 1987

4APT/APB-am

Mr. Steve Smallwood, Chief  
Bureau of Air Quality Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Re: Implementation of North County Resource Recovery PSD Remand

Dear Mr. Smallwood:

Please find enclosed the September 22, 1987, guidance memorandum from OAQPS regarding the performance of best available control technology (BACT) determinations. The memorandum addresses the coverage, transition, public participation, enforcement, and required analyses aspects of the North County Resource Recovery PSD remand. As you are probably aware, PSD BACT determinations must take into consideration the control of any hazardous, unregulated pollutant in determining the economics and environmental benefits of control devices which may be used to achieve a BACT emissions rate for pollutants subject to review. However, this guidance is now expanded to include the official EPA position on the surrounding and supporting issues mentioned earlier.

We request that you verify that the position addressed in the enclosed memorandum is also the position of your agency in performing BACT reviews under PSD. If your understanding of the effects of the remand on agency procedures differs from that addressed in the memorandum, please address those differences and any questions or comments you may have in your response.

We are looking forward to receiving your letter prior to the New Source Review Workshop (scheduled for November 17-18, 1987), so that any outstanding issues or differences may be discussed.

Sincerely yours,

*Bruce P. Miller*

Bruce P. Miller, Chief  
Air Programs Branch  
Air, Pesticides, and Toxics  
Management Division

Enclosure

DER

NOV 2 1987

BAQM