

Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

March 22, 1999

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Vicente Castro, Assistant Director,  
Technical Services  
Department of Solid Waste Management  
8675 N.W. 53rd Street, Suite 201  
Miami, Florida 33166

Re: DEP File No. PSD-FL-006 (B) and PA 77-08  
Dade County Resource Recovery Facility (Units 1-4)  
Revision of Testing Methods and Monitoring Requirements of PSD-FL-006(A)  
Montenay International Corporation's letter dated December 15, 1998

Dear Mr. Castro:

The Department has reviewed Montenay's letter dated March 10 formally requesting an amendment to permit PSD-FL-006(A). The request is to revise the permitted test methods for hydrochloric acid (HCl), lead (Pb), mercury (Hg), hydrogen fluorides (HF), sulfuric acid mist (SAM), beryllium (Be), and arsenic (As) to the test methods required in the 40 CFR 60, Subpart Cb. In addition, Montenay requested that certified continuous emissions monitoring methods (CEMS) be used for determining emissions rates during performance and demonstration testing and during annual stack testing and that the baghouse inlet monitor accuracy temperature requirement be deleted.

The requests are acceptable except the deletion of the baghouse inlet monitor accuracy temperature requirement. All other requested changes related to compliance with the requirements of 40CFR60 Subpart Cb will be addressed pursuant to your separate request to revise the Conditions of Certification.

## 2. COMPLIANCE DETERMINATIONS

### A. STACK TESTING

#### 1) Test Methods

Compliance with emission limiting standards referenced in Specific Condition No. 1 shall be demonstrated using EPA Methods, as specified in 40 CFR Part 60 (Standards of Performance for New Stationary Sources), Appendix A, or 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants), Appendix B. No other test method shall be used unless approval from the Department has been received in writing. Any alternate sampling procedure shall be approved in accordance with Rule 62-297.620, F.A.C. A test protocol shall be submitted for approval to the Bureau of Air Regulation at least 90 days prior to testing.

<u>EPA Method</u>	<u>For Determination of:</u>
1	Sample and Velocity Traverses for Stationary Sources.
2	Stack Gas Velocity and Volumetric Flow Rate.
3 or 3A	Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources.
4	Moisture Content in Stack Gases.
5	PM Emissions from Stationary Sources.
201 or 201A	PM10 Emissions; however, if compliance with PM emission limitations are met, these tests are not required.
6C and 19*	Sulfur Dioxide Emissions from Stationary Sources.
7E and 19*	Nitrogen Oxide Emissions from Stationary Sources.
8	<u>Determination of Sulfuric Acid Mist Emissions from Stationary Sources.</u>
9	Visible Emission Determination of Opacity from Stationary Sources.
10*	Carbon Monoxide Emissions from Stationary Sources.
<del>12-29</del>	<del>Inorganic Lead Emissions from Stationary Sources.</del> Determination of Metals Emissions from Stationary Sources
13A/13B	Total Fluoride Emissions from Stationary Sources.
23	Polychlorinated Dibenzo Dioxins and Polychlorinated Dibenzofurans.
25 or <del>25A</del>	Total Gaseous Volatile Organic Compounds Concentration.
26 or <del>26A</del>	Hydrogen Chloride Emissions from Stationary Sources <u>or Determination of Hydrogen Halide and Halogen Emissions from Stationary Sources.</u>
<del>40 CFR 266</del> 29 Appendix IX Section 3.1	Cadmium Emissions.
<del>101A</del> 29	<del>Gaseous Mercury Emissions from Sewage Sludge Incinerators.</del> <u>Determination of Metals Emissions from Stationary Sources</u>
104 or 29	Beryllium Emissions from Stationary Sources <u>or Determination of Metals Emissions from Stationary Sources</u>
108 or 29	Gaseous Arsenic Emissions <u>or Determination of Metals Emissions from Stationary Sources</u>

\* For relative Accuracy Test Audits (RATA) on 40CFR60, Appendix F, EPA Reference Method 19 (Section 4.3 and Section 5.4), Continuous Emissions Monitoring Systems (CEMS) may use Methods 6C, 7E, and 10.

## EXPIRATION DATE

The expiration date of Permit PSD-FL-006A is extended to December 31, 1999.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the Rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular Rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state Rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each Rule or portion of a Rule from which a variance or

waiver is requested; (d) The citation to the statute underlying (implemented by) the Rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the Rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the Rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

A copy of this letter shall be filed with the referenced permit and certification and shall become part of these documents.

Sincerely,



Howard L. Rhodes, Director  
Division of Air Resources  
Management

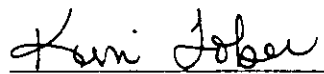
#### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this AMENDMENT was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 3-22-99 to the person(s) listed:

Vicente Castro, Miami-Dade SWM\*  
D. Anetha Lue, P.E, MIC  
Gregg Worley, EPA  
Isidore Goldman, SED  
Buck Oyen, PPSC  
Patrick Wong, DERM

Clerk Stamp


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


  
(Clerk)

3-22-99  
(Date)

# Memorandum

# Florida Department of Environmental Protection

TO: Clair Fancy 

THRU: Al Linero  3/19

FROM: Teresa Heron

DATE: March 19, 1999

SUBJECT: Dade County Resource Recovery Facility  
Request to Modify Testing and Monitoring Requirements  
PSD-FL-006(B) – Units 1 thru 4

BAR

**RECEIVED**

MAR 22 1999

BUREAU OF  
AIR REGULATION

Attached is an amendment allowing the use of Department-approved test methods in lieu of those required in the existing permit. The requested methods are consistent with the requirements of 40CFR60, Subpart Cb. These replace some of the methods that corresponded to Subpart Ca, which was never approved by the Department and was rescinded by EPA in favor of Subpart Cb.

In addition, this permit modification will allow that certified CEMS measurements be used for determining emissions rates during performance and demonstration testing and during annual stack testing. These requests are proposed in compliance with the 40CFR 60, Subpart Cb.

Montenay has requested more significant changes in accordance with the State of Florida Compliance Schedule for Municipal Waste Combustors, 40CFR60 Subpart Cb. These are being processed separately through a formal modification of the Conditions of Certification. Since the Conditions of Certifications allow use of "other Department-approved methods," they do not need to be revised to implement the present request.

I recommend your approval and signature.

AAL/th