

Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

Certified Mail -- Return Receipt Requested

April 20, 2005

Mr. Hank Green
Facility Manager
Montenay Power Corporation
6990 NW 97th Avenue
Miami, Florida 33178

Re: Draft Air Construction Permit No. **0250348-006-AC**
DRAFT Title V Air Operation Permit Renewal No. **0250348-007-AV**
Miami-Dade County Resource Recovery Facility

Dear Mr. Green:

We have begun the review of your air construction permit application and Title V permit renewal application received concurrently on March 30, 2005. However, we must deem your applications *incomplete*, because we need further information relative to the following items:

- Compliance plan. Attachment MIC-FI-CV3 to the Title V renewal application states that a compliance plan will be developed, if required. Please provide the latest status of any discussions with the Department and EPA concerning CO emissions from the facility and include the needed compliance plan.
- Warm-up period data. In the requested changes to Specific Condition **B.45.**, you have defined a "warm-up period" with unlimited duration and with emissions to be excluded from emission limitations. Please provide historical data (for the last 5 years, if available) on excess emissions under such warm-up periods. Also, what is the historical pattern and probability distribution of the warm-up period duration over time? Please provide this information for the last five years, if available.
 - Will implementing this change affect potential or actual emissions of any pollutant? If so, please provide estimates of any pollutant emissions changes from current operational practices.
- Compliance Assurance Monitoring (CAM) exemption justification data. In Attachment MIC-EU1-IV2, you reference a Table 4-4 from an EPA document numbered EPA-450/2-89-006. Please provide a copy of this table. You also refer to a Table 2.1-8, and an equation numbered 13.24-3 from AP-42. Please provide a copy of these references.

"More Protection, Less Process"

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- Also in Attachment MIC-EU1-IV2, your "Table 1 – CAM Applicability Determination for Miami-Dade County Resource Recovery Facility" indicates that CAM Plans are not required for a number of pollutants "Subject to post-1990 NSPS emission limit (40 CFR, Subpart Cb)". However, we note that these pollutants are also regulated by limits based on specific conditions in permit PSD-FL-006(D). *It is our position that if there is a BACT or SIP standard for a pollutant that is different (either more stringent or less stringent) from the one addressed by the NSPS or NESHAP, CAM may still apply to the emissions unit for that standard.* Based on this finding, please provide the additional analysis required, and submit the necessary CAM plans.
- Testing and reporting.

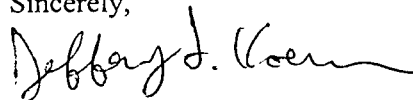
Regarding your requested changes to Specific Conditions **B.105., B.110., C.17., D.23., E12, and F.17.** ("...45 days after completion of the last sampling run of all pollutants tested under a common test protocol as approved by the Department"), this appears acceptable provided you submit a separate test protocol for each testing "event", regardless of its duration. We picture a "testing event" as each individual time that a tester comes on site, sets up, does testing, and then departs. We have concerns about submitting a test protocol describing a multitude of test methods that will be performed, and then extending the testing period out over the course of a few weeks. Please indicate if this interpretation is correct.

Regarding requested changes to Specific Conditions **D.14., E.7., and F.11.** (performing VE tests during periods of highest opacity), we believe that the language that you are proposing to add may not be necessary. The permit says that "The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur." It does not mean that the observation period must consist entirely of the highest opacity that will occur. Therefore, what you are proposing to add may be redundant. Please indicate if this interpretation is correct.

When we receive this information, we will continue processing your application. If you have any questions, please contact Tom Cascio at 850-921-9526.

- Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Permit applicants are advised that Rule 62-213.420(1)(b), F.A.C., requires applicants to respond to requests for information within 90 days, unless the applicant has requested in writing, and has been granted, additional time within 90 days.

Sincerely,



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A. A. Linero, P.E.
Program Administrator
Permitting South Section

Mr. Hank Green
Montenay Power Corporation
Page 3 of 3

Cc: Errin Pichard, DARM
Lee Casey, Miami-Dade Department of Solid Waste Management
Darrel Graziani, Southeast District Office
David Buff, Golder Associates, Inc.