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December 11, 1995

**BUREAU OF
AIR REGULATION**

Mr. John C. Brown (MS 5505)
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Title IV Application Notice

Dear Mr. Brown:

This letter is being submitted to your attention in response to the notice to submit a Title IV permit application for the Dade County Resource Recovery Facility. The facility, which is located at 6990 N.W. 97th Avenue in Miami, is owned by Dade County and operated by Montenay Power Corp. The facility processes municipal solid waste (MSW) into refuse derived fuel (RDF) by removing ferrous metal, glass, aluminum, and other combustibles, and the RDF is burned in four boilers. The boilers produce steam, which in turn, is used to generate electricity power for sale to Florida Power Corporation. The boilers are equipped with auxiliary natural gas burners which are used only during start up.

The notice from FDEP, dated November 30, 1995, indicated that a Title IV permit application should be filed for this facility by January 1, 1996. However, based on our review of FDEP regulations 62-214 and EPA regulations 40 CFR Part 72.6, it is our conclusion that the Dade facility is not an affected unit for the purposes of federal or state Acid Rain requirements (i.e., the facility is not subject to Title IV permitting).

The federal provisions of 72.6(b)(7) state that solid waste incinerators consuming more than 80 percent (on a BTU basis) of non-fossil fuel are exempt from Acid Rain Provisions, based on the fuel consumed during the period 1985 through 1987 or any three year period following the start of operation of the unit. This exemption has been incorporated into the state's regulations F.A.C. 62-214.320(h) which further stipulates that incinerators using 20 percent or more fossil fuel during any three calendar year period should submit an Acid Rain Part Application by the later of January 1, 1998, or March 1 of the year following which the 20 percent

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(three-year) limit is reached. Given the provisions of this exemption, the Dade facility is not subject to Title IV since the facility has not consumed 20 percent or more of fossil fuels during any year of operation. The records of the amount of fossil fuels consumed each year have been submitted to FDEP in the facility's annual emissions inventory, and a summary of the fuel consumption for the past three years of operation are included for your review.

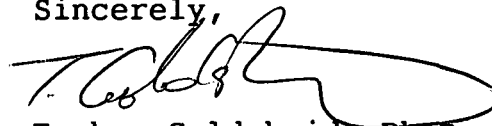
Fuel Consumption (MMBTU/Year)

	<u>RDF Consumed</u>	<u>Propane Consumed</u>	<u>Percent Fossil Fuel</u>
1992	8138967	6266	0.07%
1993	8049956	14331	0.18%
1994	7547920	16721	0.21%

In conclusion, Dade County does not plan to submit a Title IV application for the facility since the operation does not conform to the definition of an affected Acid Rain source base on our review of the regulations. Please advise us if FDEP is not in agreement with our evaluation of the facility's Title IV applicability status, or if FDEP requires additional information.

Thank you.

Sincerely,



Tanhum Goldshmid, Ph.D.
Assistant Director
Technical Services

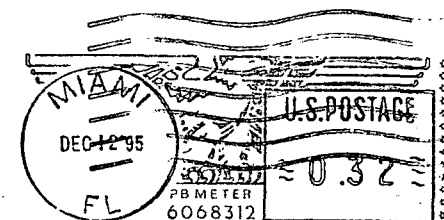
TG:jw

cc: T. Thornton, BMI
A. Lue, BMI
M. Manzione, B&C



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