



# Department of Environmental Protection

Jeb Bush  
Governor

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

David B. Struhs  
Secretary

August 26, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert C. Ready, P.E.  
Interim Assistant Director  
Miami-Dade Water and Sewer Department  
4200 Salzedo Street  
Coral Gables, Florida 33146

Re: DEP File No. 0250476-002-AC/PSD-FL-240A  
Central District Wastewater Treatment Plant-Diesel Engines

Dear Mr. Ready:

The Department has reviewed your request of July 14, 1999, for changes to the subject permit. This request is acceptable to the Department. The amendment will clarify the specific conditions that are for informational purposes only, and for which compliance is not required. Construction permit No. 0250476-002-AC is hereby modified as follows:

1. The 1.2 MW Digester Gas Electric Generators found in Section III, Emissions Unit Description, Subsections A and C, should be referred to as "Co-generators".

2. Specific Condition B.6 will read as follows:

The combined maximum heat input rate to Units No. 013, 014 and 015 shall not exceed 81 million Btu per hour (MMBtu/hr) at 100 percent load. The heat input rate is included for informational purposes only. [Rule 62-210.200, F.A.C., Definitions: Potential-to-Emit]

3. Specific Condition B.7 will read as follows:

The maximum No. 2 fuel oil consumption allowed to be burned in Units 013, 014 and 015 is 1,800,000 gallons per year, which is equivalent to 3056 hours per year of operation at full load for each unit. The equivalent hours of full load operation is included for informational purposes only. [Rule 62-210.200, F.A.C., Definitions: Potential-to-Emit]

4. Specific Condition C.5 will read as follows:

Only digester gas can be fired in the ~~diesel generators~~ digester gas electric co-generators 007, 009, 010 and 011. The maximum annual usage rate of the digester gas shall be 656,000,000 cubic feet. The digester gas annual usage rate is included for informational purposes only. [Rule 62-210.200, F.A.C., Definitions: Potential-to-Emit]

A person whose substantial interests are affected by the proposed 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,

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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.

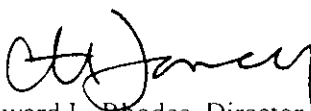
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable 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.

This letter constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition which conforms to Rule 62-110.106, F.A.C. Upon timely filing of a petition or a request for an extension of time this Notice will not be effective until further Order of the Department.

If either a petition for administrative hearing or a request for extension of time is not timely filed with the Department, then this letter shall constitute final agency action. Any party to this order would then have the right to seek judicial review pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department.

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

Executed in Tallahassee, Florida.

for   
Howard L. Rhodes, Director  
Division of Air Resources  
Management

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 8-30-99 to the person(s) listed:

Mr. Robert C. Ready, Miami-Dade Water & Sewer Department \*  
Mr. Isidore Goldman, SED  
Mr. Patrick Wong, DERM  
Mr. Gregg Worley, EPA  
Mr. John Bunyak, NPS

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED,**  
on this date, pursuant to §120.52(7), Florida  
Statutes, with the designated Department Clerk,  
receipt of which is hereby acknowledged.

Kari Jaber      8-30-99  
(Clerk)                      (Date)

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**  
 ■ Complete items 1 and/or 2 for additional services  
 ■ Complete items 3, 4a, and 4c  
 ■ Print your name and address on the reverse of this form so that we can return this card to you.  
 ■ Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 ■ Write "Return Receipt Requested" on the mailpiece below the article number.  
 ■ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Robert C. Ready  
 Miami-Dade WA 50  
 4000 Salzedo St.  
 Coral Gables, FL  
 33146

4a. Article Number  
 2 333 618 131  
 4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD  
 7. Date of Delivery  
 9-1-99

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
 x *[Signature]*

Thank you for using Return Receipt Service.

7 3 3 3 3 1 8 9 1 9 E E E 7

US Postal Service  
**Receipt for Certified Mail**  
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Sent to *Robert Ready*  
 Street & Number *Miami-Dade*  
 Post Office, State ZIP Code *Coral Gables FL*

Postage	\$
Certified Fee	
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Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$</b>

Postmark or Date *8-30-99*  
*0250476-003-AC*  
*000-FL-240A*



SERVE • CONSERVE

July 14, 1999

CERTIFIED: Z 42 0025  
RETURN RECEIPT

**RECEIVED**  
JUL 19 1999  
BUREAU OF AIR REGULATION

Mr. Alvaro A. Linero, P.E.  
Administrator, New Source Review Section  
Florida Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Subject: Administrative Permit Corrections, Title V Air Construction Permit Central District WWTP- Diesel Engines, Gas Engines (Permit No. 0250476-002-AC, PSD-FL-240)

Dear Mr. Linero:

The Miami-Dade Water and Sewer Department (MDWASD) received the final air construction permit and requests that the following administrative corrections be made to the subject permit in accordance with Rule 62-210.360(1)(f).

1. The 1.2 MW Digester Gas Electric Generators found in Section III, Subsections A and C, Emissions Unit Descriptions should be correctly referred to as "Co-generators". The collection and transfer of waste heat is a vital component of the overall process, in that the waste heat is utilized in the digesters, which in turn produce the digester (bio-gas) gas to fuel the engines.
2. Condition B.6 was included for informational purposes only and needs to be indicated as such, as there are no requirements found in the test methods and procedures section of the permit to address this.
3. The equivalent hours of full load operation found in condition B.7 was included for informational purposes only and it needs to be noted as such. There are no test methods and procedures found in the permit to address this and it appears to be in conflict with condition B.5 of the permit.
4. The first sentence found in condition C.5 states, "Only digester gas can be fired in the diesel generators 007, 009, 010 and 011." This should be corrected to read, "Only digester gas can be fired in the digester gas electric co-generators 007, 009, 010 and 011."
5. The last sentence found in condition C.5, referring to annual usage rate of digester gas is included for informational purposes only and needs to be indicated as such, with a notation of the assumed heating value of the gas used to make the usage determination. A requirement to maintain daily records of digester gas consumption was removed from the test methods and procedures in the initial draft permit, because the engines were to be permitted for continuous operation at full capacity. The additional notation regarding the heating value of the digester gas (or bio-gas) should be included as it was included in the permit application and was the basis for the annual consumption figure.

Mr. Alvaro A. Linero, P.E., July 14, 1999

Administrative Permit Corrections, Title V Air Construction Permit for Central District WWTP  
Page 2

We request that you make the indicated corrections as soon as possible in accordance with Rule 62-210.360 F.A.C. If you have any questions regarding this request, please call Mr. Richard M. O'Rourke, P.E. at (305) 669-5749.

Sincerely,



Robert C. Ready, P.E.  
Interim Assistant Director  
Wastewater

RCR/BMG/rmo

Attachments

cc: Syed Arif, FDEP/TAL  
Isidore Goldman, FDEP/WPB  
Lennon Anderson, FDEP/WPB  
Patrick Wong, Miami-Dade County DERM  
David Lindberg, CH2M HILL