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ENVIRONMENTAL CONSULTANT  
(NOT A MEMBER OF THE FLORIDA BAR)

June 25, 1993

**RECEIVED**

JUN 25 1993

Division of Air  
Resources Management

## HAND DELIVERY

Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental Regulation  
111 South Magnolia Avenue  
Tallahassee, FL 32301

Re: Seminole Kraft Corporation Package Boiler PSD Permit

Dear Clair:

Thank you for taking the time to talk with me today regarding the Seminole Kraft PSD permit. This is to confirm our agreement regarding final revisions to the permit. My comments will refer to the permit draft received by me on June 23, 1993.

The Department has agreed to delete the following first sentence of Specific Condition No. 4 on page 5 of 7 of the permit: "The Department's determination of BACT is the use of natural gas as the primary fuel and No. 2 fuel oil as backup when natural gas is not available." In addition, the Department has agreed to delete the following phrase from the beginning of the fourth sentence of Specific Condition No. 4, on page 5 of 7 of the permit: "During natural gas curtailment . . . ."

As per our agreement, there will be no further revisions to Specific Condition No. 7 on page 6 of 7 of the permit.

Finally, the Department has agreed to delete the last sentence of Specific Condition No. 12 on page 7 of 7, which currently reads: "Also, a written report shall be submitted to the RESD office within five calendar days of any natural gas curtailment and the date(s) that fuel oil firing began." The above sentence is to be replaced with the notice requirement as it appears in the Cedar Bay Site Certification Condition No. II.E.2. and 3., as indicated on the attached copy of page 12 of the Final Conditions of Certification.

Clair H. Fancy, P.E., Chief  
June 25, 1993  
Page 2

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We appreciate the Department's willingness to resolve these matters so expeditiously. If your understanding regarding is different than my own, please contact me.

Very truly yours,



Scott Shirley

SS:cjb/

cc: Bruce Mitchell  
Howard Rhodes  
Richard Donelan  
John West  
Craig Hurd  
Mike Riddle  
David Buff  
Allen Koleff  
Curt Barton

## E. SK Steam Boiler Emissions

1. This certification and any individual air permits issued by the Department subsequent to the final order of the Board certifying the power plant site under Section 403.509, F.S., shall incorporate the following limitations on the total tonnage of the specified criteria pollutants allowed to be emitted annually by any natural gas-fired boiler or combination of boilers constructed and operated by SK to provide up to 375,000 lbs/hr of steam for use in its recycled paper process:

## Tons Per Year

CO	553
NO <sub>x</sub>	310
SO <sub>2</sub>	25, except as provided in (2) below

2. In the event that the ceiling for SO<sub>2</sub> is expected to be exceeded due to unavailability of natural gas caused by factors beyond the control of SK, SK may notify the Department that it must exceed the ceiling as provided herein; and emissions of SO<sub>2</sub> during the period of such curtailment shall not be counted against the yearly emissions ceiling of 25 tons unless administrative proceedings result in a finding that the exceedance was within Seminole Kraft's control. In no event shall the annual emissions of SO<sub>2</sub> from the steam boilers referenced above exceed a ceiling of 41 tons per year.

3. The notice shall include a statement or reasons for the request and supporting documentation, and shall be published by SK, without supporting documents, in a newspaper of general circulation in Jacksonville, as defined in Section 403.5115(2), F.S. The filing and publication of the notice no later than 7 days following the date of exceedance, shall preclude any finding of violation by DEP until final disposition of any administrative proceedings.

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ENVIRONMENTAL CONSULTANT  
(NOT A MEMBER OF THE FLORIDA BAR)

June 24, 1993

RECEIVED

JUN 24 1993

Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental Regulation  
111 South Magnolia Avenue  
Tallahassee, FL 32301

Division of Air  
Resources Management

Re: Seminole Kraft Corporation Package Boiler PSD Permit

Dear Clair:

I appreciate your providing my clients an opportunity to review the latest draft (undated, received on June 23, 1993) of the Seminole Kraft Corporation package boiler PSD permit. The following are our comments respecting the permit draft.

A new sentence has been added to the beginning of Specific Condition No. 4 on page 5 of 7, as follows: "[t]he Department's determination of BACT is the use of natural gas as the primary fuel and No. 2 fuel oil as backup when natural gas is not available." Also in Specific Condition No. 4, the words "during natural gas curtailment" were added to the beginning of the fourth sentence. We believe that the effect of the above revisions will impair the flexibility of the mill's use of very low sulphur oil (0.05% sulphur or less) in the proposed package boilers in a manner which is inconsistent with our previous agreement.

As you are aware, the final SO<sub>2</sub> limits in tons per year in this permit, when offsets from existing facilities are considered, are well below the applicable significance level. As a consequence, Seminole Kraft felt that the final project should not have been required to undergo PSD review for SO<sub>2</sub> in the first instance. Part of Seminole Kraft's bargain with the Department was that in return for agreeing to take a permit with such a low annual SO<sub>2</sub> limit, the permit itself would allow maximum operating flexibility with the use of very low sulphur oil within these established parameters.

Although it is not entirely clear, it appears that the draft permit would allow use of the very low sulphur oil only during periods of actual curtailment of natural gas (a total shutdown by the gas supplier). This may arguably preclude use of oil in the third package boiler during the initial 48-hour non-firm gas contract notification period. In addition, because of cost

Clair H. Fancy, P.E., Chief  
June 24, 1993  
Page 2

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constraints, Seminole Kraft has not contracted firm and non-firm gas for 100% of the capacity of all three boilers. Operational situations may arise which require 100% utilization of all three boilers. During such periods, the third boiler would be required to utilize additional very low sulphur oil (0.05% sulphur or less).

I suspect that the language referenced above may have been included as a result of the United States Department of the Interior, Fish and Wildlife Service (FWS), comments received by the Division of Air Resources Management on May 21, 1993. The FWS comments were that the proposed emissions were not expected to "adversely affect" resources in either the Okefenokee or Wolf Island WA's. In addition, FWS recommended inclusion of a specific permit condition discussing the firing of natural gas as the primary fuel with fuel oil as backup. We made no response to the FWS request because we felt that the Department would understand, as we did, that the concept of natural gas as the primary fuel and very low sulphur as backup in this permit was already fully addressed by the severe limitation on annual emissions of sulphur dioxide. We sincerely hope that the Department did not interpret our silence as agreement that the FWS comment was correct.

The last sentence of Specific Condition 12 on page 7 of 7 appears to impose a new stringent reporting requirement respecting fuel oil usage. The power plant site certification already imposes on the mill a very detailed reporting requirement in those instances where the 25-ton per year SO<sub>2</sub> cap must be exceeded (up to 41 TPY) due to "forces beyond the control of SK". Thus, the reporting suggested in the last sentence of Condition 12 is unnecessary and unreasonable. Moreover, this type of reporting of natural gas curtailments and fuel oil firing clearly appears to be connected to the additional language proposed to be included in Specific Condition No. 4 which is objected to above. In our view, all of the preceding comments concerning Specific Condition No. 4 apply here as well.

Finally, specific Condition No. 7 on page 5 of 6 has been modified to require NO<sub>x</sub> compliance testing on each package boiler stack instead of the "common" stack in the previous permit draft. Requiring testing as to each separate stack is much more expensive than with a single common stack. In view of the fact that these units will only burn natural gas and very low sulphur oil, my clients feel that this new requirement is unnecessary and constitutes overkill.

We respectfully request that the draft permit be further revised to eliminate the provisions discussed in this letter. I look forward to meeting with you in the near future to discuss this matter and feel certain that we can come to a final and amicable settlement of this issue.

Clair H. Fancy, P.E., Chief  
June 24, 1993  
Page 3

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Please contact me if you have any questions or comments.

Very truly yours,



Scott Shirley

SS:cjb/

cc: Bruce Mitchell  
Howard Rhodes  
Richard Donelan  
John West  
Craig Hurd  
Mike Riddle  
David Buff  
Allen Koleff  
Curt Barton



State of Florida  
DEPARTMENT OF ENVIRONMENTAL REGULATION

For Routing To Other Than The Addressee	
To <u>Clair Farcy</u>	Location _____
To _____	Location _____
To _____	Location _____
From <u>Jonathan H.</u>	Date <u>6-23</u>

# Interoffice Memorandum

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At Bruce's request, Scott Davis left the following response with me: EPA concurs with the draft permit as written except for the wording in specific condition #8. They would like the phrase "over the period of time being evaluated" changed to "monthly".

I relayed this information to Bruce and he asked me to make the change as requested and pass it on to you. He also asked me to tell you that once all of the comments have settled and you are ready for the final permit, that he could come in and prepare it for your signature in about an hour.

**PERMITTEE:**  
**Seminole Kraft Corp.**

**Permit Number: AC16-222359**  
**PSD-FL-198**  
**Expiration Date: April 30, 1995**

**GENERAL CONDITIONS:**

- the analytical techniques or methods used; and
- the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

**SPECIFIC CONDITIONS:**

1. The construction and operation of these sources shall be in accordance with the capacities stated in the Revised Technical Evaluation and Preliminary Determination.
2. The packaged boilers may be operated continuously (8760 hrs/yr).
3. The maximum allowable NOx emissions shall not exceed 0.2 lb/MMBtu, 23.6 lbs/hr, and 103.4 tons/yr per boiler.
4. **The Department's determination of BACT is the use of natural gas as the primary fuel and No. 2 fuel oil as backup when natural gas is not available.** The sulfur content of the No. 2 fuel oil shall not exceed 0.05 percent, by weight. **Any delivery of No. 2 fuel oil shall be accompanied by laboratory analysis quantifying the density and percent sulfur, by weight.** During natural gas curtailment, annual SO<sub>2</sub> emissions from No. 2 fuel oil firing, total all three boilers, shall not exceed 25 tons/year. In the event that the ceiling for SO<sub>2</sub> is expected to be exceeded due to **continued** unavailability of natural gas caused by factors beyond the control of SKC, SKC shall notify the Department that it anticipates exceeding the ceiling as provided herein; and, the emissions of SO<sub>2</sub> during the period of such curtailment shall not be counted against the yearly emissions ceiling of 25 tons unless administrative proceedings result in a finding that the exceedance was within SKC's control. In no event shall the total annual emissions of SO<sub>2</sub> from the three steam boilers exceed a ceiling of 41 tons per year.
5. Visible emissions (VE) shall not exceed 5% opacity during natural gas firing and 10% opacity during fuel oil firing.
6. In accordance with requirements of 40 CFR 60.48(b), a monitoring system (CEMS) for nitrogen oxides shall be installed, operated, and maintained. Also, the natural gas, fuel oil and steam flows (both from the packaged boilers and from the CBCP facility) shall be metered and continuously recorded. The data shall be logged daily and maintained so that it can be provided to DER upon request.



**PERMITTEE:**  
**Seminole Kraft Corp.**

**Permit Number:** AC16-222359  
PSD-FL-198

**Expiration Date:** April 30, 1995

**SPECIFIC CONDITIONS:**

7. Before this construction permit expires, each packaged boiler shall be tested and monitored for compliance with the emission limits in Specific Conditions No. 4, 5, and 6. Compliance tests for NOx shall be conducted in accordance with 40 CFR 60.46b(e)(3). Compliance with SO<sub>2</sub> limits shall be in accordance with 40 CFR 60.49b(r); and, a stoichiometric quantification for SO<sub>2</sub> emissions shall be utilized using the actual density and sulfur weight percent and the quantity of fuel oil fired monthly. Compliance with visible emission limits shall be demonstrated initially and annually in accordance with EPA Method 9.

8. The DER's Northeast District office and the RESD (Regulatory and Environmental Services Department) office shall be notified at least 15 days prior to the compliance tests. Compliance test results shall be submitted to the DER's Northeast District and Bureau of Air Regulation offices and the RESD office within 45 days after completion of the tests. Sampling facilities, methods, and reporting shall be in accordance with 40 CFR 60.49b, F.A.C. Rule 17-2.700 and 40 CFR 60, Appendix A.

9. The following Seminole Kraft Corporation (SKC) sources shall be permanently shut down and made incapable of operation: the No. 1 PB (power boiler), the No. 2 PB, the No. 3 PB, the No. 1 BB (bark boiler), and the No. 2 BB; and, SKC shall turn in their operation permits to the Division of Air Resources Management's Bureau of Air Regulation, within 30 days of written confirmation by DER of the successful completion of the initial compliance tests on the Cedar Bay Cogeneration Plant's boilers. The RESD office shall be specifically informed in writing within thirty days after each individual shut down of the above referenced equipment.

10. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit (F.A.C. Rule 17-4.090).

11. An application for an operation permit must be submitted to the Northeast District office and the RESD office at least 90 days prior to the expiration date of this construction permit. To properly apply for an operation permit, the applicant shall submit the appropriate application form, fee, certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit (F.A.C. Rules 17-4.055 and 17-4.220).

12. Pursuant to 40 CFR 49b(r), quarterly reports shall be submitted to the RESD office (i.e., Administrator) certifying that only very low sulfur oil (i.e.,  $\leq 0.05\%$  sulfur, by weight) meeting this definition was combusted in the affected facility during the preceding quarter. The firing of any fuel oil and its associated

PERMITTEE:  
Seminole Kraft Corp.

Permit Number: AC16-222359  
PSD-FL-198  
Expiration Date: April 30, 1995

**SPECIFIC CONDITIONS:**

SO<sub>2</sub> emissions shall be quantified on a monthly and per boiler basis and submitted to the RESD office by the end of the month following the end of each quarter. The quarters are defined as January-March, April-June, July-September, and October-December; also, and per boiler, the final quarterly report shall include the total amount of the fuel oil fired and the quantified associated SO<sub>2</sub> emissions from the year. Also, a written report shall be submitted to the RESD office within 5 calendar days of any natural gas curtailment and the date(s) that fuel oil firing began.

Issued this \_\_\_\_\_ day  
of \_\_\_\_\_, 1993

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

Virginia B. Wetherell, Secretary



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Virginia B. Wetherell, Secretary

## FAX TRANSMITTAL SHEET

TO: Ron Roberson

DATE: 6-18-93

PHONE: 904-630-3638

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 5

FROM: Bruce Mitchell

DIVISION OF AIR RESOURCES MANAGEMENT

COMMENTS: draft of SC's + EPA letter

PHONE: 904-488-1344

FAX NUMBER: 904/922-6979

If there are any problems with this fax transmittal, please call the above phone number.

MESSAGE CONFIRMATION

JUN-18-1993 FRI 14:54

TERM ID: DII OF AIR RES MGMT P-9999

TEL NO: 904-933-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
273	06-18	14:51	00'03'57	9046303638		00	01

MESSAGE CONFIRMATION

JUN-18-1993 FRI 14:57

TERM ID: DII OF AIR RES MGMT P-9999

TEL NO: 904-933-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
274	06-18	14:55	00'01'30	9046303638		00	00



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Virginia B. Wetherell, Secretary

## FAX TRANSMITTAL SHEET

TO: Scott Davis Region IV EPA

DATE: 6-18-93 PHONE: 904-347-3059

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 4

FROM: R Bruce Mitchell

DIVISION OF AIR RESOURCES MANAGEMENT

COMMENTS: draft SC's on SKC ghy boilers

PHONE: 904-488-1344

FAX NUMBER: 904/922-6979

If there are any problems with this fax transmittal, please call the above phone number.

## MESSAGE CONFIRMATION

JUN-18-'93 FRI 15:00

TERM ID: DIU OF AIR RES MGNT P-9999

TEL NO: 904-923-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NS
275	06-18	15:01	00:00:53	64043473059		01	00

## MESSAGE CONFIRMATION

JUN-18-'93 FRI 15:00

TERM ID: DIU OF AIR RES MGNT P-9999

TEL NO: 904-923-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NS
275	06-18	14:58	00:02:01	64043473059		03	00

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June 16, 1993

Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental Regulation  
111 South Magnolia Avenue  
Tallahassee, FL 32301

RECEIVED  
JUN 17 1993  
Division of Air  
Resources Management

Re: Seminole Kraft Corporation Package Boiler PSD Permit

Dear Clair:

Yesterday we received the United States Environmental Protection Agency (EPA) comments concerning the proposed Seminole Kraft Corporation Prevention of Significant (PSD) Permit for the three new package boilers. The third paragraph of the EPA letter makes several recommendations concerning modifications to the conditions of the permit which appear to be inconsistent with our previous agreement concerning SO<sub>2</sub> emissions for these units. The comments are made without clear support in the federal regulations. If included, we believe these provisions would unnecessarily limit operation of the package boilers. The following are our specific comments concerning the EPA recommendations.

The EPA recommends that Specific Condition No. 4 be modified to "include a basis for 25 tons per year limit, in a lb./MMBtu and lbs./hr. increment . . ." There is no basis in the Code of Federal Regulations (C.F.R.) for such a requirement. 40 C.F.R. 60.41b defines "very low sulphur oil" as that containing no more than 0.5% sulphur by weight. The specific emissions limitation of 0.5 lbs./MMBtu set forth in 40 C.F.R. 60.42b(d) only applies to facilities other than those burning very low sulphur oil. Furthermore, 40 C.F.R. 60.47b(f) and 40 C.F.R. 60.45b(j), both provide that facilities combusting very low sulphur oil are not subject to the SO<sub>2</sub> emission monitoring requirements if they obtain fuel receipts as described in 40 C.F.R. 60.49b(r). Therefore, under 40 C.F.R. 60.49b(r), the facility may establish its compliance with the very low sulphur standard from obtaining fuel receipts from the fuel supplier certifying that the oil as delivered has less than 0.5% sulphur by weight, or in this instance, complies with the permit requirement of less than 0.05% sulphur by weight.

In recommending that an emission rate for SO<sub>2</sub> be established, the EPA letter makes an inappropriate analogy to Specific Condition No. 3, which does establish an emissions rate for NO<sub>x</sub>. Under Specific Condition No. 6, compliance with the NO<sub>x</sub> emission rate is through a continuous emissions monitoring system, as required in 40 C.F.R. 60.48b. However, there is no exception in 40 C.F.R. 60.44b for emissions of nitrogen oxides similar to that established for the use of very low sulphur oil with regard to SO<sub>2</sub>. Thus, the mere existence of an emissions rate for NO<sub>x</sub> in the permit provides no basis for establishing a similar rate for SO<sub>2</sub> where no such rates are required in the regulation for facilities utilizing very low sulphur oil.

There are also significant practical problems with establishing an emissions rate for SO<sub>2</sub> in this instance. In order to establish the emission rate, several assumptions must be made concerning fuel density and heat rate. While averages of these values may be assumed for purposes of establishing an emissions rate, problems may arise when these variables do not hold true for each and every shipment of fuel oil utilized in the package boilers. Again, a new requirement exhibiting the potential for error and miscalculation is introduced where there is no corresponding regulatory requirement and it is not required by the settlement agreement between Seminole Kraft and the Department.

The EPA letter also recommends that a limit be placed on the gallons of fuel oil used in any 12 consecutive month period based on a fuel oil sulphur content of 0.05% and the annual SO<sub>2</sub> emission limit. If the fuel oil sulphur content can be established with reasonable certainty through certificate of the supplier, compliance with the annual SO<sub>2</sub> limits can be established without the necessity of placing a limit on the gallons of fuel oil which can be utilized. Moreover, one of the Department's selling points in convincing the company to agree to the SO<sub>2</sub> limit of 25 tons per year was that in practice, many fuel oil shipments may in fact have a sulphur content of less than 0.05%. Specific Condition No. 4 provides that sulphur content "shall not exceed 0.05% by weight," but does not preclude use of even lower sulphur oil. Requiring that the gallons of annual fuel usage be set based on 0.05% sulphur fuel effectively deprives the company of the expected benefit of utilizing even lower sulphur fuel and prevents ever operating the mill up to the 25 ton per year limit. Moreover, like the preceding comment, there is no regulation which requires such a restriction.

Finally, the EPA letter requests that the permit include "monthly record keeping requirements . . . to enable data to be obtained for fuel oil usage on a 12-month rolling annual average basis." While Seminole Kraft does not object to keeping monthly records, we believe that the emissions ceilings in the permit are established on a calendar year basis rather than on a 12-month rolling annual average basis. Thus, the EPA request appears inconsistent with the negotiated settlement with the department.



Clair H. Fancy, P.E., Chief  
June 16, 1993  
Page 3

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This seems to lack any perceivable regulatory basis, as well. The only C.F.R. provision requiring computation on a 12-month rolling annual average basis is calculation of the annual capacity factor under 40 C.F.R. 60.49b(d). In this instance, where all other regulatory requirements have been more than satisfied, the only effect of EPA's record keeping request is to potentially further limit mill operations in a manner inconsistent with our agreement.

The EPA letter seems to make what are more in the nature of comments and recommendations, made without the benefit of legal citation. We do not read the letter as a demand for revisions to demonstrate consistency with applicable federal standards. Under the circumstances, we feel that the Department would be justified in deciding against revision of the permit based on the EPA letter.

We understand the Department is currently in the process of considering whether or not to include the EPA recommendations as permit conditions. Based on our preceding comments, we request that the permit not be revised to incorporate the EPA comments.

We appreciate the Department's assistance in working to get this permit issued in a timely fashion.

Sincerely,



Scott Shirley

SS:ejb/

cc: Bruce Mitchell  
Howard Rhodes  
Richard Donelan  
John West  
Craig Hurd  
Mike Riddle  
David Buff  
Allen Koleff  
Curt Barton

*J. Reynolds*  
*C. Holladay*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.  
ATLANTA, GEORGIA 30365

RECEIVED

JUN 14 1993

Division of Air  
Resources Management

4APT-AEB

JUN - 8 1993

RECEIVED

JUN 11 1993

D.E.R. OFFICE  
OF THE SECRETARY

Mr. Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental  
Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

RE: Seminole Kraft Corporation, Duval County (PSD-FL-198)

Dear Mr. Fancy:

This is to acknowledge receipt of the Revised Technical Evaluation and Preliminary Determination, including the draft Prevention of Significant Deterioration (PSD) permit, for the above referenced facility, by your letter dated April 20, 1993. The existing Seminole Kraft Corporation facility is a 100-percent recycled fiber paper mill. The proposed modification to the existing facility will be the addition of three package boilers, to be fired with fuel oil and natural gas.

Your determination proposes to limit SO<sub>2</sub> emissions through limiting the sulfur content of the distillate fuel oil and to limit beryllium emissions through efficient combustion and the use of ash free and low ash fuels.

We have reviewed the package as submitted and have the following comments concerning the draft permit. In Specific Condition 4 of the permit, the emission limit for SO<sub>2</sub> should include a basis for the 25 tons per year limit, in a lb/MMBtu and lbs/hr increment (as established in Specific Condition 3 for NO<sub>x</sub> emissions). In addition, we recommend a limit on the gallons of fuel oil used in any 12 consecutive month period, on the basis of 0.05% sulfur content and the maximum annual SO<sub>2</sub> emission limit. For compliance purposes, monthly recordkeeping requirements should be included to enable data to be obtained for fuel oil usage on a 12 month rolling annual average basis.

Thank you for the opportunity to review and comment on the package. If you have any questions or comments, please contact Mr. Scott Davis of my staff at (404) 347-5014.

Sincerely yours,

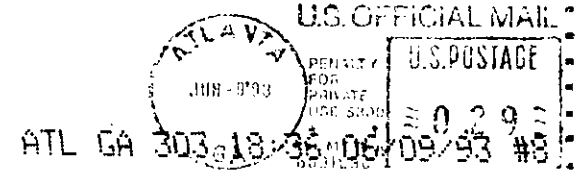
Jewell A. Harper, Chief  
Air Enforcement Branch  
Air, Pesticides, and Toxics  
Management Division

cc: B. Mitchell  
C. ...  
D. ...  
E. ...  
F. ...

R. ... } 6-15-93  
S. ...  
T. ...  
U. ...

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION IV  
345 COURTLAND STREET  
ATLANTA GEORGIA 30365

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300



*[Handwritten signature]*

Mr. Clair H. Fancy P.E., Chief  
Bureau of Air Regulations  
Florida Department of Environmental  
Regulations  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32398-2400



US ENVIRONMENTAL PROTECTION AGENCY

Region IV



TO: Name: ~~Chate Forest~~ BRUCE MITCHELL

Company: FDER

Phone: (904) 488-1744 FAX: (904) 932-6979

Date: 6-8-93 Pages (incl. cover) 2

FROM: Air Enforcement Branch  
345 Courtland Street, NE  
Atlanta, GA 30065

Phone: (404) 347-5014

FAX: (404) 347-3059

Sender's Name: SLOTT DAVIS

Subject: Seminole Kraft

COMMENTS: PDD comments

Multiple horizontal lines for additional comments.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.  
ATLANTA, GEORGIA 30365

AIR MAIL

JUN - 8 1993

Mr. Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental  
Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32309-2400

RE: Seminole Kraft Corporation, Duval County (PSD-FL-198)

Dear Mr. Fancy:

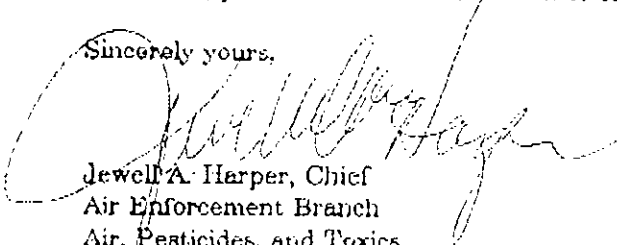
This is to acknowledge receipt of the Revised Technical Evaluation and Preliminary Determination, including the draft Prevention of Significant Deterioration (PSD) permit, for the above referenced facility, by your letter dated April 20, 1993. The existing Seminole Kraft Corporation facility is a 100-percent recycled fiber paper mill. The proposed modification to the existing facility will be the addition of three package boilers, to be fired with fuel oil and natural gas.

Your determination proposes to limit SO<sub>2</sub> emissions through limiting the sulfur content of the distillate fuel oil and to limit beryllium emissions through efficient combustion and the use of ash free and low ash fuels.

We have reviewed the package as submitted and have the following comments concerning the draft permit. In Specific Condition 4 of the permit, the emission limit for SO<sub>2</sub> should be on a basis for the 25 tons per year limit, in a lb/MMBtu and lbs/hr increment (as established in Specific Condition 3 for NO<sub>x</sub> emissions). In addition, we recommend a limit on the gallons of fuel oil used in any 12 consecutive month period, on the basis of 0.05% sulfur content and the maximum annual SO<sub>2</sub> emission limit. For compliance purposes, monthly recordkeeping requirements should be included to enable data to be obtained for fuel oil usage on a 12 month rolling annual average basis.

Thank you for the opportunity to review and comment on the package. If you have any questions or comments, please contact Mr. Scott Davis of my staff at (404) 347-5014.

Sincerely yours,



Jewell A. Harper, Chief  
Air Enforcement Branch  
Air, Pesticides, and Toxics  
Management Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IV

345 COURTLAND STREET, N.E.  
ATLANTA, GEORGIA 30365

RECEIVED

JUN 14 1993

Division of Air  
Resources Management

4APT-AEB

JUN - 8 1993

RECEIVED

JUN 11 1993

D.E.R. OFFICE  
OF THE SECRETARY

Mr. Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental  
Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

RE: Seminole Kraft Corporation, Duval County (PSD-FL-198)

Dear Mr. Fancy:

This is to acknowledge receipt of the Revised Technical Evaluation and Preliminary Determination, including the draft Prevention of Significant Deterioration (PSD) permit, for the above referenced facility, by your letter dated April 20, 1993. The existing Seminole Kraft Corporation facility is a 100-percent recycled fiber paper mill. The proposed modification to the existing facility will be the addition of three package boilers, to be fired with fuel oil and natural gas.

Your determination proposes to limit SO<sub>2</sub> emissions through limiting the sulfur content of the distillate fuel oil and to limit beryllium emissions through efficient combustion and the use of ash free and low ash fuels.

We have reviewed the package as submitted and have the following comments concerning the draft permit. In Specific Condition 4 of the permit, the emission limit for SO<sub>2</sub> should include a basis for the 25 tons per year limit, in a lb/MMBtu and lbs/hr increment (as established in Specific Condition 3 for NO<sub>x</sub> emissions). In addition, we recommend a limit on the gallons of fuel oil used in any 12 consecutive month period, on the basis of 0.05% sulfur content and the maximum annual SO<sub>2</sub> emission limit. For compliance purposes, monthly recordkeeping requirements should be included to enable data to be obtained for fuel oil usage on a 12 month rolling annual average basis.

Thank you for the opportunity to review and comment on the package. If you have any questions or comments, please contact Mr. Scott Davis of my staff at (404) 347-5014.

Sincerely yours,

Jewell A. Harper, Chief  
Air Enforcement Branch  
Air, Pesticides, and Toxics  
Management Division

OERTEL, HOFFMAN, FERNANDEZ & COLE, P. A.

ATTORNEYS AT LAW

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R. L. CALEEN, JR.  
C. ANTHONY CLEVELAND  
TERRY COLE  
ROBERT C. DOWNIE, II  
SEGUNDO J. FERNANDEZ  
KENNETH F. HOFFMAN  
KENNETH G. OERTEL  
PATRICIA A. RENOVITCH  
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THOMAS G. TOMASELLO  
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TALLAHASSEE, FLORIDA 32301

MAILING ADDRESS:  
POST OFFICE BOX 6507  
TALLAHASSEE, FLORIDA 32314-6507

TELEPHONE (904) 877-0099  
FACSIMILE (904) 877-0961

NORMAN H. HORTON, JR.  
OF COUNSEL

JOHN H. MILLICAN  
ENVIRONMENTAL CONSULTANT  
(NOT A MEMBER OF THE FLORIDA BAR)

J. P. SUBRAMANI, PH. D., P. E.  
ENVIRONMENTAL CONSULTANT  
(NOT A MEMBER OF THE FLORIDA BAR)

June 16, 1993

Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental Regulation  
111 South Magnolia Avenue  
Tallahassee, FL 32301

Re: Seminole Kraft Corporation Package Boiler PSD Permit

Dear Clair:

Yesterday we received the United States Environmental Protection Agency (EPA) comments concerning the proposed Seminole Kraft Corporation Prevention of Significant (PSD) Permit for the three new package boilers. The third paragraph of the EPA letter makes several recommendations concerning modifications to the conditions of the permit which appear to be inconsistent with our previous agreement concerning SO<sub>2</sub> emissions for these units. The comments are made without clear support in the federal regulations. If included, we believe these provisions would unnecessarily limit operation of the package boilers. The following are our specific comments concerning the EPA recommendations.

The EPA recommends that Specific Condition No. 4 be modified to "include a basis for 25 tons per year limit, in a lb./MMBtu and lbs./hr. increment . . ." There is no basis in the Code of Federal Regulations (C.F.R.) for such a requirement. 40 C.F.R. 60.41b defines "very low sulphur oil" as that containing no more than 0.5% sulphur by weight. The specific emissions limitation of 0.5 lbs./MMBtu set forth in 40 C.F.R. 60.42b(d) only applies to facilities other than those burning very low sulphur oil. Furthermore, 40 C.F.R. 60.47b(f) and 40 C.F.R. 60.45b(j), both provide that facilities combusting very low sulphur oil are not subject to the SO<sub>2</sub> emission monitoring requirements if they obtain fuel receipts as described in 40 C.F.R. 60.49b(r). Therefore, under 40 C.F.R. 60.49b(r), the facility may establish its compliance with the very low sulphur standard from obtaining fuel receipts from the fuel supplier certifying that the oil as delivered has less than 0.5% sulphur by weight, or in this instance, complies with the permit requirement of less than 0.05% sulphur by weight.

RECEIVED

JUN 17 1993

Division of Air  
Resources Management

*I think  
Richard needs  
to respond to  
this*  
APL  
7/27

*Basis  
Should  
be  
calculated  
based  
on  
0.05%  
Sulfur*  
APL  
6/19

~~CH~~  
~~FB~~  
~~AR~~ } FYI

PA

Clair H. Fancy, P.E., Chief  
June 16, 1993  
Page 2

In recommending that an emission rate for SO<sub>2</sub> be established, the EPA letter makes an inappropriate analogy to Specific Condition No. 3, which does establish an emissions rate for NO<sub>x</sub>. Under Specific Condition No. 6, compliance with the NO<sub>x</sub> emission rate is through a continuous emissions monitoring system, as required in 40 C.F.R. 60.48b. However, there is no exception in 40 C.F.R. 60.44b for emissions of nitrogen oxides similar to that established for the use of very low sulphur oil with regard to SO<sub>2</sub>. Thus, the mere existence of an emissions rate for NO<sub>x</sub> in the permit provides no basis for establishing a similar rate for SO<sub>2</sub> where no such rates are required in the regulation for facilities utilizing very low sulphur oil.

There are also significant practical problems with establishing an emissions rate for SO<sub>2</sub> in this instance. In order to establish the emission rate, several assumptions must be made concerning fuel density and heat rate. While averages of these values may be assumed for purposes of establishing an emissions rate, problems may arise when these variables do not hold true for each and every shipment of fuel oil utilized in the package boilers. Again, a new requirement exhibiting the potential for error and miscalculation is introduced where there is no corresponding regulatory requirement and it is not required by the settlement agreement between Seminole Kraft and the Department.

*We do every day w/o problem*

The EPA letter also recommends that a limit be placed on the gallons of fuel oil used in any 12 consecutive month period based on a fuel oil sulphur content of 0.05% and the annual SO<sub>2</sub> emission limit. If the fuel oil sulphur content can be established with reasonable certainty through certificate of the supplier, compliance with the annual SO<sub>2</sub> limits can be established without the necessity of placing a limit on the gallons of fuel oil which can be utilized. Moreover, one of the Department's selling points in convincing the company to agree to the SO<sub>2</sub> limit of 25 tons per year was that in practice, many fuel oil shipments may in fact have a sulphur content of less than 0.05%. Specific Condition No. 4 provides that sulphur content "shall not exceed 0.05% by weight," but does not preclude use of even lower sulphur oil. Requiring that the gallons of annual fuel usage be set based on 0.05% sulphur fuel effectively deprives the company of the expected benefit of utilizing even lower sulphur fuel and prevents ever operating the mill up to the 25 ton per year limit. Moreover, like the preceding comment, there is no regulation which requires such a restriction.

*Do we need "selling points" to protect the public Air Quality?*

Finally, the EPA letter requests that the permit include "monthly record keeping requirements . . . to enable data to be obtained for fuel oil usage on a 12-month rolling annual average basis." While Seminole Kraft does not object to keeping monthly records, we believe that the emissions ceilings in the permit are established on a calendar year basis rather than on a 12-month rolling annual average basis. Thus, the EPA request appears inconsistent with the negotiated settlement with the department.

*12 month rolling average (not calendar yr) is basis for compliance if stated in permit.*



Clair H. Fancy, P.E., Chief  
June 16, 1993  
Page 3

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This seems to lack any perceivable regulatory basis, as well. The only C.F.R. provision requiring computation on a 12-month rolling annual average basis is calculation of the annual capacity factor under 40 C.F.R. 60.49b(d). In this instance, where all other regulatory requirements have been more than satisfied, the only effect of EPA's record keeping request is to potentially further limit mill operations in a manner inconsistent with our agreement.

The EPA letter seems to make what are more in the nature of comments and recommendations, made without the benefit of legal citation. We do not read the letter as a demand for revisions to demonstrate consistency with applicable federal standards. Under the circumstances, we feel that the Department would be justified in deciding against revision of the permit based on the EPA letter.

We understand the Department is currently in the process of considering whether or not to include the EPA recommendations as permit conditions. Based on our preceding comments, we request that the permit not be revised to incorporate the EPA comments.

We appreciate the Department's assistance in working to get this permit issued in a timely fashion.

Sincerely,



Scott Shirley

SS:cjb/

cc: Bruce Mitchell  
Howard Rhodes  
Richard Donelan  
John West  
Craig Hurd  
Mike Riddle  
David Buff  
Allen Koleff  
Curt Barton

*C. Donelan*  
*J. West*





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV  
345 COURTS AND STREET N.E.  
ATLANTA, GEORGIA 30368

4APT-AEB

JUN - 8 1993

Mr. Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental  
Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32300 D400

RE: Seminole Kraft Corporation, Duval County (PSD-FL-193)

Dear Mr. Fancy:

This is to acknowledge receipt of the Revised Technical Evaluation and Revisions Document (including the draft Assessment of Significant Emissions (T/E) permit, for the above referenced facility, by your letter dated April 20, 1993. The existing Seminole Kraft Corporation facility is a 100-percent recycled fiber paper mill. The proposed modification to the existing facility will be the addition of three package boilers, to be fired with fuel oil and natural gas.

Your determination proposes to limit SO<sub>2</sub> emissions through limiting the sulfur content of the distillate fuel oil and to limit beryllium emissions through efficient combustion and the use of ash free and low ash fuels.

We have reviewed the package as submitted and have the following comments concerning the draft permit. In Specific Condition 4 of the permit, the emission limit for SO<sub>2</sub> should include a basis for the 25 tons per year limit, in a lb/MMBtu and lb/hr increment (as established in Specific Condition 5 for NO<sub>x</sub> emissions). In addition, we recommend a limit on the gallons of fuel oil used in any 12 month period, on the basis of 0.05% sulfur content and the maximum annual SO<sub>2</sub> emission limit. For compliance purposes, monthly recordkeeping requirements should be included to ensure data to be obtained for fuel oil usage on a 12 month rolling annual average basis.

Thank you for the opportunity to review and comment on the package. If you have any questions or comments, please contact Mr. Scott Davis of my staff at (404) 347-5014.

Sincerely yours,

Jewell A. Harper, Chief  
Air Enforcement Branch  
Air, Pesticides, and Toxics  
Management Division

RECEIVED

MAY 27 1993

Division of Air Resources Management

FLORIDA PUBLISHING COMPANY

Publisher

JACKSONVILLE, DUVAL COUNTY, FLORIDA

STATE OF FLORIDA } COUNTY OF DUVAL }

Before the undersigned authority personally appeared \_\_\_\_\_

Coleman Kane

who on oath says that he is

Contract Sales Rep

of The Florida Times-Union,

a daily newspaper published at Jacksonville in Duval County, Florida; that the

Legal Notice

attached copy of advertisement, being a \_\_\_\_\_

in the matter of Notice Of Intent To Issue Permit

in the \_\_\_\_\_ Court,

was published in THE FLORIDA TIMES-UNION in the issues of \_\_\_\_\_

May 11, 1993 (Correction)

Affiant further says that the said The Florida Times-Union is a newspaper published at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, The Florida Times-Union each day, has been entered as second class mail matter at the postoffice in Jacksonville, in said Duval County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this 11 day of May 1993

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION NOTICE OF INTENT TO ISSUE PERMIT The Department of Environmental Regulation hereby gives notice of its intent to issue permits to Seminole Kraft Corporation, 9469 Eastport Road, Jacksonville, Florida 32229, to construct three packaged boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 5.0 ug/m3, annual average, or 25% of the available annual increment of 20 ug/m3, 133 ug/m3, 24-hours average or 146% of the available 24-hour increment of 91 ug/m3, and 447 ug/m3, 3-hour, average or 87% of the available 3-hour increment of 512 ug/m3. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m3, annual average, or 0% of the available annual increment, 2.0 ug/m3, 4.1 ug/m3, 24 hour average or 82% of the available 24 hour increment of 5.0 ug/m3, and 29 ug/m3, 3-hour average or 76% of the available 3-hour increment of 25 ug/m3. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this intent to issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination. The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Regulation, Bureau of Air Regulation, 111 South Magnolia Drive, Tallahassee, Florida; Department of Environmental Regulation, Northeast District, 7825 Baymeadows Way, Jacksonville, Florida 32256-3767; Duval County Air Quality Division, 421 West Church Street, Suite 412, Jacksonville, Florida 32202-4111. Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination. Further, a public hearing can be requested by any persons. Such requests must be submitted within 30 days of this notice.

cc: J. Reynolds  
B. Mitchell  
C. Holladay  
J. Cole, NE Dist  
R. Robinson, DC  
J. Harper, EPA  
J. Benyak, NPS

RECEIVED

MAY 27 1993

Division of Air Resources Management

FLORIDA PUBLISHING COMPANY
Publisher
JACKSONVILLE, DUVAL COUNTY, FLORIDA

STATE OF FLORIDA }
COUNTY OF DUVAL }

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Coleman Kane

who on oath says that he is

Contract Sales Rep

of The Florida Times-Union

a daily newspaper published at Jacksonville in Duval County, Florida; that the

attached copy of advertisement, being a \_\_\_\_\_ Legal Notice

in the matter of \_\_\_\_\_ Notice Of Intent To Issue Permit

in the \_\_\_\_\_ Court,

was published in THE FLORIDA TIMES-UNION in the issues of \_\_\_\_\_

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Sworn to and subscribed before me

this 11 day of May 1993

Vera Vance L... Coleman Kane

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION NOTICE OF INTENT TO ISSUE PERMIT The Department of Environmental Regulation hereby gives notice of its intent to issue permits to Seminole Kraft Corporation, 9469 Eastport Road, Jacksonville, Florida 32229, to construct three packaged boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 5.0 ug/m3, annual average, or 25% of the available annual increment of 20 ug/m3, 133 ug/m3, 24-hours average or 146% of the available 24-hour increment of 91 ug/m3, and 447 ug/m3, 3-hour average or 87% of the available 3-hour increment of 512 ug/m3. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m3, annual average, or 0% of the available annual increment 2.0 ug/m3; 4.1 ug/m3, 24-hour average or 82% of the available 24 hour increment of 5.0 ug/m3, and 19 ug/m3, 3-hour average or 76% of the available 3-hour increment of 25 ug/m3. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this intent to issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination. The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Regulation, Bureau of Air Regulation, 111 South Magnolia Drive, Tallahassee, Florida. Department of Environmental Regulation, North east District, 7825 Baymeadows Way, Jacksonville Florida 32256-3767 Duval County Air Quality Division, 421 West Church Street, Suite 412, Jacksonville, Florida 32202-4111 Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination. Further, a public hearing can be requested by any persons. Such requests must be submitted within 30 days of this notice.

cc: O. Reynolds
E. Mitchell
C. Halladay
A. Cole, NE Dir
R. Edmerson
J. Harper, EPA
G. Remyak, WPS

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION  
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Regulation gives notice of its intent to issue a permit to Seminole Kraft Corporation, 9469 East Port Road, Jacksonville, Florida 32229 to construct three packaged boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 5.0 ug/m<sup>3</sup>, annual average, or 25% of the available annual increment of 20 ug/m<sup>3</sup>, 133 ug/m<sup>3</sup>, 24-hour average or 146% of the available 24-hour increment of 91 ug/m<sup>3</sup>; and 447 ug/m<sup>3</sup>, 3-hour average or 87% of the available 3-hour increment of 512 ug/m<sup>3</sup>. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m<sup>3</sup>, annual average, or 0% of the available annual increment of 2.0 ug/m<sup>3</sup>; 4.1 ug/m<sup>3</sup>, 24-hour average or 82% of the available 24-hour increment of 5.0 ug/m<sup>3</sup>, and 19 ug/m<sup>3</sup>, 3-hour average or 76% of the available 3-hour increment of 25 ug/m<sup>3</sup>. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this Intent to Issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address; the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or

statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Regulation  
Bureau of Air Regulation  
111 South Magnolia Drive  
Tallahassee, Florida

Department of Environmental Regulation  
Northeast District  
7825 Baymeadows Way  
Jacksonville, Florida 32256-3767

Duval County Air Quality Division  
421 West Church Street, Suite 412  
Jacksonville, Florida 32202-4111

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

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RECEIVED

MAY 05 1993

Division of Air Resources Management

FLORIDA PUBLISHING COMPANY
Publisher
JACKSONVILLE, DUVAL COUNTY, FLORIDA

STATE OF FLORIDA }
COUNTY OF DUVAL }

Before the undersigned authority personally appeared

Coleman Kane

who on oath says that he is

Contract Sales Rep

of The Florida Times-Union

a daily newspaper published at Jacksonville in Duval County, Florida; that the
attached copy of advertisement, being a Legal Notice

Notice of Intent To Issue

in the matter of

Permit

in the Court,

was published in THE FLORIDA TIMES-UNION in the issues of

April 25, 1993

Affiant further says that the said The Florida Times-Union is a newspaper published at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, The Florida Times-Union each day, has been entered as second class mail matter at the postoffice in Jacksonville, in said Duval County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me

this 29... day of

April... A.D. 19 93

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Regulation hereby gives notice of its intent to issue permits to Seminole Kraft Corporation, 9449 Eastport Road, Jacksonville, Florida 32229, to construct three package boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 5.0 ug/m3, annual average, or 25% of the available annual increment of 20 ug/m3, 133 ug/m3, 24-hours average or 146% of the available 24-hour increment of 91 ug/m3, and 447 ug/m3. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m3 annual average, or 0% of the available 24-hour increment of 5.0 ug/m3, and 19 ug/m3, 3-hour average or 76% of the available 3-hour increment of 25 ug/m3. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this intent to issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed.

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the applications have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Regulation, Bureau of Air Regulation, 111 South Magnolia Drive, Tallahassee, Florida. Department of Environmental Regulation, Northeast District, 7825 Baymeadows Way, Jacksonville, Florida 32256-3767. Duval County Air Quality Division, 421 West Churn Street, Suite 412, Jacksonville, Florida 32202-4111.

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by all persons. Such requests must be submitted within 14 days of this notice.





# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
75 Spring Street, S.W.  
Atlanta, Georgia  
30303

May 19, 1993

RECEIVED

MAY 21 1993

Mr. C. H. Fancy  
Chief, Bureau of Air Regulation  
Florida Department of  
Environmental Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Division of Air  
Resources Management

Dear Mr. Fancy:

We have reviewed Seminole Kraft Corporation's (SKC) permit application and the State's April 16, 1993, Technical Evaluation and Preliminary Determination and proposed permit conditions for the project. We understand that SKC is proposing to install three packaged steam boilers at their recycled fiber mill facility in Jacksonville, while contemporaneously shutting down several boilers and pulping facilities. As you know, the Jacksonville facility is located approximately 45 km southeast of the Okefenokee Wilderness Area (WA) and 90 km southwest of the Wolf Island WA, both Class I air quality areas administered by the Fish and Wildlife Service.

In their application, SKC proposed firing fuel oil with a maximum sulfur content of 0.5 percent as the primary fuel, with natural gas as the backup fuel. We are pleased to see that SKC has now agreed to fire natural gas as the primary fuel, and use fuel oil with a maximum sulfur content of 0.05 percent as backup. This fuel usage, combined with the emissions credits resulting from the shutdown of old equipment, will result in projected emissions of all pollutants well below the PSD-significant amounts. Based on the currently proposed emissions and the distance to the Class I areas, we do not expect that the SKC project will adversely affect resources in either the Okefenokee or Wolf Island WA's.

We do have one comment regarding the permit conditions contained in the April 16 notice. Although the permitted emission limits are based on SKC firing natural gas as the primary fuel with fuel oil as backup, the proposed permit conditions do not specify this fuel use requirement. We recommend that you include a specific permit condition discussing this requirement in the final permit.

If you have any questions regarding our comments, please contact Sandra Silva of our Air Quality office in Denver at 303/969-2071.

Sincerely yours,



James W. Pulliam, Jr.  
Regional Director

cc:

Jewell Harper, Chief  
Air Enforcement Branch  
Air, Pesticides and Toxic Management Division  
U.S. EPA, Region 4  
345 Courtland Street, NE.  
Atlanta, Georgia 30365

Mr. James A. Heard  
Attorney at Law  
2902 Independent Square  
Jacksonville, Florida 32202

*J. Reynolds*  
*B. Mitchell*  
*C. Halladay*  
*G. Cole, WFDist.*  
*R. Robinson, DCAQD*  
*D. Buff, KBN*  
*B. Collom, BEPD*  
*C. Hurd, SKC*  
*R. Donlan, OGC*  
*CHF/5B/6PL*

} 5/28/93



**Seminole Kraft**

**orporation**

JACKSONVILLE MIAMI

6469 Eastport Road  
P.O. Box 26998  
Jacksonville, Florida 32218-0998

904 751-6400

Fax Number - 904 751-5822

FACSIMILE TRANSMITTAL

Date: 05/14/93

No. of pages: \_\_\_\_\_  
(Excluding this cover sheet)

Time: \_\_\_\_\_

TO: C. H. Tracy, Chief

Location: Bureau of Air Regulation  
Tallahassee, Fl

MESSAGE:

*Hard copy to follow, U.S. Mail.*

From: E. Joe Eskridge, Maa

Phone: (904) 751-6400 Ext. 279

**FLORIDA PUBLISHING COMPANY**  
Publisher  
JACKSONVILLE, DUVAL COUNTY, FLORIDA

STATE OF FLORIDA )  
COUNTY OF DUVAL )

Before the undersigned authority personally appeared \_\_\_\_\_

Coleman Kane \_\_\_\_\_ who on oath says that he is

Contract Sales Rep \_\_\_\_\_ of The Florida Times-Union

a daily newspaper published at Jacksonville in Duval County, Florida; that the  
attached copy of advertisement, being a \_\_\_\_\_  
Legal Notice

in the matter of \_\_\_\_\_ Notice Of Intent To Issue Permit

in the \_\_\_\_\_ Court,

was published in THE FLORIDA TIMES-UNION in the issues of \_\_\_\_\_  
May 11, 1993 (Correction)

Affiant further says that the said The Florida Times-Union is a newspaper published at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, The Florida Times-Union each day, has been entered as second class mail matter at the postoffice in Jacksonville, in said Duval County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me  
this 11 day of May 1993  
*Vera Janie Likens*  
Notary Public,  
State of Florida at Large.

My Commission Expires \_\_\_\_\_  
VERA JANIE LIKENS  
MY COMMISSION # CC 222568 EXPIRES  
June 1, 1998  
BONDED THROUGH FARM INSURANCE, INC.

**STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL REGULATION  
NOTICE OF INTENT TO ISSUE PERMIT**  
The Department of Environmental Regulation hereby gives notice of its intent to issue permits to Seminole Kraft Corporation, 9449 Eastport Road, Jacksonville, Florida 32229, to construct three packaged boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 8.0 ug/m3, annual average, or 25% of the available annual increment of 20 ug/m3; 133 ug/m3, 24-hour average or 146% of the available 24-hour increment of 91 ug/m3; and 447 ug/m3, 3-hour average or 87% of the available 3-hour increment of 512 ug/m3. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m3, annual average, or 0% of the available annual increment 2.0 ug/m3; 4.1 ug/m3, 24-hour average or 82% of the available 24-hour increment of 5.0 ug/m3; and 19 ug/m3, 3-hour average or 74% of the available 3-hour increment of 25 ug/m3. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this intent to issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination.  
The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Regulation, Bureau of Air Regulation, 111 South Magnolia Drive, Tallahassee, Florida  
Department of Environmental Regulation, Northeast District, 7823 Baymeadows Way, Jacksonville, Florida 32254-3767  
Duval County Air Quality Division, 421 West Church Street, Suite 412, Jacksonville, Florida 32202-4111  
Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.  
Further, a public hearing can be requested by any persons. Such requests must be submitted within 30 days of this notice.

**FLORIDA PUBLISHING COMPANY**  
*Publisher*  
 JACKSONVILLE, DUVAL COUNTY, FLORIDA

STATE OF FLORIDA }  
 COUNTY OF DUVAL }

Before the undersigned authority personally appeared \_\_\_\_\_

Coleman Kane

\_\_\_\_\_ who on oath says that he is

Contract Sales Rep

\_\_\_\_\_ of The Florida Times-Union

a daily newspaper published at Jacksonville in Duval County, Florida; that the

attached copy of advertisement, being a \_\_\_\_\_

Legal Notice

in the matter of \_\_\_\_\_ Notice Of Intent To Issue Permit

in the \_\_\_\_\_ Court,

was published in THE FLORIDA TIMES-UNION in the issues of \_\_\_\_\_

May 11, 1993 (Correction)

Affiant further says that the said The Florida Times-Union is a newspaper published at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, The Florida Times-Union each day, has been entered as second class mail matter at the postoffice in Jacksonville, in said Duval County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me

this 11 day of May 1993

*Vera Jane Likens*  
 Notary Public,  
 State of Florida at Large.

*Coleman Kane*

My Commission Expires

VERA JANE LIKENS

MY COMMISSION # CG 222568 EXPIRES

June 1, 1996

DA 444



BONDOR THREE TRON FARM INSURANCE, INC.

STATE OF FLORIDA  
 DEPARTMENT OF  
 ENVIRONMENTAL REGULATION  
 NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Regulation hereby gives notice of its intent to issue permits to Seminole Kraft Corporation, 9449 Eastport Road, Jacksonville, Florida 32229, to construct three packaged boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sourced PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 8.0 ug/m3, annual average, or 25% of the available annual increment of 20 ug/m3; 133 ug/m3, 24-hour average or 146% of the available 24-hour increment of 91 ug/m3, and 447 ug/m3, 3-hour average or 87% of the available 3-hour increment of 513 ug/m3. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m3, annual average, or 0% of the available annual increment 2.0 ug/m3; 4.1 ug/m3, 24-hour average or 62% of the available 24-hour increment of 5.0 ug/m3, and 19 ug/m3, 3-hour average or 76% of the available 3-hour increment of 25 ug/m3. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this intent to issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination. The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Regulation, Bureau of Air Regulation, 111 South Magnolia Drive, Tallahassee, Florida. Department of Environmental Regulation, North east District, 7825 Baymeadows Way, Jacksonville, Florida 32254-3767. Duval County Air Quality Division, 421 West Church Street, Suite 412, Jacksonville, Florida 32202-4111. Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination. Further, a public hearing can be requested by any persons. Such requests must be submitted within 30 days of this notice.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION  
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Regulation gives notice of its intent to issue a permit to Seminole Kraft Corporation, 9469 East Port Road, Jacksonville, Florida 32229 to construct three packaged boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 5.0 ug/m<sup>3</sup>, annual average, or 25% of the available annual increment of 20 ug/m<sup>3</sup>, 133 ug/m<sup>3</sup>, 24-hour average or 146% of the available 24-hour increment of 91 ug/m<sup>3</sup>; and 447 ug/m<sup>3</sup>, 3-hour average or 87% of the available 3-hour increment of 512 ug/m<sup>3</sup>. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m<sup>3</sup>, annual average, or 0% of the available annual increment of 2.0 ug/m<sup>3</sup>; 4.1 ug/m<sup>3</sup>, 24-hour average or 82% of the available 24-hour increment of 5.0 ug/m<sup>3</sup>, and 19 ug/m<sup>3</sup>, 3-hour average or 76% of the available 3-hour increment of 25 ug/m<sup>3</sup>. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this Intent to Issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or

Department of Environmental Regulation  
**Routing and Transmittal Slip**

To: (Name, Office, Location)

1. *Clair 5/13 Pa Hy*
2. *Thanks. PLS*
3. *keep this in permit*
4. *file in case we*  
*need documentation*  
*for EPA*  
*Clair*

Remarks:

*Seminole Kraft has agreed to publish the notice again - but without the administrative hearing requirements language. This will satisfy the EPA requirements (increment consumption, BACT required, where app. is available, & 30 day comment period). The state requirements were met on the 1st notice - Richard Donelan, Scott Shirley & I were all in agreement on this*

From:

*Patty*

Date

*5/7*

Phone

statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Regulation  
Bureau of Air Regulation  
111 South Magnolia Drive  
Tallahassee, Florida

Department of Environmental Regulation  
Northeast District  
7825 Baymeadows Way  
Jacksonville, Florida 32256-3767

Duval County Air Quality Division  
421 West Church Street, Suite 412  
Jacksonville, Florida 32202-4111

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by any persons. Such requests must be submitted within 30 days of this notice.



5-7-93

12:30

Spoke w R. Robinson. pointed  
out existing PN problem and  
R. Donelan's proposed remedy -  
PN w/o 120.57 (pages 3-5).

Ra

Clair

5/6

FYI - These were the  
errors/omissions from the  
sem. Kraft notice. I called  
Jerry Cole's office this a.m.  
They're sending a runner out to  
pick up a copy like this & said  
they would re-publish

Patty

RECEIVED

MAY 05 1993

Division of Air Resources Management

FLORIDA PUBLISHING COMPANY
Publisher
JACKSONVILLE, DUVAL COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF DUVAL

Before the undersigned authority personally appeared

Coleman Kane who on oath says that he is

Contract Sales Rep of The Florida Times-Union

a daily newspaper published at Jacksonville in Duval County, Florida; that the attached copy of advertisement, being a Legal Notice

Notice of Intent To Issue Permit in the matter of

in the Court,

was published in THE FLORIDA TIMES-UNION in the issues of April 25, 1993

Affiant further says that the said The Florida Times-Union is a newspaper published at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, The Florida Times-Union each day, has been entered as second class mail matter at the postoffice in Jacksonville, in said Duval County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this 29... day of April... A.D. 19 93

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Regulation hereby gives notice of its intent to issue permits to Seminole Kraft Corporation, 9469 Eastport Road, Jacksonville, Florida 32229, to construct three packaged boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted all sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 5.0 ug/m3, annual average, or 25% of the available annual increment of 20 ug/m3, 133 ug/m3, 24-hour average or 146% of the available 24-hour increment of 91 ug/m3, and 447 ug/m3. Seminole Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m3, annual average, or 0% of the available 24-hour increment of 5.0 ug/m3, and 19 ug/m3, 3-hour average or 76% of the available 3-hour increment of 25 ug/m3. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this intent to issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed.

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The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Regulation, Bureau of Air Regulation, 111 South Magnolia Drive, Tallahassee, Florida. Department of Environmental Regulation, Northeast District, 7825 Baymeadows Way, Jacksonville, Florida 32256-3767. Duval County Air Quality Division, 421 West Church Street, Suite 412, Jacksonville, Florida 32202-4111.

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by any persons. Such requests must be submitted within 30 days of this notice.

RECEIVED

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

MAY 05 1993

Division of Air  
Resources Management

In the Matter of an  
application for Permit by:

DER File No.

AC16-222359

OGC File No.

PSD-FL-198

Seminole Kraft Corporation  
9469 East Port Road  
Jacksonville, Florida 32229

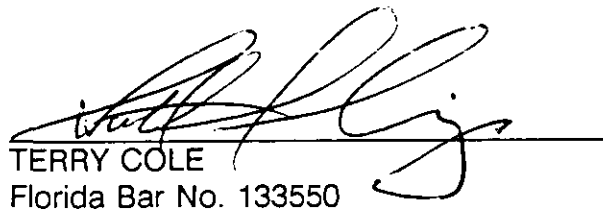
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NOTICE OF WITHDRAWAL OF MOTION

Please take notice that Seminole Kraft Corporation hereby withdraws its Motion for Extension of Time for Filing Petition for Formal Administrative Proceedings, filed April 15, 1993. The motion has been rendered moot by the Department's reissuance of a revised permit superceding that previously issued. Seminole Kraft does not intend to challenge the revised permit.

Respectfully submitted,

OERTEL, HOFFMAN, FERNANDEZ  
& COLE, P.A.  
Post Office Box 6507  
Tallahassee, Florida 32314-6507  
(904) 877-0099

  
TERRY COLE  
Florida Bar No. 133550

SCOTT SHIRLEY  
Florida Bar No. 547158

Attorneys for: Seminole Kraft Corporation

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by hand delivery this 5th day of May, 1993, to Richard Donelan, Esquire, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399; and Clair Fancy, Air Division, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

  
\_\_\_\_\_  
Attorney

OtherAtt: 1003-23.NWM/kj



# Seminole Kraft Corporation

Jacksonville Mill

9469 Eastport Road

P.O. Box 26998

Jacksonville, Florida 32218-0998

904 751-6400

Fax Number - 904 751-5822

## FACSIMILE TRANSMITTAL

Date: 05/03/93

No. of pages: 1  
(Excluding this cover sheet)

Time: \_\_\_\_\_

TO: C. W. Fancy, Chief

Location: Bureau of Air Regulation  
Tallahassee Florida

MESSAGE:

*Hand copy to follow. U.S. Mail.*

From: W. Joe Eskridge/Maa

Phone: (904) 751-6400 Ext. 279

**FLORIDA PUBLISHING COMPANY**  
*Publisher*  
**JACKSONVILLE, DUVAL COUNTY, FLORIDA**

STATE OF FLORIDA }  
 COUNTY OF DUVAL }

Before the undersigned authority personally appeared \_\_\_\_\_  
 Coleman Kane \_\_\_\_\_ who on oath says that he is

Contract Sales Rep \_\_\_\_\_ of The Florida Times Union

a daily newspaper published at Jacksonville in Duval County, Florida; that the  
 attached copy of advertisement, being a \_\_\_\_\_ Legal Notice

in the matter of \_\_\_\_\_ Notice of Intent To Issue  
 \_\_\_\_\_ Permit

in the \_\_\_\_\_ Court,

was published in THE FLORIDA TIMES-UNION in the issues of \_\_\_\_\_  
 April 25, 1993

Affiant further says that the said The Florida Times Union is a newspaper published at Jacksonville, in  
 said Duval County, Florida, and that the said newspaper has heretofore been continuously published in  
 said Duval County, Florida, in the Florida Times Union each day, has been ordered as second class mail  
 matter at the postoffice in Jacksonville, in said Duval County, Florida, for a period of one year next  
 preceding the first publication of the attached copy of advertisement, and affiant further says that he has  
 neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for  
 the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me

this 29 \_\_\_\_\_ day of  
 April \_\_\_\_\_ A.D. 19 93

*Vera Janie Lukins*  
 Notary Public,  
 State of Florida at Large.

*Coleman Kane*

My Commission Expires \_\_\_\_\_

VERA JANIE LUKINS  
 MY COMMISSION # CO 222556 EXPIRES  
 June 1, 1996  
 BONDED THROUGH TRUDY FAIR INSURANCE, INC

DA 444

**STATE OF FLORIDA  
 DEPARTMENT OF  
 ENVIRONMENTAL REGULATION  
 NOTICE OF INTENT TO ISSUE PERMIT**

The Department of Environmental Regulation hereby gives notice of its intent to issue permits to be available to Kraft Corporation, 9409 Eastmont Road, Jacksonville, Florida 32217, to construct three package boilers at their facility in Jacksonville, Duval County, Florida. The maximum predicted air sources PSD Class II sulfur dioxide increments which would be consumed after this project is completed are the following: 3.0 ug/m3, annual average, or 25% of the available annual increment of 20 ug/m3, 123 ug/m3, 24-hour average, or 140% of the available 24-hour increment of 91 ug/m3, and 427 ug/m3. Semivolatile Kraft and Cedar Bay combined do not contribute significantly to any predicted violations of the PSD Class II 24-hour increment. The maximum predicted PSD Class I sulfur dioxide increments which would be consumed are the following: 0.0 ug/m3, annual average, or 0% of the available 24-hour increment of 3.0 ug/m3, and 19 ug/m3, 24-hour average, or 17% of the available 24-hour increment of 111 ug/m3. A determination of Best Available Control Technology (BACT) was required. The Department is issuing this intent to issue for the reasons stated in the Revised Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2400 Blair Stone Road, Tallahassee, Florida 32399-3400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner is notified of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner, stating clearly the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is ordered to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petitioner must conform to the requirements specified above and be filed (received) within 15 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Regulation, Bureau of Air Regulation, 111 South Maconia Drive, Tallahassee, Florida  
 Department of Environmental Regulation, Northeast District, 3225 Baymeadows Way, Jacksonville, Florida 32224-1747  
 Duval County Air Quality Division, 421 West Churn Street, Suite 423, Jacksonville, Florida 32202-4111.

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by a person. Such requests must be submitted within 15 days of this notice.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.  
ATLANTA, GEORGIA 30365

RECEIVED

4APT-AEB

APR 19 1993

APR 22 1993

Division of Air  
Resources Management

Mr. Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Florida Department of Environmental  
Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

RE: Seminole Kraft Corporation, Duval County  
(PSD-FL-198)

Dear Mr. Fancy:

This is to acknowledge receipt of the Technical Evaluation and Preliminary Determination, including the draft Prevention of Significant Deterioration (PSD) permit, for the above referenced facility, by your letter dated March 31, 1993. The existing Seminole Kraft Corporation facility is a 100-percent recycled fiber paper mill. The proposed modification to the existing facility will be the addition of three package boilers, to be fired with fuel oil and natural gas.

Your determination proposes to limit SO<sub>2</sub> emissions through limiting the sulfur content of the distillate fuel oil and to limit beryllium emissions through efficient combustion and the use of ash free and low ash fuels.

We have reviewed the package as submitted and have no adverse comments. Thank you for the opportunity to review and comment on the package. If you have any questions or comments, please contact either Mr. Lew Nagler for modeling/monitoring or Mr. Scott Davis of my staff at (404) 347-5014.

Sincerely yours,

Brian L. Beals, Chief  
Source Evaluation Unit  
Air Enforcement Branch  
Air, Pesticides, and Toxics  
Management Division

cc: G. Reynolds  
B. Mitchell  
C. Halladay  
C. Gray, WE Dist  
R. Robinson, DEAD  
J. Bumpick, NPS  
R. Collom, GDNR