

DEPARTMENT OF HEALTH, WELFARE
& BIO-ENVIRONMENTAL SERVICES
Bio-Environmental Services



March 22, 1990

Mr. Clair H. Fancy, P.E.
Bureau of Air Regulation
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Seminole Kraft Corporation (SKC) letter dated February 16, 1990

Dear Mr. Fancy:

The Bio-Environmental Services Division staff has carefully reviewed the requested permit revisions in the above-captioned letter. It is the recommendation of our Division that the permit modification be denied for the following reasons:

- A. Inserting a statement in a construction permit to address the issue of not constructing the source for which the permit was issued is not appropriate. Rule 17-2.210 (1), Florida Administrative Code (FAC) provides that "...The construction permit shall be issued for a period of time sufficient to allow construction or modification of the source..." Since SKC has stated in a Variance Request that construction will not take place, the new recovery boiler permit is not required, nor should it be allowed to continue, since available ambient increment is used by the permit for a source which, by admission of the applicant, will not be constructed.

Rule 17-2.210 FAC (Permits Required) requires applicable permits for sources of air pollution, however; based on information available to BESD, the proposed recycling operation will not be expected to be a source of air pollution and, therefore, will not be required to obtain a construction permit.

- B. Creditable Emissions - The shutdown of sources at SKC for the construction of the new recovery boiler and the Applied Energy Systems (AES) co-generation facility has been an integral part of the permitting process for both of the new projects. Direct emission reductions, modeling to determine ambient pollutant concentrations, and permit stipulations have all involved the shutdown of these sources. A permit to construct the recovery boiler has been issued and accepted by the applicant, which includes the use of creditable emissions.

Based upon the information which is available to the BESD at this time, there are no creditable emissions for future use.

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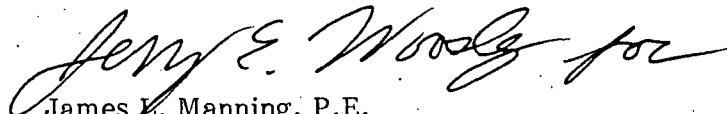
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It is noted that BESD does not see this decision as an impediment to the future construction of a steam-producing boiler at the Seminole Kraft facility, should the need arise. A new boiler would be subject to the New Source Performance Standards (NSPS) and possibly subject to the Prevention of Significant Deterioration (PSD) or New Source Review requirements, thus adequately protecting air quality standards.

- C. Compliance with Total Reduced Sulfur rule — It is suggested that if SKC does proceed with the recycling project and does not construct the new recovery boiler, a determination should be made as to the compliance status of the Seminole Kraft Corporation facility in regard to compliance with the May 12, 1989, TRS compliance date stated in Rule 17-2.960, FAC.

If BESD may be of further assistance in this matter, please advise.

Very truly yours,


James L. Manning, P.E.
Deputy Director

cc: Andy Kutyna, P.E., DER
BESD File 2155 A

JLM:gw

J. L. Manning
B. Andrews
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CHT/BT