



Department of Environmental Protection

Jeb Bush
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

May 31, 2001

Mr. Dave Stephens
Plant Manager
International Paper Company
P.O. Box 3537
McDavid, Florida 32568

Re: DEP File No.: 0330260-002-AC, PSD-FL-271
McDavid Lumber Mill

Dear Mr. Stephens:

Enclosed is one copy of the draft PSD air construction permit modification for the McDavid Lumber Mill, located at 401 Champion Drive, McDavid, Escambia County. The draft MACT (Maximum Achievable Control Technology) Determination, the "INTENT TO ISSUE PSD AIR PERMIT MODIFICATION" and the "PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR PERMIT MODIFICATION" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR PERMIT MODIFICATION" must be published one time only, as soon as possible upon receipt of this letter, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements of Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit revision.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Scott M. Sheplak, P.E. Administrator, at the above letterhead address. If you have any other questions, please contact Cindy L. Phillips, P.E. at 850/921-9534.

Sincerely,

A handwritten signature in black ink, appearing to read "C. H. Fancy".

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/CLP

Enclosures

cc: Mr. Gregg Worley, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for
Permit Modification by:

Mr. Dave Stephens
Plant Manager
International Paper Company
P.O. Box 3537
McDavid, Florida 32568

DEP File No.: 0330260-002-AC, PSD-FL-271
McDavid Lumber Mill
Escambia County

INTENT TO ISSUE PSD AIR PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD air permit modification (copy of DRAFT Permit modification) for the proposed project, detailed in the application specified above and the enclosed draft MACT (Maximum Achievable Control Technology) Determination, for the reasons stated below.

International Paper Company, formerly Champion International Corp., applied on December 15, 2000, to the Department for a modification to air construction permit number PSD-FL-271 for its McDavid Lumber Mill located at 401 Champion Drive, McDavid, Escambia County. The requested PSD air permit modification is to add an after-the-fact case-by-case MACT (Maximum Achievable Control Technology) Determination. The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, and 62-212, F.A.C. This action is not exempt from permitting procedures. The Department has determined that an air construction permit modification is required to add an after-the-fact case-by-case MACT (Maximum Achievable Control Technology) Determination. The Department intends to issue this PSD air permit modification and this Title V air operation permit revision based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "**PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR PERMIT MODIFICATION.**" The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit revision. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax: 850/922-6979), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit revision pursuant to Rule 62-110.106, F.A.C.

The Department will issue the final construction permit modification with the attached condition unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit modification issuance action for a period of 30 (thirty) days from the date of publication of the "**PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR PERMIT MODIFICATION.**"

Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station 5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed construction permit modification, the permitting authority shall revise the construction permit modification and require, if applicable, another Public Notice.

The Department will issue the PSD permit modification with the attached condition unless a timely petition for an administrative hearing is filed pursuant to section 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, 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 of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when each petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE PSD AIR PERMIT MODIFICATION (including the PUBLIC NOTICE, draft MACT (Maximum Achievable Control Technology) Determination, and Draft construction permit modification) was sent by certified mail(*) and copies were mailed by U.S. Mail before the close of business on 6/6/01 to the person(s) listed:

- Mr. Dave Stephens(*)
- Ms. Sandra Veazey, FDEP
- Mr. John Bunyak, NPS
- Mr. Gregg Worley, USEPA Region 4

Clerk Stamp

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

Barbara J. Friday 6/6/01
(Clerk) (Date)

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
Mr. Dave Stephens

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Name (Please Print Clearly) (to be completed by mailer)
Mr. Dave Stephens

Street, Apt. No., or PO Box No.
P.O. Box 3537

City, State, ZIP+4
McDavid, Florida 32568

7000 0600 0021 2825 4788

PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No.: 0330260-002-AC

International Paper Company
McDavid Lumber Mill
Escambia County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD air permit modification to International Paper Company for the McDavid Lumber Mill, located at 401 Champion Drive, McDavid, Escambia County. The PSD air permit modification adds an after-the-fact case-by-case MACT (Maximum Achievable Control Technology) Determination. The applicant's mailing address is: P.O. Box 3537, McDavid, Florida 32568.

The Department will issue the final construction permit modification with the attached condition unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit modification issuance action for a period of 30 (thirty) days from the date of publication of this Public Notice of Intent to Issue PSD Air Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at Mail Station 5505, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the construction permit modification and require, if applicable, another Public Notice.

The Department will issue the PSD permit modification with the attached condition unless a timely petition for an administrative hearing is filed pursuant to section 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when each petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file 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:

Dept. of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Northwest District
160 Government Center
Pensacola, Florida 32501-5794
Telephone: 850/595-8300
Fax: 850/595-8417

The complete project file includes the request for permit modification, technical evaluation, Draft permit modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E. Administrator or the reviewing engineer for this project Cindy L. Phillips, P.E., at the MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or call 850/488-0114, for additional information.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

-DRAFT-

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Dave Stephens
Plant Manager
International Paper Company
P.O. Box 3537
McDavid, Florida 32568

Re: DEP File No. 0330260-002-AC, Modification of Permit No. PSD-FL-271

International Paper Company, formerly Champion International Corp., applied on December 15, 2000, to the Department for a modification to air construction permit number PSD-FL-271 for its McDavid Lumber Mill located at 401 Champion Drive, McDavid, Escambia County. The modification is to include an after-the-fact case-by-case MACT (Maximum Achievable Control Technology) determination. The Department has reviewed the modification request. The referenced permit is hereby modified as follows:

ADD: Facility-Wide Specific Condition No. 28: The permittee shall comply with the attached MACT (Maximum Achievable Control Technology) Determination.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Howard L. Rhodes, P.E., Director
Division of Air Resources Management

"More Protection, Less Process"

Printed on recycled paper.

Mr. Dave Stephens
International Paper Company
DEP File No. 0330260-002-AC, PSD-FL-271
Page 2 of 2

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this permit modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Mr. Dave Stephens*
Ms. Sandra Veazey, FDEP
Mr. John Bunyak, NPS
Mr. Gregg Worley, USEPA Region 4

Clerk Stamp

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

(Clerk)

(Date)

Determination of Maximum Achievable Control Technology (MACT)
International Paper Company
McDavid Lumber Mill

The applicant, International Paper Company (formerly known as the subsidiary, Champion International Corp.), applied to the Department for an air construction permit on June 15, 1999 to construct and operate a sawmill. A PSD construction permit was issued on September 10, 1999. International Paper Company subsequently learned of research data that indicated the sawmill dryer would be a major source of methanol, a hazardous air pollutant. Therefore, on December 15, 2000, International Paper Company requested the required determination of Maximum Achievable Control Technology (MACT). The primary sources of hazardous air pollutant (HAP) emissions from the facility are the three lumber drying kilns. HAP emissions from the planing and sawing operations are not readily quantifiable. However, it is estimated that methanol and formaldehyde emissions from these processes will each be less than 1.0 ton per year. The facility will be located at 401 Champion Drive, McDavid, Escambia County, Florida.

The estimated annual tonnage of regulated hazardous air pollutants to be emitted is as follows:

Pollutants	Potential Emissions (tons/year)	MACT Threshold Emission Rate (tons/year)
Formaldehyde	2.8	10
Methanol	31.5	10
Total HAPs	34.3	25

Florida Administrative Code Rule 62-204.800(10)(d)2 requires a MACT review for all major sources of HAPs that are to be constructed or reconstructed, unless:

1. the source is specifically regulated or exempted from regulation under a standard issued pursuant to Section 112(d) "emission Standards," Section 112(h) "Work Practice Standards and Other Requirements," or Section 112(j) "Equivalent Emission Limitation by Permit," and incorporated in another subpart of 40 CFR Part 63; or
2. the owner or operator of the major source received an air construction permit for the construction or reconstruction project before July 1, 1997, or the source was constructed or reconstructed before July 1, 1997.

MACT Determination Requested by the Applicant

International Paper Company performed a data search for other lumber drying kilns in the country to find the best-controlled similar source. A review of EPA's RACT/BACT/LAER clearinghouse revealed no controls on lumber drying kilns. Therefore, the MACT International Paper Company proposed for the lumber kilns, planing and sawing operations, and steam boilers is proper installation, operation, and maintenance.

MACT Determination Procedure

In accordance with 40 CFR 63 Subpart B, which was adopted in Florida Administrative Code Chapter 62-204, *Maximum Achievable Control Technology (MACT) emission limitation for new sources* means the emission limitation which is not less stringent than the emission limitation achieved by the best controlled similar source, and which reflects the maximum degree of reduction in emissions that the permitting authority, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by the constructed source.

Similar source means a stationary source or process that has comparable emissions and is structurally similar in design and capacity to a constructed or reconstructed source such that the source could be controlled using the same control technology.

In addition, the regulations state that in making the MACT Determination, the Department should give consideration to:

- (a) Any Environmental Protection Agency proposed relevant emission standard pursuant to section 112(d) or section 112(h) of the Act or an adopted presumptive MACT determination for the source category which includes the constructed or reconstructed major source.
- (b) Available information as defined in 40 CFR 63.41.

Though the USEPA has not yet proposed a NESHAP for this source category, MACT for lumber drying kilns is expected to be "no controls".

MACT Determination

After reviewing the applicant's proposed MACT and conferring with the USEPA and their contractor for this NESHAP source category, the Department has made the determination that Maximum Achievable Control Technology (MACT) for the three lumber drying kilns shall be "no controls" but the lumber drying kilns, as well as the planing and sawing operations and boilers, shall be properly installed, operated and maintained. International Paper Company shall compile operation and maintenance plans

for the lumber drying kilns, planing and sawing operations, and boilers that will focus on procedures relevant to minimizing HAP emissions. These operation and maintenance plans must be kept on site and made available to Department personnel for review when requested. As soon as possible after installation of the equipment is complete, submit to the Department a statement that the equipment was properly installed. This statement must be sealed by a professional engineer registered in the state of Florida.

Details of the Determination may be obtained by contacting:

Cindy L. Phillips, P.E.
MS 5505, Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

Recommended by:

Approved by:

Cindy L. Phillips, P.E.
Air Toxics/Title III Section
Bureau of Air Regulation

Date

Howard L. Rhodes, Director
Division of Air Resources
Management

Date

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

Date