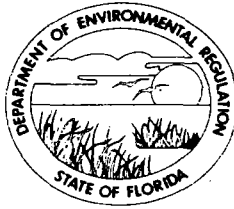


STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32301-8241



BOB GRAHAM  
GOVERNOR

VICTORIA J. TSCHINKEL  
SECRETARY

June 6, 1984

DER  
JUN 7 1984  
BAQM

William B. Taylor, IV  
Macfarlane, Ferguson, Allison & Kelly  
Post Office Box 1531  
Tampa, Florida 33601

Re: General Portland, Inc. Operating Permits  
for Dade and Hillsborough Counties

Dear Mr. Taylor:

I am in receipt of your letter dated May 31, 1984, requesting the Department's position on proposed temporary shutdown of a number of particulate sources at General Portland's facilities in Dade and Hillsborough Counties. As I understand the situation, General Portland is considering temporary closure of several sources in Hillsborough County, a non-attainment area for particulate, and most of the sources in Dade County. The current operating permits for the Hillsborough County sources expire between January and July of 1987, while the operating permits for the Dade County sources expire in January or April of 1985. According to your letter, compliance stack tests were performed for two of the Hillsborough County sources in March of 1983 and for three of the Dade County sources in July of 1983 (two sources) and December of 1983. The remaining sources are tested using visible emission observation.

Renewal of operating permits is allowable when a source has temporarily shut down if certain conditions are met, and in non-attainment areas, for a limited renewal period.

DEPARTMENT OF ENVIRONMENTAL REGULATION

**ROUTING AND TRANSMITTAL SLIP**

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

*Chair Farcy*

Initial

Date

2.

Initial

Date

3.

*Patty*

Initial

Date

4.

*file  
Call Paul.*

Initial

Date

REMARKS:

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

*Nancy Wright*

DATE

*6/6*

PHONE

For the Hillsborough County sources, Rule 17-2.210(2)(c)1., Florida Administrative Code applies. Under that rule, a source which has shut down before the expiration of the current operating period may receive a maximum two-year renewal provided: a. the owner of the source either intends to reactive the facility or apply for a new source construction permit within the two-year period, b. the owner agrees to and is legally prohibited from banking the emission offset, and c. the source was operating in compliance as of the time of shutdown.

The Dade County sources may receive a five-year renewal if General Portland intends to reactivate the units, and if the sources were in compliance with applicable rules and are maintained in operational condition. Rule 17-2.210(2)(c)2., Florida Administrative Code.

Sources at both locations must submit acceptable compliance tests within a reasonable time after reactivation and, when Rule 17-4.14(2), Florida Administrative Code, must give 60 days notice to the Department prior to reactivation.

At our meeting on May 30, 1984, you asked whether General Portland could use the most recent compliance tests to show compliance at shut-down and whether compliance tests could be submitted within 60 days from start-up. On both of these points, I indicated that I would get back to you after discussions with Department technical staff at the affected districts and at the Bureau of Air Quality Management in Tallahassee.

Regarding the first request, for sources located in a non-attainment area, compliance must be demonstrated at the time of shut-down. The Department believes, however, that due to the expense of stack testing, a valid stack test performed within the six months preceeding shut-down would be acceptable. For the Dade County sources, a satisfactory and timely test within the preceding year would be acceptable.


Regarding the second request, the Department normally requires that demonstration of compliance after a source begins to operate again should be given within 30 days of start-up. Unless there are circumstances unique to General Portland that would justify a longer period of time, the 30-day period would be required.

As a final note, I would refer you to Rules 17-2.500(2)(e) and 17-2.510(2)(e), Florida Administrative Code, which define "contemporaneous creditable emissions offsets" for purposes of PSD and Non-Attainment New Source Review. Upon expiration of

operating permits, General Portland could not utilize the emission decreases from the deactivated sources as an offset after five years from shut-down have elapsed.

Please let me know if you have any further questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Nancy E. Wright".

Nancy E. Wright  
Assistant General Counsel

NEW/plb

cc: Clair Fancy  
Tom Tittle  
Dan Williams