



GULF COAST RECYCLING, INC.

1901 NORTH 66th STREET • TAMPA, FLORIDA 33619
PHONE: (813) 626-6151 FAX: (813) 622-8388

October 10, 1995

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

RECEIVED

OCT 11 1995

BUREAU OF
AIR REGULATION

RE: AC 29-209018, PSD-FL-215

Dear Mr. Fancy:

Following are Gulf Coast's responses to the comments received regarding our PSD application of May 1994. Enclosed are six copies of a revised application incorporating our proposal to install a feed desulfurization system to reduce SO₂ emissions and many of the comments and responses below. As calculated in Section 2.1.3 of the revised application, our requested SO₂ emission rate with the desulfurization system is 175 lbs/hr. This information may be helpful as it is used in responding to several of the comments below.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) COMMENTS

- 1) DEP requested that all comments received on the PSD application be responded to.

Following are the responses.

- 2) DEP also requested responses to the EPA PSD determination memo dated June 19, 1991.

Following are the responses to each comment:

- 2.1) EPA commented that the PSD process should have been initiated when the new furnace was installed.

A PSD application was deemed not necessary by the DEP at the time of the modification (1984). The EPA later determined that it was necessary on June 19, 1991 (the determination memo). The DEP then requested a PSD application be submitted, which was done in May 1994.

- 2.2) EPA commented that a construction permit application should have been submitted for the new furnace prior to its installation.

A construction permit application was submitted on February 10, 1992. The complete history of this exhaustive process can be found in the construction application.

- 2.3) EPA commented that due to the expected increased in pollutants, PSD review would subject all pollutants to review.

Table 2.1 in the PSD application reviews each pollutant against the PSD thresholds.

- 2.4) EPA commented that Best Available Control Technology (BACT) analysis would be applicable for any pollutants subject to PSD review which exceed their respective significant emissions rate.

As a result of the analysis in Table 2.1, a BACT analysis was performed for SO₂ and CO, which were the only pollutants which exceeded their respective significant emissions rates.

- 2.5) EPA commented that further investigation is warranted into whether VOC emissions from the new furnace exceed the 40 tons/yr limit for NSR.

Table 2.1 shows that the potential emissions increase from VOCs does exceed the 40 tons/yr threshold. However, Gulf Coast has committed to installing an afterburner to reduce CO and VOC emissions. As a result, there will be an overall decrease in VOC emissions of 78.24 tons/yr.

- 2.6) EPA commented that a construction permit application and a PSD application should have been required for kettle #3.

AP-42 section 12.11 for the secondary lead industry states "Kettle furnaces for melting, refining, and alloying are relatively minor emission sources." Uncontrolled emission factors for particulate matter and lead are 0.03 and 0.01 lbs/ton, respectively. At a process rate of 2.2 tons/hr (1/3 of blast rate), maximum uncontrolled emissions from the new kettle would be 0.29 tons/yr PM and 0.10 tons/yr Pb. No emission factor for SO₂ is given. However, it can be assumed SO₂ emissions would not exceed the 40 tons/yr threshold. Regarding the requirement for a state construction application, it is felt that this issue is beyond the scope of this application.

FISH and WILDLIFE SERVICE (FWS) COMMENTS

- 1) Net Emission Increase - FWS commented that they felt baseline emissions used to determine the net emission increase were not based on the correct years.

All modeling and analyses have been performed using the full allowable emission rate from the new furnace, not just the increase over the old furnace. That is, it was assumed there was never a furnace at the facility before the new one was installed. This was done due to the time lag between the modification and the PSD application and for a degree of conservatism. Therefore, since the PSD threshold was triggered for SO₂ and CO and that modeling and the BACT analyses have been performed using 100% of the emissions, the actual increase in emissions over the baseline is irrelevant (because they can not be greater than the emissions from the new furnace).

- 2) Best Available Control Technology (BACT)

- 2.1) FWS commented that only three of the "numerous" technologies available for controlling SO₂ emissions were included in the BACT analysis.

It was stated in the application that "nearly twenty different types of flue gas desulfurization systems have been developed over the years...", not that there were numerous technologies available. Most technologies fall into either dry or wet scrubbing, as was stated in the application. Since there are many different types of scrubbing systems, each with its own minor variations, one wet system and one dry system were selected for analysis. The two chosen are representative of all scrubbing systems in removal efficiencies, costs, and environmental considerations.

- 2.2) FWS commented that the analysis did not compare emission rates and cost effectiveness to similar facilities.

Since Gulf Coast is now proposing to install "controls", it is felt that this concern may now be alleviated.

- 2.3) FWS commented that the analysis should discuss the contribution to SO₂ emissions from the coke used in the process.

The emission rate calculation has been broken down to show the contribution from the coke separately.

- 3) Facility-wide Lead Emission Cap

FWS requested the permit include appropriate enforceable conditions to ensure that PSD review for lead is not triggered, due to Gulf Coast's request for a facility-wide cap of 0.59 tons/yr.

The October 1991 source test showed emissions from the furnace to be 0.006 lbs/hr, which correlates to 0.03 tons/yr for 8,760 hours per year. This is approximately only 5% of the requested limit of 0.59 tons/yr. In addition, Gulf Coast will be subject to the MACT for secondary lead smelters. This will require Gulf Coast to perform an initial lead source test with monitoring of the baghouse performance using broken bag detectors. This program will ensure ongoing compliance (especially with Gulf Coast's actuals being only 5% of requested allowable), alleviating the need to incorporate additional conditions in the permit.

4) Air Quality Modeling Analysis

- 4.1) FWS commented that the emissions increase discussed above (which was thought by the FWS to be underestimated) should be revised and then used in revised modeling.

All previous modeling was performed using the full allowable emission rate from the furnace, not just the emissions increase over the old furnace. In other words, the old furnace emissions were not subtracted from the new furnace emissions to determine the emission rate to incorporate into the model. It was assumed the old furnace did not exist and the entire emissions from the new furnace modeled as if it was a new unit, not a replacement. Therefore, the emissions increase is irrelevant. The revised modeling was based on the requested "controlled" rate of 175 lbs/hr.

- 4.2) FWS had the following comments regarding the Class I MESOPUFF II model:

- 4.2.1) FWS requested that two additional upper air stations (West Palm Beach, FL and Waycross, GA) be used in addition to the one used in the model (Tampa/Ruskin).

As shown in Figure 2 of Appendix L of the previous application, the vast majority of sources are located near the Tampa met station. It is felt that re-running the MESOPUFF II model using upper air stations in Georgia and in West Palm Beach would not significantly influence the sources included in this project and is not, therefore, necessary.

- 4.2.2) FWS commented that the MESOPUFF II analysis only used the SO₂ conversion and dry deposition options for Gulf Coast impacts, not for the

other 137 sources.

This option was used as a conservative factor. The IWAQM allows for SO₂ conversion, dry deposition, and wet removal processes. Each of these processes reduce ambient SO₂ concentrations. Using the SO₂ conversion and dry deposition options for all sources would result in lower impacts. In addition, the use of wet deposition (which was not used for any sources) would significantly reduce impacts at long range. Therefore, it is felt that re-running the MESOPUFF II model using these options is not necessary.

It should be noted that the Level 1 analysis using the ISCST3 model showed a 0.15% exceedance rate. Of that 0.15%, Gulf Coast significantly contributed to 3% of the exceedances. The Level 2 analysis using the MESOPUFF II model then showed Gulf Coast does not significantly contribute to any of the modeled exceedances. Also, the MESOPUFF II model was run with the previous emission rate of 374 lbs/hr, not the 175 lbs/hr rate now requested. In addition, the 175 and 374 lbs/hr are totals ("controlled" and uncontrolled, respectively) from the new furnace, not the increase above the old furnace emissions.

- 4.3) FWS commented that no visibility analysis was performed for the initial application. FWS requested that the EPA model VISCREEN be used to determine visible impacts on the Class I area.

A Level 1 visibility screening analysis was performed using VISCREEN. Model results show that all screening criteria are met (See Section 5.3 in the revised application).

- 4.4) FWS disagreed with the DEP decision to allow the use of an alternate monitoring station to determine background values to be added to the AAQS modeling results.

Preliminary modeling showed that the Davis Island monitor was being impacted by several large utility sources that were also required to be input into the model, resulting in double-counting of their impacts. It was then requested that an alternate monitor be allowed that was not already being impacted by sources that were included in the model. By letter (See Appendix J in the application), DEP allowed the use of the highest monitored annual value at the TECO Big Bend monitor as a representative background value for all three averaging periods. Since this revised modeling (which showed Gulf Coast does not significantly contribute to any modeled AAQS exceedances) was based on DEP guidance, it is felt that additional modeling is not justified.

5) Air Quality Related Values (AQRVs) Analysis

FWS requested that a more detailed analysis be performed on AQRVs in the Class I area to include potential impacts on soils, wildlife, aquatic resources, and lichens.

Due to the results of the Class I modeling which showed that Gulf Coast does not significantly contribute to any modeled exceedance of the Class I increments (which are not the human health-based ambient air quality standards), it is felt that impacts on the above mentioned AQRVs are not significant.

HILLSBOROUGH CO. ENVIRON. PROTECT. COMM. (EPC) COMMENTS

- 1) EPC commented regarding the correlation of process input rates and SO₂ emissions. Specifically, EPC asked how Gulf Coast can assure that the previously requested emission rate of 374 lbs/hr (with a maximum process rate of 6.0 tons/hr) can be met when 1988 and 1993 source tests resulted in emissions of 377 lbs/hr with much lower process rates (4.65 and 4.8 tons/hr, respectively).

SO₂ emissions are not directly correlative to process rates. Emissions are more a function of sulfur content of the feed material than weight. As mentioned previously, Gulf Coast is proposing to install a feed desulfurization system to lower the sulfur content of the feed material and, therefore, SO₂ emissions.

- 2) EPC requested additional information on the proposed afterburner as it relates to the relationship between residence time and destruction efficiencies and how the installation of the afterburner will affect the baghouse performance.

Final design of the afterburner is not yet complete. However, a residence time of 0.5-2.0 seconds, as proposed, has been accepted as sufficient to produce destruction efficiencies as applied for. The SCAQMD BACT guideline in **Appendix F** of the PSD application shows BACT for CO from lead melting furnaces to be an afterburner at ≥ 0.3 seconds retention time and $\geq 1200^{\circ}\text{F}$. Also, see **Appendix P** for an afterburner destruction efficiency curve. In addition, the industry-wide average afterburner temperature and residence time is 1300°F and 1.78 seconds, respectively (*Secondary Lead Smelting Background Information Document for Proposed Standards*, Volume 1, Table 3-6; EPA 453/R-94-024b, June 1994).

The afterburner will be located directly downstream of the furnace prior to the existing cooling loops. The inlet gas temperature to the baghouse will increase approximately 30% to about 200°F , well within the range for the baghouse. The performance of the baghouse will actually improve due to destruction in the afterburner of hydrocarbon

residue (some ash remains) that currently is deposited on the bags. Additional air flow will be created with the afterburner. However, sufficient capacity exists to handle the increased air flow without modification.

- 3) EPC commented that actual emissions from some pollutants were tabulated in Table 2.1 using permitted allowables or maximum emission rates. Actual emissions should be calculated based on actual production rates, compliance tests, and operating information.

Emissions in column one of Table 2.1 for SO₂ and PM have been recalculated to reflect actual emissions.

- 4) EPC requested more information regarding how the formation of SO₂ will be reduced through the process controls and the installation of the afterburner and how CO formation will be minimized by incorporating operating parameters.

It is hoped that this concern will be alleviated with the installation of the desulfurization system and afterburner. However, the operating parameters that were mentioned were regarding the other combustion sources at the facility, which are not included in this application. The burner systems are maintained to ensure complete combustion and thus minimizing CO formation. SO₂ formation is reduced in a furnace that can be operated with a cooler top, thus allowing for a taller column in the furnace. This taller column allows a greater amount of the sulfur to become fixed in the slag thus reducing SO₂ emissions to the atmosphere. However, this will become less of an issue with the desulfurization system.

- 5) EPC requested emissions information for hydrochloric acid (HCl), hydrogen sulfide (H₂S), and sulfuric acid mist (SAM).

Sulfuric acid mist emissions will be greatly reduced due to the desulfurization system replacing the existing battery saw. In EPA's *Secondary Lead Smelting Background Information Document for Proposed Standards*, Volume 2, Appendix D, Table 1-1, they estimate HCl emissions from Gulf Coast to be less than 200 lbs/yr. Since there are no site specific test data, this indicates no concern relative to PSD for HCl. In NESHAP development, EPA chose not to promulgate HCl standards since emissions have steadily dropped over the past several years due to virtual elimination of PVC from battery components.

- 6) EPC commented that emissions from tapping and charging should be calculated separately from the furnace emissions.

AP-42 emission factors for SO₂ from blast furnaces include emissions from tapping and charging operations. Also, the desulfurization system will reduce potential SO₂ emissions

from all three operations simultaneously due to its front-end design. This is quite different than traditional end-of-pipe technologies which would place a scrubber on the main furnace outlet, leaving the charging and tapping emissions uncontrolled. In gathering information for the MACT standard for this industry EPA conducted source tests on various equipment at several sources. These tests included total hydrocarbons (THC) from Gulf Coast's charging ventilation system. The test results, presented on page 3-29 of the Background Information Document mentioned earlier, show that the average THC emission rate was only 0.014 lbs/hr. This is only a fraction of the 33.10 lbs/hr from the main furnace outlet (October 21, 1991 source test), indicating very little metallurgical offgas is pulled into the charging and tapping ventilation systems at Gulf Coast. Therefore, it is felt that emissions from charging and tapping are negligible and that calculating emissions from all three operations collectively is prudent.

- 7) EPC requested Gulf Coast to address how the federally enforceable limitations on operations downstream of the blast furnace may be affected by an increase in the production rates of the blast furnace.

As mentioned earlier, emissions of SO₂ are more of a function of sulfur content in the feed material than weight. This sulfur content will be significantly reduced as a result of this application. CO and VOC emissions will also be reduced. Baghouse efficiencies do not necessarily increase with increased loadings. In fact, in certain situations efficiencies increase due to coating of the bags. Therefore, emissions will be unaffected by an increase in the allowable charge rate. The increase in charge rate to the furnace does not necessarily correlate to an increase in process rates of the furnace. However, the process rates of the kettles will continue to be monitored to ensure they do not exceed allowables. In no way will any applicable NSPS be threatened.

- 8) EPC had the following comments regarding the BACT analysis:

- 8.1) EPC commented that Gulf Coast had indicated previously that the tipping fee for lime waste disposal was \$15/ton and the PSD application used \$250/ton. EPC asked what the latter figure represents and what it was based on.

The \$250/ton disposal fee is based on the assumption that scrubber waste would be classified as hazardous. This assumption was industry as well as EPA standard until recently. One source within the industry petitioned the EPA to reclassify the waste depending on its leachability. It was thought that the waste stream from any scrubber located downstream of the primary control device (baghouse) would have a relatively minor amount of hazardous constituents remaining. Although this is generally true, in today's RCRA Potentially Responsible Party (PRP) environment few sources would find it beneficial in the long run to dispose of waste which knowingly contains any amount of a

hazardous material in a non-hazardous landfill for the sake of saving per-unit costs. It is, therefore, thought that the \$250/ton fee is appropriate.

- 8.2) EPC commented that the economic analysis does not take into account the benefit received by operating the furnace without SO₂ controls since 1984.

It is felt that this type of cost is beyond the scope of an analysis aimed at determining the economic impact various control technologies have on Gulf Coast. The cost benefit suggested is not technology-specific and, therefore, would not aid in the comparison. This past economic benefit could, however, reduce the costs of each technology by the same amount. However, this relative cost reduction is moot since it would not reduce the cost of one technology over the others and because Gulf Coast is now committed to installing "controls".

- 8.3) EPC commented that the option of using the dry scrubbing lime containing waste to treat the waste water on site and then disposing of the filter cake should be addressed and included in the economic feasibility.

It is felt that this comment will be alleviated by Gulf Coasts' proposal to install a feed desulfurization system.

- 8.4) EPC commented that the economic analysis for the scrubbing options should incorporate the benefits obtained by removal of other regulated air pollutants such as acid gases or HAPs.

While this is true, the installation of the desulfurization system and afterburner will also reduce acid gas emissions and organic HAPs, respectively. The existing baghouses already provide maximum control of metal HAPs. Also, as mentioned earlier, in EPA's *Secondary Lead Smelting Background Information Document for Proposed Standards*, Volume 2, Appendix D, Table 1-1; EPA 453/R-94-024b, June 1994, they estimate HCl emissions from Gulf Coast to be less than 200 lbs/yr. Again, since there are no site specific test data, this indicates no concern relative to PSD for HCl. In NESHAP development, EPA chose not to promulgate HCl standards since emissions have steadily dropped over the past several years due to virtual elimination of PVC from battery components. Page 4-16 of the Background Document states that MACT for organic HAPs from existing blast furnaces is based on an afterburner at 1300°F. However, the benefits in question have been incorporated into the environmental impacts of each system.

- 8.5) EPC commented that Gulf Coast should discuss how economic feasibility is being determined and what the proposed costs are being compared or evaluated against.

The proposed costs of the three representative control systems are being compared against each other in order to rank them according to cost. Economic feasibility is, therefore, being determined by comparing the costs of each technology and how they relate to the revenues of Gulf Coast. It would be unjust to compare the economic impact of these systems on Gulf Coast to the economic impact of these systems on a facility of different size and configuration, let alone a different industry.

- 9) EPC requested information on how Gulf Coast will provide offsets to alleviate the modelling exceedance of the 3-hour SO₂ standard indicated in Table 4.3 of the previous application. EPC states that neither they or the DEP "is in a position to authorize any increase in emissions, regardless of the level of significance, when an ambient standard is being exceeded".

The PSD regulations allow for this extra step in modeling exercises. This extra step allows the permittee to show that, with the conservatism inherent in the model, that they are not the cause of the predicted exceedance(s), if any. This conservatism is apparent in the fact that the DEP's monitors show the area to be in attainment of the AAQS, but the model shows some impacts above AAQS limits.

In addition, as discussed at length in the application, the surrounding source inventory that was required to be included in the model was such that the ambient standards were predicted to be exceeded with Gulf Coast's emissions set at zero. This means that without the extra step of determining if Gulf Coast is significantly contributing to these modelled exceedances, they could not even be allowed for an increase of 0.00001 lbs/hr. The implication of a policy not allowing the extra step in the modeling would be that, even though the Tampa area is classified as an attainment area for permitting purposes, there would have to be a no-growth policy implemented until a sufficient number of emission sources were shut down to allow the model not to predict any exceedances.

Also, as stated previously, the emission rate that was used in the model was the total from the new furnace, not the increase over those from the old furnace. This means that even if the old furnace emissions were modeled, assuming the new furnace did not emit at greater amounts (and therefore PSD would not even have been required), the AAQS would still be predicted to be exceeded. It is, therefore, felt that offsets should not be required for this application located in an attainment area.

It appears that there is a common issue to many of the comments received. The issue has its roots in how the emission rates were calculated and how they affected the BACT analyses and modeling. We will concentrate on SO₂. Due to the time lag between the decommissioning of the old furnace and the submittal of the PSD application it was decided that the full requested (allowable) emission rate from the new furnace would be used for all analyses and modeling.

This was in lieu of determining the actual emissions increase over and above emissions from the old furnace. In other words, it was assumed the old furnace never existed and that Gulf Coast was applying to increase SO₂ emissions by the total potential amount emitted from the new furnace. This was incorporated throughout the application. This underlying issue has the following ramifications:

- 1) Concerning the modeling, the emission rate used for Gulf Coast (in both the previous and the revised PSD applications) was very conservative. Even with this rate, the Class II modeling results averaged only 50% of the allowable increments over all three averaging periods. The AAQS and Class I results each showed a low percentage of exceedances but that Gulf Coast was not significantly contributing to those exceedances.
- 2) Concerning the BACT analysis, by using the higher emission rate, the cost of the control systems per ton of SO₂ removed is lower because larger reductions are realized than with a lower uncontrolled emission rate.
- 3) Concerning the PSD applicability analysis in Table 2.1 of the previous application, several commenters were concerned that the SO₂ emissions increase was underestimated. By using the emission rate described above, it has been guaranteed that the emission rate used throughout the application is greater than the actual emissions increase. This overestimation is guaranteed by 1) the increase in emissions from the old furnace to the new furnace can not be greater than the emissions from the new furnace (unless the old furnace had a negative emission rate), and 2) the emission rate described above (the 374 and 175 lbs/hr) is the requested allowable, not the estimated actual.

In summary, great conservativeness has been incorporated throughout both applications. This was done to alleviate some uncertainty in the conclusions drawn in the applications should actual emissions increase closer to allowables. Unfortunately, this conservatism has apparently instead increased the uncertainty which led to several of the comments that were received. We have attempted to address all of the comments and hope a few of them are no longer current given our proposal to install a desulfurization system that will reduce our emissions. We hope this satisfies all of the requirements of your Completeness Review dated June 28, 1994.

One piece of information which is not included in this package are the final results from the AAQS modeling. The five years were re-run with the new 175 lbs/hr emission rate with the same basic results as the previous application: some exceedances were predicted but Gulf Coast was not significantly contributing. (These results are included in Appendix N of the application.) Upon further review of the surrounding source inventory some apparent errors were discovered. There were several large sources included in the inventory who had listed emission rates ranging from 1,133.36 lbs/hr to 78,965.00 lbs/hr. If these rates are indeed in

Mr. C. H. Fancy
October 10, 1995
Page 12

error, it is not known exactly how much of a reduction in the modeled impacts will occur if re-modeled. However, it is assured the impacts would be no higher than those listed in the revised application. It is hoped that these rates are in error and that revised modeling will not predict any AAQS exceedances. Lake Engineering has been in contact with the DEP modeling section to resolve this issue.

Again, enclosed are six copies of a revised application that incorporates much of the comments received and the subsequent responses outlined above. Please note that the revised application is only one volume. Volume II of the previous application contained the Class II and AAQS modeling output files. These revised output files, along with the respective revised input files, are included on diskette only in this application. Volume III of the previous application contained the Class I modeling output files. Since these modeling results remain unchanged, this volume is not being re-submitted.

We sincerely appreciate your patience in this project and look forward to the issuance of a PSD permit. If you have any questions or require additional information please contact me at (813) 626-6151 or Larry Carlson of Lake Engineering, at (770) 395-0464.

Sincerely,

GULF COAST RECYCLING, INC.

Handwritten signature of Willis M. Kitchen in cursive script.

Willis M. Kitchen
President

WK:lc
Enclosures

Tues. 10/10

RECEIVED

OCT 11 1995

BUREAU OF
AIR REGULATION

~~Mr. Fancy,~~

Section 6.0, the Application Forms,
will be overnighted to you on Wed, 10/11
for arrival to you on Thurs. 10/12.

Thanks,

Larry Carlson
Lalce Engineering, Inc.
(770) 395-0464

Kim - When the Application forms come,
send them to same people who get
what was already received (plus Cindy)

al

10-9-95

I N T E R O F F I C E M E M O R A N D U M

Date: 09-Oct-1995 12:35pm EST
From: Doug Beason TAL
 BEASON_D
Dept: Office General Counsel
Tel No: 904/488-9730
SUNCOM:

TO: John Reynolds TAL
TO: Alvaro Linero TAL

(REYNOLDS_J)
(LINERO_A)

Subject: Gulf Coast Recycling

I have asked my secretary to prepare an order denying the request for an extension of time. I'll be out of town until 10/11 but if there is something I need to know you can use e-mail. Otherwise, the denial will be sent out. The applicant alleges someone with the DEP agreed to the extension.

Please give me a call if you have any questions.

→ I'll E-mail him.

Al

~~John Reynolds~~

10/9

al J.

GULF COAST LEAD SHOULD BE
SENDING US A PACKAGE ON
WEDNESDAY ACCORDING TO THEIR
CONSULTANT,

Clair

See next page !!

Clair - ① I'll E-Mail Doug Beason to halt
Final Order which is being prepared to Deny.

② New application will be a long range
project. They will continue to operate w/o valid
PSD permit. I recommend putting all this
into a consent order.

③ Shall we discuss w/Pennington whether to
use our procedures or let HCERC implement
its Compliance/Enforcement procedures.

- we should deny application + treat new plan
as entirely new project for "compliance with ^{new} future MACT rule"

If you have any questions, please call call Carita Sims, Linda Dickey, Anne Augustine-Parker or John Carmack at (904)488-2996 or SC 278-2996 or the Division of State Employees' Insurance at 1-800-226-3734.

Thank you.

10-6-95

INTEROFFICE MEMORANDUM

Date: 06-Oct-1995 12:28pm EST
From: Alvaro Linero TAL
LINERO_A
Dept: Air Resources Management
Tel No: 904/921-9532
SUNCOM: 291-9532

TO: Clair Fancy TAL (FANCY_C)

Subject: FWD: Gulf Coast Recycling

Clair. I just wanted you to get a copy of this. We need to talk about Gulf Coast soon. Thanks.

al

I told consultant if he got info submitted within 30 days, we would consider, if not, would deny; likely turn over to EPA. I told him (consultant) if they turned over to lawyer's asked for hearing I would likely defer to EPA. You, John, I need to discuss; likely likely on call with their consultant.
Al

10-5-95

I N T E R O F F I C E M E M O R A N D U M

Date: 05-Oct-1995 10:03am ES
From: John Reynolds TAL
REYNOLDS_J
Dept: Air Resources Manageme
Tel No: (904)488-1344
SUNCOM: 278-1344

TO: Doug Beason TAL (BEASON_D)

CC: Alvaro Linero TAL (LINERO_A)

Subject: Gulf Coast Recycling

Gulf Coast Recycling called again today regarding the status of their permit application. It would be appreciated if OGC would confirm that Gulf Coast must publish the notice of intent to deny before pursuing the extension of time for filing a petition (see our E-mail of Oct. 3). We need your response today if possible.

10-3-95

I N T E R O F F I C E M E M O R A N D U M

Date: 03-Oct-1995 10:14am ES
From: John Reynolds TAL
REYNOLDS J
Dept: Air Resources Manageme
Tel No: (904)488-1344
SUNCOM: 278-1344

TO: Doug Beason TAL (BEASON_D)

CC: Alvaro Linero TAL (LINERO_A)

Subject: Gulf Coast Recycling

This is to advise OGC that the Bureau of Air Regulation believes that Gulf Coast Recycling's recent request for extension of time should not be granted for the reasons listed below:

On August 21 we requested OGC's opinion (via E-Mail) regarding wording of our proposed Intent to Deny Permit for the subject company. Hearing no objections from OGC, we issued the Intent on September 8. On September 29, Gulf Coast filed a request for extension of time until December 1 to file a petition, stating that they intend to file a "revised permit" (application), and that whether or not they file for a hearing will depend on the Department's response to their "revised" application.

The "revised" application proposal avoids the issue which is the failure to submit the additional information required. The applicant refused to provide information and now seeks to avoid a permit denial by revising the application at the last moment. The terms of the Intent to Deny state that the applicant must publish the Notice of Intent in order to preserve the right to appeal. We believe that the request for extension of time should be denied unless Gulf Coast publishes the notice. After denial, they can file a new application vs. revising the current one.

By the way, they refer to the extension as having been agreed to by the Department. Their consultant did talk with Clair but he says he made no agreement nor did anyone else in our Bureau.

9-29-95

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STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION SEP 29 1995

Bureau of
Air Regulation

In the Matter of an
Application for permit by:

DEP File No. PSD-FL-215
AC 29-209018
Hillsborough County

Mr. Willis Kitchen
President
Gulf Coast Recycling, Inc.

REQUEST FOR EXTENSION OF TIME

TO: Virginia Wetherell, Secretary
Department of Environmental Protection
2600 Blair Stone Road
Twin Towers Building
Tallahassee, Florida 32399-2400

GULF COAST RECYCLING, INC. ("Gulf Coast"), pursuant to Chapter 17-103.070, F.A.C., hereby requests an extension of time to file its formal Petition For Administrative Hearing, and in support hereof says:

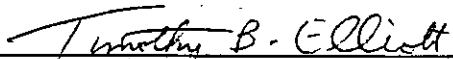
1. Gulf Coast was issued a Notice of Intent to Deny a PSD permit.
2. After discussion with DEP representatives, Gulf Coast will revise its permit to conform to the agreed upon terms.
3. Subject to DEP's response to the revised permit, Gulf Coast asserts that a formal challenge to the Agency action should not be required and therefore requests an extension of time to file a §120.57 petition until December 1, 1995.
4. The Florida Department of Environmental Protection ("DEP"), agrees to this extension request.
5. In the event this request for extension is not granted, this Motion shall serve as notice of intent by Gulf Coast to seek

a formal administrative review pursuant to Section 120.57, Florida Statutes.

WHEREFORE, Gulf Coast respectfully requests an extension of time until December 1, 1995 to file its Petition for Administrative Hearing, pursuant to Section 120.57, Florida Statutes.

I HEREBY CERTIFY that the original of the foregoing has been filed, via Hand Delivery, with Virginia Wetherell, Secretary of the Department of Environmental Protection, and copies sent to Office of General Counsel, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 and to the C. H. Fancy, P.E., Chief, Bureau of Air Regulation, State of Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee,, Florida 32399, this 28th day of September, 1995.

Respectfully submitted,


TIMOTHY B. ELLIOTT
Fla. Bar No. 0210536
WILLIAM B. TAYLOR, IV, ESQUIRE
Fla. Bar No. 144329
Macfarlane Ausley Ferguson
& McMullen
Post Office Box 1531
Tampa, Florida 33601
(813) 273-4228
Attorney for Petitioner

cc: Gulf Coast Recycling, Inc.