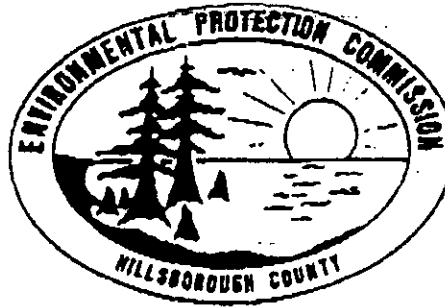


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ROBERT STEWART  
EXECUTIVE DIRECTOR  
ADMINISTRATIVE OFFICES  
AND  
WATER MANAGEMENT DIVISION  
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TELEPHONE (813) 272-5789  
ECOSYSTEMS MANAGEMENT DIVISION  
TELEPHONE (813) 272-7104

June 7, 1994

Virginia Wetherell, Secretary  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, Florida 32399

Dear Ms. Wetherell:

In our continuing effort to improve the efficiency and appropriateness of environmental regulation, I am compelled to relate to you a recent incident which exacerbates rather than eliminates any underlying mistrust on the part of all involved:

Last August, my staff identified what appeared to be a significant deviation from the conditions of a PSD permit held by the County's Resource Recovery Facility. After confirming our understanding with DEP (then DER) staff, we issued a warning to the County. As a double check, DEP provided written verification of our interpretation by letter to the County in January. Despite objection, the County prudently altered its operational practices to meet our concerns, changes claimed to be of substantial cost to the public.

Since January, the County has been trying to solicit the assistance of OGC. Assured by DEP staff that we were in concert, EPC staff resented the apparent end-around, but did not object since a DEP permit was involved. A meeting was finally arranged for June, some many months later. At the meeting, and without prior consultation or notice of any problem to us (or apparently to DEP staff), Richard Donalan of OGC announced to us, the County and the facility operator, that the conditions of the permit upon which we had been relying, were meaningless and unenforceable: no limiting condition, no violation, no purpose to the last 8 months...

Not to dispute here the legal conclusions reached, I do object to the manner in which this all occurred. My staff did its level best to verify with yours before taking a position adverse to a permittee, but for the protection of our public. Confident of our joint position, my staff was never-the-less publicly humiliated by what appeared to them to be a DEP roll over. Not privy to conversations or arguments made to OGC, we were not afforded notice of any need to further evaluate our position, instead being made to look incompetent, improperly imposing unreasonable demands on permittees. Concurrently, the County and facility operator learned that they could neutralize us by "going over our heads." The County could reasonably argue that, but for the delay in getting OGC's attention on this matter, they would have saved the public (us) the expense of altered practices and legal consultation. And I'm sure that DEP staff will come to resent our efforts to monitor pollution locally, since it appears to put them in the position of having to take a stand, which another arm of their own agency can later overturn without consultation.

Virginia Wetherell, Secretary

June 7, 1994

page two

It is no wonder that regulatory pronouncements are mistrusted and challenged, that permittees seek to pit agencies against each other, that influential permittees seek to eliminate local regulatory implementation as it affects them, or that our respective agency staffs are caught in the uncertain middle. Incidents like this are not conducive to cooperative implementation of environmental regulations through delegation or otherwise, and in the end are destructive to all our efforts to protect the public from pollution. We cannot allow such circumstances to occur if we are to develop an effective and streamlined regulatory system at the state and ultimately national level.

Please help us find a solution.

Sincerely,



Roger P. Stewart  
Executive Director

ljh

xc: Richard Donelan, Esquire ✓  
Emmy Acton, Esquire

(resource.ltr)

Jerry  
will  
for  
letter

2/16

Zanny  
Emily Acton, HC ~~Lawyer~~, met with  
Solid Waste because they did not  
want to modify their permits as  
requested in 1/4 ltr Lewis to Smith  
She wrote 2/25 ltr to Richard Donahue  
thanking him for meeting with her  
and acknowledging Lewis' willingness to attend  
HCEPC conference

3/31

Kory Slaughter, contacted Perry Reister OGC to

4/11

Memo HCEPC Sarah Fotopoulos  
to Emily Acton of conference  
discussion

Jerry  
will  
for

5/11

Meeting <sup>was</sup> scheduled but never  
occurred because Jerry Campbell  
couldn't attend. ~~It~~ It was  
rescheduled once before occurring 6/3

6/3

Meeting Richard Donahue, H Librarian  
County SW and HCEPC met.  
Mentioned to JB prior to meeting that  
it would occur ~~about~~ a couple  
weeks before the meeting. also  
mentioned the meeting 5/10 to Clair  
at County mty Atlanta. Contacted  
Richard's ~~and~~ voice mail and asked that  
Richard discuss this issue before any meeting.

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

Date: 07-Jun-1994 05:40pm EST  
From: Preston Lewis TAL  
LEWIS\_P  
Dept: Air Resources Management  
Tel No: 904/488-1344  
SUNCOM:

TO: John Brown TAL ( BROWN\_J )  
TO: Clair Fancy TAL ( FANCY\_C )  
TO: Richard Donelan TAL ( DONELAN\_R )  
TO: Douglas Outlaw TAL ( OUTLAW\_D )  
TO: Hamilton Buck Oven TAL ( OVEN\_H )

**Subject:** Hillsborough County MWC - revision

I erroneously stated in the last sentence of #3 "100 TPD". It should read "1200 TPD". Sorry.

Jerry Campbell said

- 2/16 HCEPC got copy of the letter
- 3/2, ltr from County attorney to OGC indicating DEP willing to ~~attend~~ reopen the issue.

INTEROFFICE MEMORANDUM

- completed EPC  
referral from an  
enforcement in  
May 1994.

Date: 07-Jun-1994 03:23pm EST  
From: Preston Lewis TAL  
LEWIS\_P  
Dept: Air Resources Management  
Tel No: 904/488-1344  
SUNCOM:

TO: John Brown TAL ( BROWN\_J )  
TO: Clair Fancy TAL ( FANCY\_C )  
TO: Richard Donelan TAL ( DONELAN\_R )  
TO: Douglas Outlaw TAL ( OUTLAW\_D )  
TO: Hamilton Buck Oven TAL ( OVEN\_H )

Subject: Hillsborough County MWC - Daily Capacity

Can we meet tomorrow (6/8/94) at 4:30 pm in the BAR conference room to discuss the Hillsborough County MWC? We feel that HCEPC should be included via telephone since they have enforcement authority and are apparently discussing taking enforcement against the facility since 1988 for exceeding the 1200 TPD limit charging rate.

Richard,

If you agree, will you fax this to them and get a number that we can call?

Background on Hillsborough County MWC

1. EPA issued PSD permit dated 5/21/86 (DER lacked delegation)  
Site Certification finalized 6/17/86  
PSD modification (H2SO4 and SO2 increased) dated 10/14/87
2. Site Certification did not specify the daily tons per day (TPD) but did limit the tons per hour (TPH) to 36666 lbs/hr which calculated to be 1320 TPD (based on 24 hours per day)
3. The PSD permit mentioned 1200 TPD in the description, but did not state a daily limit in the specific conditions. Nor did the specific conditions limit the annual emissions. However, the throughput is limited to 36666 lbs/hr. The air emission are stated as lbs/ton of waste for PM/PM10, SO2, H2SO4, VOC, NOx, CO, lead, fluoride, beryllium. Mercury had a limit of 2200 grams/day. In the Final Determination discussion table II-1 states the TPD and has a footnote that it is "Based on processing 100 tons per day MSW for 365 days".  
*110 TPD emission permit*  
*emissions*  
*1200*
4. A search of the application and supporting documents used to write the permit indicated each of the MWC's would have a capacity of 400 TPD. Originally the application was for four units but it was later reduced to three.
5. The PSD modeling was done for the maximum hourly throughput (1320 TPD) and did not violate an Ambient Air Quality Standards.

6. In a 12/17/93 meeting we notified Ogden Martin that we believed that the subject facility was intended to be limited to 1200 Tons per Day (TPD) based on a file search of both information submitted by the applicant and DEP file data.
7. On 1/4/94 we notified Hillsborough County (ltr Lewis to Smith) that to operate above 1200 TPD that they would need to apply for a modification of their PSD permit and Site Certification.
8. On 6/7/94 Richard Donelan informed us that HCEPC had discussed enforcement action going back to 1988 for exceeding the 1200 TPD. Furthermore, since the Site Certification failed to even mention a daily limit, it would take precedence over the PSD permit (TECO case decision) should this end up in court.

\* write letter to Doyle <sup>Smith</sup> asking what gives  
maybe a fir in April 95 to submit  
Title V

cc Roger Stewart

RECEIVED

JUN 14 1994

Bureau of  
Air. Regulation

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY, FLORIDA

Office of the County Attorney

FYI Kay

- Emeline C. Acton, County Attorney
- Ronald G. McCord, Chief Assistant
- Donald R. Odum, Chief Assistant
- Jennie Granahan Tarr, Chief Assistant
- Guilene F. Theodore, Chief Assistant
- John Dixon Wail, Chief Assistant
- Joseph Egozcue, Administrator



County Center  
601 E. Kennedy Blvd. -- 27th Floor

P.O. Box 1110  
Tampa, Florida 33601  
(813) 272-5670  
Fax (813) 272-5231

REC'D

MEMORANDUM MAY 11 1994

ENV. PROT. COMM.  
OF H.C.

DATE: May 10, 1994

TO: Jerry Campbell, Professional Engineer  
Environmental Protection Commission

FROM: Susan M. Allan, Assistant County Attorney

SUBJECT: Hillsborough County Resource Recovery Facility

Please attend a regarding the above-referenced matter on June 3, 1994, at 2:00 p.m., in the County Attorney's Office, 27th Floor. Representatives of the Department of Environmental Protection and Hillsborough County will also be attending. Please confirm your attendance.

SMA/bcb

Copy to: Emeline C. Acton, County Attorney  
Sara Fotopulos, EPC Legal Counsel  
Daryl H. Smith, Director, Dept. of Solid Waste  
Tom Smith, Section Mgr., Dept. of Solid Waste  
Daniel Strobridge, Camp Dresser & McKee Inc.

memo.jc/93-757-03

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY, FLORIDA

Office of the County Attorney

Emeline C. Acton, County Attorney  
Ronald G. McCord, Chief Assistant  
Donald R. Odom, Chief Assistant  
Jennie Granahan Tarr, Chief Assistant  
Guilene F. Theodore, Chief Assistant  
John Dixon Wall, Chief Assistant  
Joseph Egozcue, Administrator



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RECEIVED

APR 29 1994

REC'D

APR 29 1994

E.P.C. OF H.C.  
AIR PROGRAM

April 27, 1994

ENV. PROT. COMM.  
OF H.C.

VIA FACSIMILE AND U.S. MAIL

Richard Donelan, Esquire  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RE: Hillsborough County Resource Recovery Facility

Dear Mr. Donelan:

By letter dated April 21, 1994, Hillsborough County invited you and appropriate Department of Environmental Protection staff to attend a meeting in Tampa regarding Hillsborough County's Resource Recovery Facility. Also invited were representatives of the Hillsborough County Environmental Protection Commission (EPC). Jerry Campbell, with EPC, has requested that this meeting be rescheduled to Thursday, May 19th at 10:00 a.m. Please advise me if your schedule will permit this change.

I look forward to seeing you during the month of May.

Sincerely,

Susan M. Allan  
Assistant County Attorney

SMA/bcb

Copy to: Emeline C. Acton, County Attorney  
Daryl H. Smith, Dir., Dept. of Solid Waste  
Sara Fotopulos, Chief Counsel, EPC  
Jerry Campbell, Prof. Eng., EPC

letter.rd2/93-757-01



4/19/94 LgH

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY, FLORIDA

Office of the County Attorney

Emeline C. Acton, County Attorney  
Ronald G. McCord, Chief Assistant  
Donald R. Odom, Chief Assistant  
Jennie Granahan Tarr, Chief Assistant  
Guilene F. Theodore, Chief Assistant  
John Dixon Wall, Chief Assistant  
Joseph Egocue, Administrator



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Tampa, Florida 33601  
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VIA FACSIMILE and US MAIL

April 15, 1994.

Richard Donelan, Esquire  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Re: Hillsborough County Resource Recovery Facility

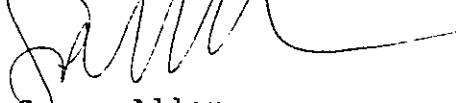
Dear Mr. Donelan,

Approximately two months ago, you met with Emmy Acton and indicated that you would assist in coordinating a meeting between the County, the Florida Department of Environmental Protection (DEP), and the Hillsborough County Environmental Commission (EPC) regarding potential capacity limitation issues at the County's Resource Recovery Facility (RRF). I have tried several times to contact you to make arrangements for the meeting, but have not been able to reach you. By letter dated February 25, 1994 and by Federal Express on March 28, 1994, I sent you background information explaining the issues in detail.

The County has recently received a memorandum from Sara Fotopulos (copy attached), Chief Counsel for the EPC, advising the County that EPC must take enforcement action on this matter very shortly. Furthermore, since this issue arose in August 1993, the County has been operating the RRF at a maximum of 1200 tpd, resulting in current diversions of approximately 1000 tons per week and substantial disposal costs. Some of this waste is being landfilled, using valuable landfill space. The additional disposal costs could reach a total of from \$700,000 to over \$1 million if this matter remains unresolved (see the attached memorandum from Thomas Smith). Therefore, it is imperative that this matter be resolved quickly.

We are available to meet with DEP and EPC, either in Tallahassee or Tampa, on May 6 or May 11. I would like to make final arrangements for this meeting so that this issue may be resolved as soon as possible. Please let me know early next week on your availability and that of DEP staff. I extend my thanks for your assistance in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read 'Susan Allan', with a long horizontal flourish extending to the right.

Susan Allan  
Assistant County Attorney

cc: Emeline Acton, County Attorney  
Donald Odom, Chief Assistant County Attorney  
Daryl Smith, Director, Department of Solid Waste  
Thomas Smith, Manager, Department of Solid Waste  
Sara Fotopulos, Chief Counsel, EPC

21209

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FAX (813) 272-5157



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AIR MANAGEMENT DIVISION  
TELEPHONE (813) 272-5530

WASTE MANAGEMENT DIVISION  
TELEPHONE (813) 272-5788

ECOSYSTEMS MANAGEMENT DIVISION  
TELEPHONE (813) 272-7104

MEMORANDUM

DATE: April 11, 1994  
  
TO: Emmy Acton, County Attorney  
  
FROM: Sara M. Fotopulos, Chief Counsel *SMP*  
  
SUBJECT: Hillsborough County Resource Recovery Facility

Pursuant your request, we called Richard Donelan's office to see whether a meeting has been scheduled, or is in the process of being scheduled. Doing so, his secretary indicated that she did not know of such a meeting, but would inquire and let us know. We have not heard anything.

Not achieving resolution, field staff have referred the matter to their enforcement coordinator to take the next step. This would be the issuance of a Notice of Intent to take enforcement - Not a Citation. The enforcement coordinator activities functions on a time line and must take some action fairly soon.

We however, repeat our willingness to meet and discuss this matter. We do not understand a need to wait for DEP action.

Please follow through on your arrangements and advise. I have asked staff to await your efforts at resolution as long as their standard operating procedures permit.

ljh

(resource.2)

RECEIVED

APR 12 1994

COUNTY ATTORNEY

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY, FLORIDA

Kay \_\_\_\_\_

Office of the County Attorney

Eveline C. Acton, County Attorney  
Ronald G. McCord, Chief Assistant  
Donald R. Odom, Chief Assistant  
Jennie Granahan Tarr, Chief Assistant  
Ouilene F. Theodore, Chief Assistant  
John Dixon Wall, Chief Assistant  
Joseph Egocue, Administrator



Frederick B. Karl Legal Center  
725 E. Kennedy Boulevard, Suite 300

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Tampa, Florida 33601  
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Fax (813) 272-5231

February 25, 1994

Richard Donelan, Esquire  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RE: Hillsborough County Resource Recovery Facility

Dear Mr. Donelan:

I appreciate your meeting with me on February 16, 1994, on such short notice. Your input will be of great value regarding the warning notice received by Hillsborough County for the Resource Recovery Facility.

You indicated that you would be willing to attend a meeting in Tampa in order to resolve the outstanding issues. Representatives from the Florida Department of Environmental Protection (DEP), the Environmental Protection Commission (EPC), and the County will be invited. If you wish for us to assist you in coordinating this meeting, please contact Susan Allan, Assistant County Attorney. She and I would be happy to help in whatever way we can.

The remainder of this letter will set forth the issues and a statement of the County's position. Copies of the relevant documents are attached.

BACKGROUND

On July 29, 1993, a representative from EPC visited the County's Resource Recovery Facility (RRF) for a regulatory inspection. EPC issued, on August 12, 1993, a warning notice to the Hillsborough

LETTER.RD/93-757-01

Richard Donelan  
February 25, 1994  
Page 2

County Department of Solid Waste stating that the RRF was operating in a manner inconsistent with the terms of its permit. EPC contends that the RRF is limited to firing a maximum of 1,200 tons per day (TPD) and that the facility manager could not provide information which demonstrated the charging rate at the time of the EPC inspector's visit.

The County's position is that the maximum charging capacity of the facility is 1,320 TPD and that the County is able to supply information demonstrating the charging rate within a reasonable period.

#### SUPPORT FOR COUNTY'S POSITION

Specific Condition No. 3 of PSD-FL-121 (page 8) states, "The incinerator boilers shall not be loaded in excess of their rated capacity of 36,666 pounds per hour each." This equates to 1,320 TPD. The math works out as follows:

$$\frac{36,666 \text{ pounds per hour}}{2,000 \text{ pounds per ton}} = 18.33 \text{ tons per hour}$$

$$18.33 \text{ Tons/Hr.} \times 3 \text{ Boilers} \times 24 \text{ Hr./Day} = 1,320 \text{ TPD}$$

The permit application supports this interpretation by indicating that the actual tonnage processed is expected to vary from day to day because the heating value of the waste varies. Specifically, the application at Volume III, Section 3.4 (page 3-9) states:

The resource recovery facility will consist of four boilers<sup>1</sup> each capable of firing 400 TPD of reference waste...at its maximum continuous rating (MCR). This firing rate will be adjusted as the waste quality changes, i.e., changes in the higher heating value (HHV). This is because one of the objectives of plant operation is to maintain the heat load to the boiler by maintaining the heat release on the grate. When the HHV is low (higher moisture and ash fractions, lower combustibles

---

<sup>1</sup>The County is operating only three boilers at this time.

Richard Donelan  
February 25, 1994  
Page 3

fraction) more waste will be processed, up to 440 per boiler<sup>2</sup>. (Emphasis added).

It is noted that throughout the permit application, the Site Certification, and the PSD permit itself, references are made to a "1,200 TPD facility". It is the County's position that this refers only to the nameplate capacity (what the facility is referenced as), but does not indicate a regulatory limit, nor does it reflect what the facility was tested at or is capable of processing.

It is also important to note that if the tons per day are averaged on a yearly basis, the RRF averages 1,200 TPD.

One of the main purposes of the permit is to set emissions limits which may not be exceeded by the RRF. The RRF does not exceed any permit emissions limitations by operating at 1,320 TPD.

Hillsborough County has been operating based on this interpretation of the permit since the facility opened in 1987. The County has submitted regular reports and data to EPC and DEP, including this information and has never received any objections.

Regarding the ability for the County to supply information demonstrating the charging rate of the RRF, General Condition No. 15 of PSD-FL-121 states in pertinent part, "When requested by the Department, the permittee shall within a reasonable period of time furnish any information required by law which is needed to determine compliance with the permit." Currently, there is no instrumentation which exists which can reliably measure the tons of solid waste charged into a boiler on an hourly basis. The County's operator of the RRF looks at data obtained from the truck weigh scales and combines this with data obtained from changes in the refuse pit inventory from week to week in order to calculate the daily processing rates. The County is able to supply this information within a reasonable time. However, if quicker verification is necessary, steam flow may be used to verify the charging rate. This is more fully set out in the proposed DEP letter attached.

---

<sup>2</sup>Operating at 440 TPD per boiler equals 1,320 TPD.

Richard Donelan  
February 25, 1994  
Page 4

#### PROCEDURAL ISSUES

DEP has suggested that the County go through a modification of the existing PSD permit. The County believes that the regulations for permit modifications are not applicable to this situation, and that this matter should be clarified by a letter from DEP setting forth the interpretation of the permit documents.

DEP cites Section 17-210.300(1), Florida Administrative Code, as requiring a permit modification if there is an increase in actual emissions. However, because the RRF has not changed its operations, often at 1,320 TPD, since opening in 1987, there has been no "actual increase in emissions" from what the facility has, in fact, been operating at for the last six years. I do not believe the intent of these regulations is to cause stationary sources to file permit modifications if their processing rate fluctuates each year, thereby causing increases and decreases in emissions. Instead, it appears that the intent of the regulations is to trigger a review when the method of operation of a facility is being modified or when production increases may result in exceeding a permit emission limitation. The emissions limits set forth in the County's permit will not be exceeded if the RRF is operated at 1,320 TPD.

Section 17-210.300, as well as Section 17-212, are specifically applicable to new facilities or modified facilities. The RRF does not fit into any of the categories: it is not being constructed or modified. Furthermore, the County has not changed its method of operating the RRF since commencement of operations in 1987, the County is not proposing any changes in operation, and the method of operation does not vary from the method of operation described in the permit application.

#### COST IMPACT

In order to avoid any claim of non-cooperation or continuing violation, the County has been operating at 1,200 TPD. The monetary impact to the County is significant. If the County does not burn the solid waste at its RRF, it is diverted to Pasco County, the City of Tampa, or the County landfill. To date, the County has incurred approximately \$192,500 worth of disposal charges resulting directly from these diversions. It is anticipated that the County will incur between \$500,000 to \$800,000

Richard Donelan  
February 25, 1994  
Page 5

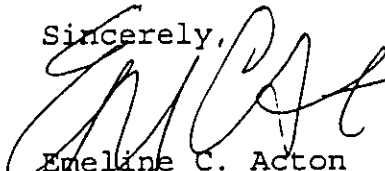
in additional disposal costs on a yearly basis, over and above the County's diversions for other reasons.

RESOLUTION

Attached is a proposed letter for DEP to review which clarifies the interpretation of the permit documents, including the Site Certification and the permit application, which coincides with the way the RRF has actually been operated since 1987. We believe that the permit documents support operation in this manner so that no permit modification is necessary, but simply a letter from DEP outlining the understanding of what the permit means.

I look forward to meeting with you on this issue in the near future. If there is any further information I can supply you prior to the meeting, I will be happy to do so.

Sincerely,



Emeline C. Acton  
County Attorney

ECA/sma/bcb

Attachments

Copy to: Susan Allan, Assistant County Attorney,  
(no attachments)  
Donald Odom, Chief Assistant County Attorney,  
(no attachments)  
Frederick B. Karl, County Administrator  
Sara Fotopulos, EPC Legal Counsel  
Daryl H. Smith, Director, Solid Waste Dept.,  
(no attachments)  
Tom Smith, Section Mgr., Solid Waste Dept.,  
(no attachments)  
Daniel Strobbridge, Camp Dresser & McKee Inc.,  
(no attachments)

LETTER.RD/93-757-01



Letter for FDEP Signature

Distribution: Hillsborough County EPC  
Hillsborough County Department of Solid Waste  
FDEP Southwest District Office

Subject: Hillsborough County Solid Waste Energy Recovery Facility

Dear \_\_\_\_\_:

As a result of a compliance inspection conducted by the Hillsborough County Environmental Protection Commission on July 29, 1993, this Department has undertaken a review of the Site Certification 83-19 and PSD-FL-121 permit for the referenced facility. Our review focused upon the permit application in support of the permitted capacity of the facility and specific conditions within these permits for verifying compliance.

Our review indicated that the air quality modeling analysis was in fact performed for a 1600 ton per day (tpd) facility consisting of four units rated at 400 tpd each firing 110% (440 tpd) of their nominal rated capacity. (See Exhibit A, PSD Application, Volume III Air Quality, Application for Power Plant Site Application.) Further, the application describes boiler operations as expected to fire the boilers up to 110% of the nameplate capacity of the facility. (See Section 3.4 Boiler Operations.)

Annual air quality impacts were based upon the facility operating at 1600 tpd, 365 days per year. The results of the analysis indicate that acceptable air quality impacts would occur as a result of operating the facility in the manner described above.

A PSD permit and site certification were granted for the initial nominal facility capacity of 1200 tpd. In recognizing that the facility would be able to charge up to 110% of nominal facility capacity, a specific condition was included in the PSD permit to establish the maximum charging rate per boiler of 36,666 pounds each. The conditions of Site Certification required that stack testing be performed at plus or minus 10% of the heat rate input of 150 million Btu per hour per boiler.

While perhaps the conditions of these permits were not artfully drafted, it is clear on the basis of the information contained in the application for these permits in combination with the specific conditions thereto, that the maximum permitted charging rate is 36,666 pounds of solid waste per hour per boiler or 110% of the nameplate rating of the facility.

To clarify any confusion over the permitted capacity of the facility, PSD-FL-121 and Site Certification 83-19 shall be interpreted to limit the facility to charging no more than 36,666 pounds per unit per hour, 1,320 tons per day and no more than 1,200 tons per

day on an annual average basis. These limitations are consistent with the air quality analyses presented in the application for these permits.

To assist in verifying compliance with these limitations, steam flow shall be used as a surrogate for hourly and daily charging rate limitations. Using steam flow for this purpose is consistent with 40 CFR Part 60.58a subparagraph (h)(6)(i) and subparagraph (j)(1), the New Source Performance Standards pertaining to compliance and performance testing of Municipal Waste Combustors. (See attachments.) The steam flow shall not exceed 98,400 pounds per hour per boiler.

This steam flow determination is based upon the following:

$$\frac{4,500 \text{ Btu/lb waste} \times 36,666 \text{ lb waste/hr}}{1,677 \text{ Btu/lb Steam}} = 98,388 \text{ lb/hr Steam}$$

Note that the boiler efficiency of 1,677 Btu input per pound steam is based upon the average efficiency demonstrated by the Hillsborough facility during the 1993 calendar year.

Compliance with the 1,200 tpd annual average charging rate shall be determined on the basis of a 52-week rolling average weight of solid waste received and processed at the facility. The truck weigh scale records shall be used for this purpose.

Please note these clarifications and maintain a copy of this letter in your permit files for this facility.

Sincerely,

Attachments



Lawton Chiles  
Governor

# Florida Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

February 25, 1994

Mr. John Power  
Hillsborough County Resource Recovery Facility  
350 Falkenberg Road  
Tampa, FL 33619

Dear Mr. Power:

The Hillsborough County Resource Recovery Facility (RRF) is on a priority list from EPA's Office of Air Quality Standards, Emissions Standards Division, for obtaining specific operating information. For the Hillsborough County RRF, the following information for each unit, if available, is needed:

- a. ESP Design Inlet Temperature
- b. ESP Inlet Temperature Operating Data
- c. Dioxin/Furan Test Data

Your response must be submitted in writing and is needed by Tuesday, March 1, 1994. The Division of Air Resource Management FAX number is 904/922-6979.

If you have any questions, please call Doug Outlaw or Preston Lewis at 904/488-1344. I have attached a copy of the letter from EPA/Region IV requesting the the Department to provide the ESP and dioxin/furan test data.

Sincerely,

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

attachment

cc: Bill Thomas, DEP/Tampa  
Scott Davis, EPA/Region IV  
Daryl H. Smith, Hillsborough County



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

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

FACSIMILE CORRESPONDENCE

DATE: **FEB 24 1994**

FROM: Scott Davis *Scott Davis*  
Air Enforcement Branch

TO: Preston Lewis  
Air Permitting Branch  
Florida Department of  
Environmental Protection

The following list of municipal waste combustor facilities are on a priority list from EPA's Office of Air Quality Standards, Emissions Standards Division, for obtaining specific operating information. For these sources, the following data is desired:

- ESP Design Inlet Temperature
- ESP Inlet Temperature Operating Data
- Dioxin/Furan Test Data

As a minimum, the information on ESP Inlet Temperatures (both Design and Operating Data) must be submitted in writing to EPA Region IV from these sources:

1. Hillsborough County Resource Recovery Facility (3 units)
2. Pinellas County Resource Recovery Facility (3 units)
3. Tampa municipal waste combustor (4 units)
4. Bay County Waste to Energy (2 units)

Further information will be relayed to you by telephone, and your questions and comments can be discussed at that time. Thank you for your assistance in this matter.

OPTIONAL FORM NO. 10

FAX TRANSMITTAL

FAX TRANSMITTAL		1
TO: Preston Lewis	FROM: Scott Davis	
Org: FLORIDA DEP	Phone: 404-347-5014	
Fax: 404-922-6979	Fax: 404-347-3059	
EPA FORM 7500-01-01 (REV. 10/84)		GENERAL SERVICES ADMINISTRATION

# HILLSBOROUGH COUNTY

Florida

Office of the County Administrator  
Frederick B. Karl

SEP 29 1993

BOARD OF COUNTY COMMISSIONERS

Phyllis Busensky  
Joe Chillura  
Sylvia Kimbell  
Lydia Miller  
Jim Norman  
Jan Platt  
Ed Turanchik



Senior County Administrator

Patricia Bean

Assistant County Administrators

Edwin Hunzeker

Cretta Johnson (Interim Appointment)

Jimmie Keel

Robert Taylor (Interim Appointment)

September 27, 1993

Mr. Hamilton S. Oven, P.E., Administrator  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Subject: Hillsborough County Solid Waste Energy Recovery Facility  
Permit NO. PSD-FL-121 and Site Certification No. 83-19:  
Request to Change Units Expressing Facility Capacity From  
Pounds of Solid Waste to Pounds of Steam

Dear Mr. Oven:

As you are aware, Hillsborough County, Florida, Department of Solid Waste received a Warning Notice (see Attachment), dated August 12, 1993, from the Hillsborough County Environmental Protection Commission (EPC) alleging violation of the Hillsborough County Solid Waste Energy Recovery Facility's operating permit, and referencing Specific Condition No. 3 and General Condition 15. These permit conditions relate to respectively: boiler capacity, expressed in pounds per hour solid waste loading; and providing information within a reasonable period of time to demonstrate compliance.

While we understand that there may be a jurisdictional issue regarding regulatory authority, we do not wish to be a party to any dispute. We do want to resolve the issue of reasonably demonstrating to the EPC an hour-to-hour boiler loading capacity.

Precisely measuring the quantity of solid waste charged into a boiler over a short period (one hour) is generally beyond the capability of commercially available weighing or other measuring equipment. However, an industry and U.S. EPA accepted surrogate for measuring boiler capacity utilization is steam flow. Steam flow is an operating parameter which is continuously monitored at the Facility. Steam flow indicates boiler capacity utilization and can be correlated to refuse through-put.

Mr. Hamilton S. Oven  
September 27, 1993  
Page Two

To avoid future confusion and misunderstandings, we respectfully request an administrative change to Specific Condition No. 3 of Hillsborough County's PSD-FL-121 permit. The new condition would read: "Each boiler shall not be operated in excess of a steamload of 103,763 pounds steam per hour". The same change is also requested for Hillsborough County's Site Certification No. 83-19, Condition 11.A.1.c.

The following details are provided in support of the requested steam flow designation. The current permit allows the County to charge up to 36,666 lbs (18.33 tons) of solid waste per hour per unit as you confirmed in your letter of August 30, 1993. The design steam flow at the maximum continuous rate (MCR) is 94,333 lbs per hour per unit or 5,658.8 lbs steam per ton of solid waste charged.

94,333 lbs steam/hour divided by 16.67 tons solid waste/hour  
equals 5,658.8 lbs/steam/ton solid waste

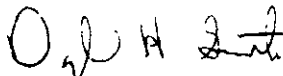
Therefore, maximum steam flow per hour per unit should not exceed 103,726 lbs per hour.

18.33 tons solid waste/hour multiplied by 5,658.8 lbs  
steam/ton solid waste equals 103,725.8 lbs steam/hour.

We believe this administrative change will allow all parties involved to efficiently administer and demonstrate compliance with the Facility's permit conditions related to capacity and solid waste through-put.

Thank you for your consideration. Should you have any questions in this regard, do not hesitate to contact me at (813) 744-5680.

Sincerely,



Daryl H. Smith, Director  
Department of Solid Waste  
Hillsborough County, Florida

DHS/ts

Attachment

xc: Clair Fancy, FDEP  
Dan Strobridge, CDM  
Joseph Treshler, OMSH

Roger P. Stewart  
Executive Director  
272-5980



Date issued: 8/12/93  
S 18 T 29 R 20

ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY

WARNING NOTICE

Responsible Party (Company/Person) Mr. Daryl Smith / Director  
Milling Address: Hillsborough County Solid Waste Department, P.O. Box 1110  
Tampa, FL 33601 Phone: \_\_\_\_\_

Location of alleged violation: Faulkenburg Road, Tampa

Date and time of alleged violation: 7/29/93, 9:30 a.m.

Alleged violation pursuant to:  
Chapter 84-446 Laws of Florida (Act):  
\_\_\_\_ (Act) Section 13 Unauthorized open burning  
\_\_\_\_ (Act) Section 16 Causing or allowing nuisance or injury  
\_\_\_\_ (Act) Section 17 Causing water/air/noise pollution  
\_\_\_\_ (Act) Section 17 Violating rule/standard/order:  
Chapter 4.030 Failure to operate in a manner that is consistent with the terms of  
Chapter \_\_\_\_\_; the permit.  
Other: Specific Condition No. 3, General Condition No. 15

The violations here alleged may not include possible concurrent violations of other applicable environmental laws: local, state or federal including those of the Environmental Protection Commission. Facts believed to constitute alleged violation:  
Failure to demonstrate compliance with process rate (Specific Condition No. 3).  
Exceeding 1200 TPD process rate.

By copy of this Notice, the responsible party is informed that Commission staff believes that based upon the information available, a violation may have occurred. If substantiated, appropriate administrative or legal action will occur to assure compliance with the Environmental Protection Act of Hillsborough County and the Rules of the Environmental Protection Commission of Hillsborough County. If you believe that the above does not constitute a violation as alleged, you are encouraged to immediately contact the investigator named below. If the violation is substantiated, cooperative resolution and correction may avoid enforcement action in this matter.

Because continuation of a violation subsequent to this Notice may be considered to be an intentional violation, it is recommended that you cease the above activity and until this matter is resolved you:

Cease causing the above violation. This matter may be referred to our enforcement section. Submit any documents that will support claim of compliance.

Investigator: Sterlin Woodard Phone #: 272-5530 Received by: CERTIFIED MAIL #  
Sterlin Woodard P 282 479 167  
EPC Form No. WN 5/92

~~John Brown~~  
John Brown



# Florida Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

August 30, 1993

Mr. Joseph R. Treshler, Vice President  
Ogden Martin Systems, Inc.  
Post Office Box 709  
Brandon, Florida 33509-0709

Re: Hillsborough County Solid Waste Energy Recovery Facility  
PA 83-19, PSD-FL-121

Dear Mr. Treshler:

The Department of Environmental Regulation has reviewed your letter of August 19, 1993. The Hillsborough County Solid Waste Energy Recovery Facility was certified by the Power Plant Siting Board on December 18, 1984. The certification, subject to the conditions set forth therein, constitute the sole license of the state as to the approval of the site and the construction and operation of the proposed electrical power plant (Section 403.511, Florida Statutes). Condition of Certification II.A.1.c. limits each boiler to a loading rate of 36,666 pounds per hour. The PSD permit PSD-FL-121 contains the same limitation.

I conclude that the Hillsborough County Warning Notice dated 8/12/93 is not in accordance with the Conditions of Certification and is therefore in error. Since the facility was certified pursuant to the Florida Electrical Power Plant Siting Act, Hillsborough County lacks the authority to take enforcement action without express delegation from the Department.

If you have any questions concerning this matter you may wish to contact Mr. Richard Donelan, Assistant General Counsel, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

Sincerely,

*Hamilton S. Oven*  
Hamilton S. Oven, P.E.  
Administrator, Siting  
Coordination Office

cc: Richard Donelan  
Clair Fancy  
Bill Thomas  
Jerry Campbell  
David Dee

*DIANNE SPINGLER*

Printed on recycled paper.

RECEIVED

SEP 1 1993

Division of Air  
Resources Management





# Florida Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

January 4, 1993

Mr. Daryl H. Smith  
Director  
Hillsborough County Solid Waste  
Department  
Post Office Box 1110  
Tampa, Florida 33601

RE: Hillsborough County Solid Waste Energy Recovery Facility,  
Permit No. PSD-FL-121, and Site Certification No. 83-19,  
Facility Daily Tonnage Increase

Dear Mr. Smith:

An increase in the maximum permitted through-put rate above 1200 tons per day, as discussed in the meeting on December 17, 1993, with the Department's Permitting and Standards Section, Bureau of Air Regulation and John Powers of Odgen Martin Systems, Inc., will require modification of Permit No. PSD-FL-121 in accordance with the requirements of 17-210.300(1), F.A.C., if the actual emissions increase. Any change in the method of operation of a stationary source or facility which increases the actual emissions of any air pollutant regulated under Rule 17-210, 17-212, 17-252, 17-272, 17-273, 17-275, 17-296 or 17-297, F.A.C., including any not previously emitted is a modification of the permit.

If the application does not result in a significant net emissions increase (as set forth in Rule 17-212.400(2)(e)2., F.A.C.), it would not be subject to the new source review requirements of Rule 17-212.400 - Prevention of Significant Deterioration, F.A.C. An increase in production rate of an existing facility, if that increase can be accomplished without an increase in capital expenditure on that facility, may also not be subject to 40 CFR 60, Subpart Ea - Standards of Performance for Municipal Waste Combustors, in accordance with 40 CFR 60.14(e). Therefore, the permit would be amended.

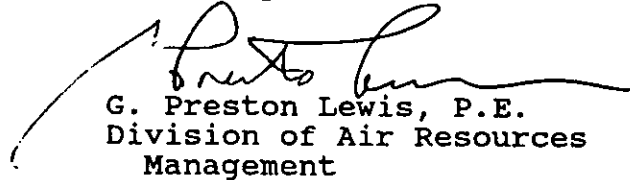
The site certification will not require revision if the facility is still in compliance with the rated capacity of each combustor unit and the emissions limits in the site certification are not exceeded. The most stringent emissions capacity rate in the site certification or the PSD permit will limit the maximum through-put rate at the facility.

Mr. Daryl H. Smith  
January 4, 1994  
Page Two

The applicant should submit a completed request for modification of the facility using the air permit application forms. The request for modification should include the basis for all emissions calculations. The applicant also should propose specific conditions for inclusion in the permit modification to verify compliance with the 1-hour and 24-hour firing rates.

If you have any questions regarding preparation of the request for modification, please contact Doug Outlaw or Preston Lewis at (904) 488-1344.

Sincerely,



G. Preston Lewis, P.E.  
Division of Air Resources  
Management

cc: Clair Fancy, DEP  
John Brown, DEP  
John Power, Ogden Martin  
Joe Threshler, Ogden Martin  
Tom Smith, HCEPC  
Hamilton Oven, DEP

GPL/DO/bb

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ  
GOVERNOR  
DALE TWACHTMANN  
SECRETARY

March 25, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gary K. Crane  
Ogden Martin Systems  
40 Lane Road, CN 2615  
Fairfield, New Jersey 07007-2615

Dear Mr. Crane:

Re: Hillsborough County Resource Recovery Facility  
PSD Permit, PSD-FL-121

The Department has received your letter dated March 7, 1988, concerning the expiration date of the above referenced permit and agrees with your comments.

No additional action is needed on your part to extend the PSD permit which cites March 31, 1988, as the expiration date. The Florida Site Certification, filed August 31, 1984, is effective for the life of the project as described therein.

If you have any questions please call Pradeep Raval (permitting) or Barry Andrews (BACT) at (904)488-1344 or write to me at the above address.

Sincerely,

C. H. Fancy, P.E.  
Deputy Chief  
Bureau of Air Quality  
Management

CHP/PR/s

cc: H. Oven, DER  
B. Pittman, Esq.

P 274 010 449

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

PS Form 3800, June 1985  
\* U.S.G.P.O. 1985-480-794

Mr. Gary K. Crane	
Ogden Martin Systems	
Street and No. 40 Lane Road, CN 2615	
P.O. State and ZIP Code Fairfield, NJ 07007-2615	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date Mailed: 02-25-88 PSD-FL-121 Hillsborough County	

READER: combine items 1 and 2. If desired, and complete items 3 and 4.

1. Addressee in the RETURN TO space on the reverse side. Failure to do this will prevent this mail from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery, if additional fees for the following services are available. Consult postmaster for cost and check boxes for additional services requested.

2.  Restricted Delivery

3. Signature of Addressee

4. Article Number  
P 274 010 449

5. Type of Service  
 Registered  Insured  
 Certified  COD  
 Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED

6. Addressee's Address (ONLY if requested and fee paid)

7. Date of Delivery  
3/2/88

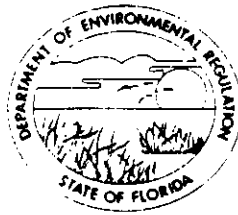
PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

RECEIVED

TWIN TOWERS OFFICE BUILDING  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400



MAR 11 1988

BOB MARTINEZ  
GOVERNOR

DER-BAQM

DALE TWACHTMANN  
SECRETARY

PERMITTEE:  
Hillsborough County  
Hillsborough County Courthouse  
419 Pierce Street  
Tampa, Florida 33602

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988  
County: Hillsborough  
Latitude/Longitude: 27° 57' 00" N  
82° 40' 22" W  
Project: Hillsborough County Resource  
Recovery Modification

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the modification of a 1,200 ton per day resource recovery facility to be located at the permitted existing municipal solid waste resource recovery facility in Hillsborough County approximately two miles east of Tampa on the county's Faulkenburg Road site. The UTM coordinates of the proposed plant are 368.2 km E and 3092.7 km N.

This permit solely pertains to the pollutant increases (nitrogen oxides, sulfuric acid mist, and particulates) which result from this modification. Only specific conditions l.a.(3), l.b., and l.c.(1) have been modified and/or added to reflect the changes requested in this modification. For clarity purposes, the remaining specific conditions which pertain to the pollutants addressed in this modification have been repeated as they appeared in the original PSD permit (PSD-FL-104). The other pollutants emitted from this facility are addressed in the original PSD permit.

Construction shall be in accordance with the attached permit application, plan, documents, and drawings except as noted in the Specific Conditions.

Attachments:

1. May 1, 1987, letter by Richard W. Seelinger.
2. June 8, 1987, letter by Bruce P. Miller, EPA Region IV.
3. June 12, 1987, letter by J. R. Treshler.

PERMITTEE:  
Hillsborough County

Permit Number: AC PSD-FL-121  
Expiration Date: March 31, 1988

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

**GENERAL CONDITIONS:**

6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately notify and provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

GENERAL CONDITIONS:

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:

- ( ) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- ( ) Compliance with New Source Performance Standards.

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the department, during the course of any unresolved enforcement action.



PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

**GENERAL CONDITIONS:**

- b. The permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  - the date, exact place, and time of sampling or measurements;
  - the person responsible for performing the sampling or measurements;
  - the date(s) analyses were performed;
  - the person responsible for performing the analyses;
  - 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 submitted or corrected promptly.

**SPECIFIC CONDITIONS:**

1. Emission Limitations

- a. Stack emissions from each unit shall not exceed the following:
  - (1) Particulate matter: 0.021 grains per dry standard cubic foot corrected to 12% CO<sub>2</sub> (gr/dscf-12%) or 7.0 pounds per hour per unit, whichever is more restrictive.

PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

**SPECIFIC CONDITIONS:**

- (2) Visible Emissions: Opacity of stack emissions shall not be greater than 15% opacity except that 20% opacity may be allowed for one six-minute period (average of 24 consecutive observations recorded at 15-second intervals) in any one hour. Excess opacity resulting from startup or shutdown shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess opacity shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by EPA for longer duration.

Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up or shutdown shall be prohibited. Opacity of other emission points at the plant shall not exceed 5%.

- (3) Nitrogen Oxides: 0.34 gr/dscf-12%, or 6.4 lb/ton, whichever is more restrictive
- (4) Each of the emission limits in conditions (1) through (3) is to be expressed as a 3-hour average. This averaging time, which is applicable to the emission limits for all pollutants, is based on the expected length of time for a particulate compliance test. The concentration standards in conditions (2) and (3) are included as the primary compliance limit to facilitate simpler compliance testing, since the process weight, in tons per hour, is not easily measured. The concentration limit is intended to be equivalent to the lb/ton limit. The concentration limits were derived by dividing the lb/ton limits by the calculated volume of flue gas produced when one ton of refuse is combusted. If actual process conditions, i.e. dscf per ton of refuse fired, are different than projected by the applicant, EPA may, at its discretion, determine compliance based upon the lb/ton limits.
- (5) The potential for dust generation by ash handling activities will be mitigated by quenching the ash prior to loading in ash transport trucks.

PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

**SPECIFIC CONDITIONS:**

Additionally, all portions of the proposed facility including the ash handling facility which have the potential for fugitive emissions will be enclosed. Also those areas which have to be open for operational purposes, e.g., tipping floor of the refuse bunker while trunks are entering and leaving, will be under negative air pressure.

- (6) Each of the three units is subject to 40 CFR Part 60, Subpart E, New Source Performance Standards (NSPS), except that where requirements in this permit are more restrictive, the requirements in this permit shall apply.
- b. Ash handling facility emissions shall not exceed 1.63 pounds per hour.
- c. Compliance Tests
  - (1) Compliance tests for particulate matter, and, nitrogen oxides shall be conducted in accordance with 40 CFR 60.8 (a), (b), (d), (e), and (f), except that an annual test will be conducted for particulate matter. Compliance tests for opacity will be conducted simultaneously with compliance tests for particulate matter. The compliance test requirements for the ash handling facility shall be waived in accordance with Rule 17-2.700(3)(d), FAC.

Compliance tests shall be conducted for such time and under such conditions as specified by EPA prior to the compliance test. These conditions will be specified by EPA upon notification of performance tests as required by General Condition 1. The permittee shall make available to EPA such records as may be necessary to determine the conditions of the performance tests.
  - (2) The following test methods and procedures from 40 CFR Parts 60 and 61 shall be used for compliance testing:
    - a. Method 1 for selection of sample site and sample traverses

PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

**SPECIFIC CONDITIONS:**

- b. Method 2 for determining stack gas flow rate when converting concentrations to or from mass emission limits.
  - c. Method 3 for gas analysis when needed for calculation of molecular weight or percent CO<sub>2</sub>.
  - d. Method 4 for determining moisture content when converting stack velocity to dry volumetric flow rate for use in converting concentrations in dry gases to or from mass emission limits.
  - e. Method 5 for concentration of particulate matter and associated moisture content. One sample shall constitute one test run.
  - f. Method 9 for visible determination of the opacity of emissions.
  - g. Method 7 for concentration of nitrogen oxides. Four samples, taken at approximately 15 minute intervals, shall constitute one test run.
- (3) The stack tests shall be performed at +10% of the heat input rate of 150 million Btu per hour per boiler; however, compliance with the particulate matter emission limit shall be at design capacity.
- 2. The height of the boiler exhaust stack shall not be less than 220 feet above ground level at the base of the stack.
  - 3. The incinerator boilers shall not be loaded in excess of their rated capacity of 36,666 pounds per hour each.
  - 4. The incinerator boilers shall have a metal name plate affixed in a conspicuous place on the shell showing manufacturer, model number, type waste, rated capacity and certification number.
  - 5. The permittee must submit to EPA and DER within fifteen (15) days after it becomes available to the County, copies of technical data pertaining to the incinerator boiler design,

PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

**SPECIFIC CONDITIONS:**

to the electrostatic precipitator design, and to the fuel mix that can be used to evaluate compliance of the facility with the preceding emission limitations.

6. Grease, scum, grit screenings or sewage sludge shall not be charged into the solid waste to energy facility boilers.

7. Electrostatic Precipitator

The electrostatic precipitator shall be designed and constructed to limit particulate emissions to no more than 0.021 grains per dscf corrected to 12% CO<sub>2</sub>.

8. Stack Monitoring Program

The permittee shall install and operate continuous monitoring devices for stack oxygen and opacity. The monitoring devices shall meet the applicable requirements of Rule 17- 2.710, FAC, 40 CFR Part 60, Subparts A and D, Sections 60.13 and 60.45 respectively, except that emission rates shall be calculated in units consistent with emission limits in this permit. The conversion procedure shall be approved by EPA.

9. Reporting

- a. A copy of the results of the stack tests shall be submitted within forty-five days of testing to the DER Southwest Florida District Office, the Hillsborough County Environmental Protection Commission (HCEPC) and EPA Region IV.

- b. Stack monitoring shall be reported to HCEPC, the DER Southwest District Office and EPA Region IV on a quarterly basis in accordance with Section 17-2.710, FAC, and 40 CFR, Part 60, Subsection 60.7.:e

10. Fuel

The Resource Recovery Facility shall utilize refuse such as garbage and trash (as defined in Chapter 17-7, FAC) but not sludge from sewage treatment plants as its fuel. Use of alternate fuels would necessitate application for a modification to this permit.

PERMITTEE:  
Hillsborough County

Permit Number: PSD-FL-121  
Expiration Date: March 31, 1988

SPECIFIC CONDITIONS:

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL REGULATION

---

Dale Twachtmann, Secretary

⋮

**OGDEN MARTIN SYSTEMS  
OF HILLSBOROUGH INC.**

40 LANE ROAD  
CN 2615  
FAIRFIELD, NEW JERSEY 07007-2615  
(201) 882-9000

PM  
8 March 1988  
West Caldwell, NJ

*File Copy*



AN OGDEN COMPANY

**RECEIVED**

**MAR 11 1988**

**DER-BAQM**

March 7, 1988

Mr. Hamilton Owen  
Florida Department of Environmental Regulation (DER)  
2600 Blainstone Road  
Tallahassee, FL 32399-2400

Subject: Hillsborough County Resource Recovery Facility  
PSD Renewal

As discussed on Thursday, March 3, 1988, please find attached various PSD related documents. Of particular concern is the letter on PSD Permit No. FL-121 which cites a March 31, 1988 expiration date for that permit, approving our requested NO<sub>x</sub> and H<sub>2</sub>SO<sub>4</sub> limit modification. This letter is to request DER's confirmation of our conversation that no additional action is needed on Ogden's part to extend this PSD permit since the Florida Site Certification (as filed August 31, 1984) is effective for the life of the Facility. If any additional follow-up action is needed, please let me know at your earliest convenience as the March 31st date is rapidly approaching.

Please feel free to call me or Joe Treshler at (813) 684-5688 if you have any questions.

Sincerely yours,

OGDEN MARTIN SYSTEMS, INC. *201 882-9000*

*Gary K Crane*

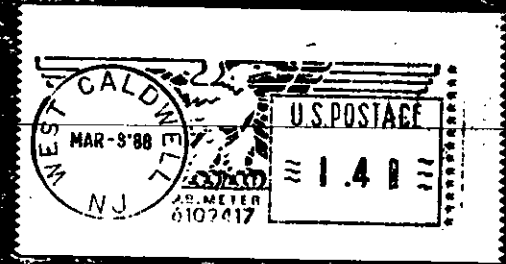
Gary K. Crane, Ph.D.  
Vice President  
Environmental Permitting

GKC:sh  
Attachs.

cc: Clair H. Fancy, Florida DER (all w/attachs.)  
J. Glen, OMS Hillsborough  
J. Treshler, OMS Hillsborough  
D. Strobbridge, CDM  
D. Smith, Hillsborough  
T. Smith, Hillsborough

*This is one of those that needed Site Certification and Federal PSD permit. They do not need operating permit need to write him a letter explaining this. Have engineer (Prabhu) call them, call EPA, and check with Betty and draft letter for my sig by Friday March 25th.*

first class



**OGDEN MARTIN  
SYSTEMS, INC.**

40 LANE ROAD  
CN 2615  
FAIRFIELD, NEW JERSEY 07007-2615

G. Crane



AN OGDEN COMPANY

Clair H. Fancy  
Florida Department of Environmental Regulation  
(DER)  
2600 Blairstone Road  
Tallahassee, FL 32399-2400





NOV 2 1987

4APT/APB-am

PM  
2 Nov. 1987  
Atlanta, GA

File Copy

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV  
345 COURTLAND STREET  
ATLANTA, GEORGIA 30365

DER

NOV 4 1987

BAQM

Mr. C. H. Fancy, P.E., Chief  
Bureau of Air Quality Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32301-2400

Re: Hillsborough County PSD-FL-120<sup>121</sup>

Dear Mr. Fancy:

This is to acknowledge receipt of your October 14, 1987, PSD final determination for modifications at the above referenced facility. We have reviewed the changes made to the draft permits submitted to EPA on July 14, 1987, and find them to be in accordance to our recommendations of September 11, 1987. We, therefore, concur on your final determination and the permits issued to Hillsborough County.

We will retain copies of the determinations and permits for our records.

Sincerely yours,

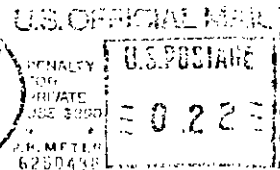
*Bruce P. Miller*

Bruce P. Miller, Chief  
Air Programs Branch  
Air, Pesticides, and Toxics  
Management Division

Copied: CHF/BT  
Barry Andrews } 11/6/87  
Jan Rogers }

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

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300  
AIR-4



Mr. C. H. Fancy, P.E., Chief  
Bureau of Air Quality Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32301-2400

~~CAF~~ } 11/6  
~~RE~~ } FYI  
Marko  
④

