

Florida Department of
Environmental Protection

Memorandum

10/2 John, Bruce, Patky
Pls assign's track. Let me know
who is doing this as I get calls from
David Dee, their attorney. *Clair*

TO: Power Plant Siting Review Committee
FROM: Buck Oven *HJO*
DATE: September 29, 1994
SUBJECT: Lee County RRF PA 90-30, Module 8040

RECEIVED

SEP 30 1994

Bureau of
Air Regulation

We have received a request for modification of the Lee County Resource Recovery Facility. Please review the enclosed material for completeness/sufficiency and advise me of your findings by October 28, 1994.

cc: Al Rushanan
Clair Fancy
Mary Jean Yon
Trudie Bell
Richard Donelan
David Knowles

~~John Brown~~

Bruce
Please
assign;
per CF
note on
PKA: B.O. due
date 10/24/80

TO: Power Plant Siting Review Committee

FROM: Buck Oven

DATE: September 29, 1994

SUBJECT: Lee County RRF PA 90-30, Module 8040

We have received a request for modification of the Lee County Resource Recovery Facility. Please review the enclosed material for completeness/sufficiency and advise me of your findings by October 28, 1994.

cc: Al Rushanan
Clair Fancy
Mary Jean Yon
Trudie Bell
Richard Donelan
David Knowles

OGDEN PROJECTS, INC.
40 LANE ROAD, CN 2615
FAIRFIELD, N.J. 07007-2615

0006266

G. J. ALDINA
SENIOR VICE PRESIDENT
ENVIRONMENTAL TESTING/CEM

TEL: (201) 882-4136
FAX: (201) 882-4156

September 29, 1994

Mr. John Brown
State of Florida
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

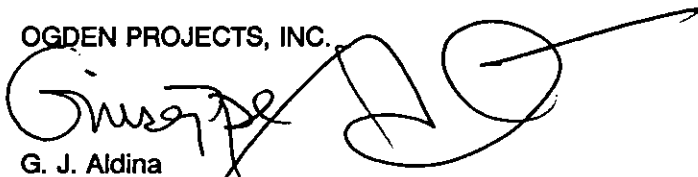
**Subject: OMS of Lee, Inc.
Permit No. PSD-FL-151
Request for Amendment to Specific Condition 3a (Test Methods)**

Dear Mr. Brown:

The OMS Lee County Permit includes 40 CFR 60, Appendix A, EPA Methods 7, 7C, or 19 for determination of nitrogen oxides emissions. We request this condition be amended to include the use of 40 CFR 60, Appendix A, EPA Method 7E. Method 7E is included in FAC Rule 17-2.700(3). The use of Method 7E for nitrogen oxides emission testing was discussed with M. Harley and R. Menon during our meeting September 28, 1994.

Sincerely,

OGDEN PROJECTS, INC.



G. J. Aldina
Sr. Vice President
Environmental Testing/CEM

GJA:rj

cc: P. Young
J. Treshler
G. Crane

Attached is fee for Amendment - \$250.00

RECEIVED
DER - MAIL ROOM
1994 SEP 30 PM 3:23

OGDEN MARTIN SYSTEMS OF LEE, INC.
40 LANE ROAD
FAIRFIELD, NJ 07007-2615

0006266
Check No. 000018 Check Date 9/29/94

50-937
213

The sum of \$250 and 00 cts

Pay This Amount
*****\$250.00*****

Pay to
The Order
Of: FLORIDA DEPT. OF ENV. PROTECTION

THE CHASE MANHATTAN BANK, N.A.
SYRACUSE, NEW YORK



⑈000018⑈ ⑆021309379⑆ 6010020025717⑈

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF FINANCE AND ACCOUNTING
RECEIPTS SECTION
DAILY CASH LISTING

DOC # AMOUNT NAME REV DATE COMMENTS

** DIVISION: F2

* OBJECT CODE: 002275
006265 79.00 ALEXANDER WH 09/30/94
006266 250.00 OGDEN MARTIN 09/30/94 →
006267 1010.38 FL STEEL COR 09/30/94
* Subsubtotal *
1339.38

* OBJECT CODE: 002276
006265 42.02 ALESANDER WH 09/30/94
006267 537.37 FL STEEL COR 09/30/94
* Subsubtotal *
579.39

** Subtotal **
1918.77

*Money sheet
date
9/30*

OGDEN MARTIN SYSTEMS OF LEE, INC.		Vendor	Check No. 000018	Check Date 9/29/94	
Invoice Number	Invoice Date	Invoice Description	Gross Amount	Retention	Net Amount
092994	9/29/94	FDEP PROCESSING FEE	\$250.00		\$250.00

To Martín Costello
Date _____ Time _____

WHILE YOU WERE OUT

M. Ju Aldina
of _____
Phone 201/882-4136
Area Code Number Extension

<input type="checkbox"/> TELEPHONED	<input type="checkbox"/> PLEASE CALL
<input type="checkbox"/> CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN
<input type="checkbox"/> WANTS TO SEE YOU	<input type="checkbox"/> URGENT
<input type="checkbox"/> RETURNED YOUR CALL	

Message _____

*Delivered
10/4/94*

10/2 John Brown
He did's I
sent to you.
Clair

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

Date: 28-Sep-1994 03:50pm EST
From: Hamilton Buck Oven TAL
OVEN H
Dept: Office of Secretary
Tel No: 904/487-0472
SUNCOM: Room 953-A

TO: See Below

Subject: Modification for Lee County RRF

I will be mailing the attachments describing Lee County's requested modifications to you on 9/29.

Distribution:

TO: Clair Fancy	TAL	(FANCY C)
TO: Bruce Mitchell	TAL	(MITCHELL B)
TO: Al Rushanan	TAL	(RUSHANAN A)
TO: Mary Jean Yon	TAL	(YON MJ)
TO: Trudie Bell	TAL	(BELL T)
TO: David Knowles	FTM	(KNOWLES_D @ A1 @ FTM1)

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTSTATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 848-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32582 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTE P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 659-7070 FAX (407) 659-7368	BARNETT TOWER P.O. BOX 2861 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3768
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PLEASE REPLY TO :

September 28, 1994

Tallahassee

Hamilton Oven, Jr.
Power Plant Siting Coordinator
Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

SEP 28 1994

SITING COORDINATION

Re: Lee County Resource Recovery Facility

Dear Mr. Oven:

This law firm represented Lee County, Florida, in the administrative hearings that were conducted under the Florida Electrical Power Plant Siting Act ("PPSA") concerning the County's Resource Recovery Facility ("Facility"). On behalf of Lee County, we respectfully request the Florida Department of Environmental Protection ("DEP") to modify the PPSA Conditions of Certification for the Facility, pursuant to Section 403.516(1)(b), Florida Statutes, and Rule 62-17.211(4), F.A.C., in the manner described in paragraphs 1-5, below. These modifications are very minor in nature; they will not result in any significant or meaningful environmental impact.

1. Control Elevations for Stormwater Ponds.

At the request of the South Florida Water Management District ("SFWMD"), the Conditions of Certification set the "control elevation" for the Facility's stormwater ponds at 20.5 feet NGVD. The control elevation is the lowest elevation at which stormwater can be released through the control devices in the Facility's stormwater ponds. The County has obtained site specific information which demonstrates that the Facility's stormwater management system would operate better if the control elevation were raised to 21.4 feet NGVD. The County's consultant, Malcolm Pirnie, believes a control elevation of 21.4' NGVD "provides an enhancement to both the Facility site and surrounding eco-system" because it "is appropriate to provide the necessary site drainage and retention of stormwater onsite, while

reducing potential impacts to the hydrologic balance of the adjacent sites." See Exhibit A. It is our understanding that the SFWMD also believes the control elevation should be raised. Consequently, the Conditions of Certification should be modified to state that the control elevation for the Facility's stormwater system is 21.4' NGVD, rather than 20.4' NGVD, based upon the improved design for the Facility's stormwater system. See Exhibit E.¹

2. Alternate Water Supply Wells.

The Facility will use reclaimed water (i.e., treated effluent) from the City of Ft. Myers' wastewater treatment plant as its primary source of water for normal operations. The Facility also will have a back-up or alternate water supply system that could be used in the unlikely event that the primary water supply system is unavailable. The Conditions of Certification provide that the Facility's alternate water supply system will consist of six wells, each capable of pumping 175 gpm. This system would have a total pumping capacity of 1050 gpm.

The County has installed two wells on-site and conducted tests which indicate that the system would work better if it were built with four wells, each capable of pumping 250 gpm. See Exhibit B. This proposed system would have a total capacity of 1000 gpm. It would be nominally smaller than the system that already has been approved.

The South Florida Water Management District has reviewed the County's site specific data and confirmed that the County's proposal to use four wells is consistent with the District's regulations. The SFWMD "concur[s] that the proposed two additional wells, with a maximum withdrawal capacity of 250 gpm for each well, will not have a greater impact than the previously permitted six well system." See Exhibit B.

¹ Exhibit E contains the precise language that should be added to and deleted from the Conditions of Certification for each of the proposed modifications described in paragraphs 1-5.

However, the SFWMD and County recognize that the actual capacity of the two new wells will not be known until they are installed and tested. Consequently, it is possible that the County may need to install a fifth or sixth well to satisfy its needs. If so, the County will submit appropriate technical data to the SFWMD and obtain SFWMD's prior written approval before it installs the additional well(s). The County also will restrict the operation of the alternate water supply system to ensure that, regardless of the number of wells, the system will not withdraw more than 1000 gpm.

Accordingly, the Conditions of Certification should be modified to authorize the use of the County's improved design for its alternate water supply system, subject to a maximum withdrawal rate of 1000 gpm. See Exhibit E.

3. Baghouse for Ash Handling Building.

The County will use a baghouse (fabric filter) to remove any airborne dust in the Facility's ash handling building. The Facility's Conditions of Certification provide that the emissions from the baghouse cannot exceed 0.010 grains/dscf. The County has concluded that it can comply with the Department's emission limit of 0.010 grains/dscf by using a baghouse at the ash handling building with a maximum air-to-cloth ratio of 10:1.

The Department of Environmental Protection already has amended the Facility's Prevention of Significant Deterioration (PSD) permit to allow the use of a baghouse with a maximum air-to-cloth ratio of 10:1. See Exhibit C. Although the Conditions of Certification provide that the various baghouses at the Facility should have a maximum air-to-cloth ratio of 4:1, the Department has determined that a maximum air-to-cloth ratio of 10:1 "is acceptable [in the baghouse for the ash handling building] and will not result in an increase in permitted annual emissions of any pollutant subject to the PSD regulations." Id. Since the Department previously approved the County's proposal to use a maximum air-to-cloth ratio of 10:1 in the baghouse for the ash handling building, the Conditions of Certification should be modified to make them consistent with the PSD permit. See Exhibit E.

4. Storage Silos for Water Treatment System.

The Conditions of Certification indicate that pressure drop monitoring equipment is not required for the baghouse that filters the air from the Facility's lime silo. The lime silo holds the lime that is used in the Facility's dry scrubber, which is part of the air pollution control system for the combustion units. The baghouse for the lime silo is not subject to the requirement for pressure drop monitoring because the lime silo is an extremely small source of particulate emissions. Continuous pressure drop monitoring also is unnecessary because there is little or no potential for emissions from the lime silo, except when trucks unload lime into the silo, which only occurs on an infrequent and intermittent basis.

Since the Department has concluded that pressure drop monitors are not necessary for the baghouse in the lime silo, pressure drop monitors should not be required for three other relatively small silos where the County will store solid reagents (e.g., hydrated lime, soda ash, and activated carbon) that will be used in the Facility's water treatment system. Similar to the lime silo, the storage silos for these reagents will have a baghouse to control particulate emissions that may occur during truck unloading activities. However, the potential emissions from these silos will be even less than the potential emissions from the lime silo because the volume of reagent used in the Facility's water treatment system will be far less than the volume of lime used in the Facility's air pollution control system. Consequently, fewer trucks will be unloaded into these silos, and there will be much less potential for airborne emissions.

The maximum annual particulate emissions from the lime silo for the air pollution control system will be 54 pounds. See Lee County's application for PPSA certification, Volume III, page 7-18. The County has calculated that the maximum particulate emissions from the three silos serving the water treatment system will be approximately 22 pounds per year--i.e., five pounds per year from the silo for activated carbon, seven pounds per year from the silo for hydrated lime, and ten pounds per year from the silo for soda ash. See Exhibit D. Thus, the combined maximum emissions from all three silos will be less than one-half of the emissions from the lime silo, which were deemed insignificant by DEP and EPA.

Hamilton Oven
Page Five
September 28, 1994

The Conditions of Certification should be modified to ensure that these three silos are treated in the same manner as the lime silo. See Exhibit E.

5. Furnace Roof Temperature.

The Conditions of Certification require the County to attain a temperature of 1800° F above the grate and a temperature of 1270° F at the furnace roof when burning municipal solid waste. It appears, however, that the Department's selection of the 1270° F temperature limitation was based erroneously on data from a resource recovery facility that is not comparable to Lee County's Facility. The 1270° F temperature is not related to the actual operating conditions that will be found at the Facility.

To address this issue, the County will measure the grate temperature and the furnace roof temperature at the Facility during initial start-up operations. Thereafter, the Department and the County can use the actual test data for the Facility to establish an appropriate requirement for the furnace roof temperature, and establish the correlation between the temperatures at the grate and furnace roof. The Conditions of Certification concerning the furnace roof temperature should be modified to reflect the actual conditions at Lee County's Facility, based on the tests performed by the County during the Facility's initial start-up operations. See Exhibit E.

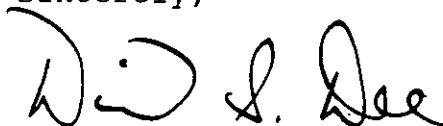
Conclusion.

Lee County believes the Conditions of Certification for the Facility should be modified in the manner described in paragraphs 1-5, above. The County today sent copies of this letter and the attached exhibits by certified mail, return receipt requested, to all of the parties to the Facility's PPSA certification hearing. Pursuant to Section 403.518(1)(c), Florida Statutes, and Rule 62-17.293, F.A.C., the County has enclosed a check (Warrant No. 232008), made payable to the Department, to pay the Department's fee for this request for a modification to the PPSA certification.

Hamilton Oven
Page Six
September 28, 1994

If you have any questions about the County's request, please call me at (904) 224-1585 or the Director of the County's Department of Solid Waste Management, Mr. Larry Johnson, at (813) 338-3100.

Sincerely,

A handwritten signature in black ink that reads "David S. Dee". The signature is written in a cursive style with a large initial "D" and a distinct "S" and "Dee".

David S. Dee

cc: See attached distribution list

Distribution List

Jim Yaeger
David Owen
Office of County Attorney
Post Office Box 398
Fort Myers, Florida 32902

Larry Johnson
Lindsey Sampson
Lee County Department of
Solid Waste Management
Post Office Box 398
Fort Myers, Florida 33902

Dan Stengle
Department of Community Affairs
2740 Centerview Drive
Tallahassee, Florida 32399

Wayne Daltry
Southwest Florida Regional
Planning Council
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Fort Myers, Florida 33918

Jim Antista
Florida Game and Fresh Water
Fish Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600

Susan Coughanour
John Fumero
South Florida Water Management District
Post Office Box 24680
West Palm Beach, Florida 33416-4680

Richard Donelan
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Protection
2600 Blair Stone Road
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708 East Jackson Street
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10301 Tarrah Lane
Bonita Springs, Florida 33923

Joe Treshler
Ogden Projects, Inc.
350 North Falkenburg Road
Tampa, Florida 33619

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P.A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTSTATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 848-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32562 (904) 434-0142 FAX (904) 434-5388	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0388	ESPERANTE P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 859-7070 FAX (407) 859-7388	BARNETT TOWER P.O. BOX 2884 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3788
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PLEASE REPLY TO:

September 28, 1994

Tallahassee

Clair H. Fancy
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399

Re: Lee County Resource Recovery Facility
(PSD-FL-151)

Dear Mr. Fancy:

This law firm assisted Lee County in its efforts to obtain environmental permits for the Lee County Resource Recovery Facility ("Facility"), including the Prevention of Significant Deterioration ("PSD") permit. Lee County has identified three provisions of the PSD permit that need to be amended to make the PSD permit consistent with the modifications the County is seeking with respect to the Facility's Conditions of Certification. All of these amendments to the PSD permit are minor, and will have no significant environmental impact.

Accordingly, on behalf of the County, we are submitting this letter to the Department as the County's formal request for the following amendments to the County's PSD permit:

1. 300° F. Temperature Limitation.

The Conditions of Certification and PSD permit establish a 300° Fahrenheit (F) limitation on the temperature of the flue gases in the Facility's air pollution control system. This temperature limitation appears to have been superseded by the temperature limitation in the Department's mercury rule. See Rule 62-296.416, F.A.C. Since the Department's mercury rule establishes more stringent requirements for the operation of the Facility, the rule serves as an automatic modification to the Conditions of Certification. See § 403.511(5)(a), Fla. Stat. However, the Facility's PSD permit needs to be amended to make it consistent with the Conditions of Certification and the mercury rule. The specific changes to the PSD permit are shown in Exhibit A, which is attached hereto.

2. Storage Silos for Water Treatment System.

The PSD permit indicates that pressure drop monitoring equipment is not required for the baghouse that filters the air from the Facility's lime silo. The lime silo holds the lime that is used in the Facility's dry scrubber, which is part of the air pollution control system for the combustion units. The baghouse for the lime silo is not subject to the requirement for pressure drop monitoring because the lime silo is an extremely small source of particulate emissions. Continuous pressure drop monitoring also is unnecessary because there is little or no potential for emissions from the lime silo, except when trucks unload lime into the silo, which only occurs on an infrequent and intermittent basis.

Since the Department has concluded that pressure drop monitors are not necessary for the baghouse in the lime silo, pressure drop monitors should not be required for three other relatively small silos where the County will store solid reagents (e.g., hydrated lime, soda ash, and activated carbon) that will be used in the Facility's water treatment system. Similar to the lime silo, the storage silos for these reagents will have a baghouse to control particulate emissions that may occur during truck unloading activities. However, the potential emissions from these silos will be even less than the potential emissions from the lime silo because the volume of reagent used in the Facility's water treatment system will be far less than the volume of lime used in the Facility's air pollution control system. Consequently, fewer trucks will be unloaded into these silos, and there will be much less potential for airborne emissions.

The maximum annual particulate emissions from the lime silo for the air pollution control system will be 54 pounds. See Lee County's application for PPSA certification, Volume III, page 7-18. The County calculates that the maximum annual particulate emissions from the three silos serving the water treatment system will be approximately 22 pounds--i.e., a maximum of five pounds per year from the silo for activated carbon, seven pounds per year from the silo for hydrated lime, and ten pounds per year from the silo for soda ash. Thus, the maximum combined annual emissions from all three silos will be less than one-half of the emissions from the lime silo, which DEP and EPA previously determined were insignificant.

Given these facts, the PSD permit should be amended to ensure that these three silos are treated in the same manner as the lime silo.

3. Furnace Roof Temperature.

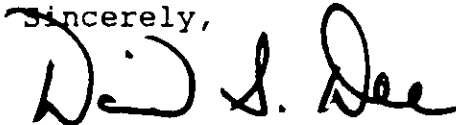
The PSD permit requires the County to attain a temperature of 1800° F above the grate and a temperature of 1270° F at the furnace roof when burning municipal solid waste. It appears, however, that the Department's selection of the 1270° F temperature limitation was based erroneously on data from a resource recovery facility that is not comparable to Lee County's Facility. The 1270° F temperature is not related to the actual operating conditions that will be found at the Facility.

To address this issue, the County will measure the grate temperature and the furnace roof temperature at the Facility during initial start-up operations. Thereafter, the Department and the County can use the actual test data for the Facility to establish an appropriate requirement for the furnace roof temperature, and establish the correlation between the temperatures at the grate and furnace roof. The PSD permit should be amended to reflect the actual conditions at Lee County's Facility, based on the tests performed by the County during the Facility's initial start-up operations.

Conclusion

Lee County respectfully requests the Department to amend the Facility's PSD permit in the manner shown in Exhibit A. If you have any questions about the County's requests, please call Larry Johnson, Director of the Lee County Department of Solid Waste Management at 813/338-3100 or me at 224-1585.

Sincerely,



David S. Dee

cc: Jim Yaeger
David Owen

Clair Fancy
September 28, 1994
Page 4

Larry Johnson
Lindsey Sampson
Joe Treshler
Hamilton Oven, Jr.
Richard Donelan

EXHIBIT A

LEE COUNTY'S PROPOSED AMENDMENTS
TO PSD PERMIT (PSD-FL-151)¹

SPECIFIC CONDITIONS:

4. Miscellaneous Requirements

a. Start-up and Shut-down Procedures

During start-up procedures, propane gas shall be used to preheat the combustion zone to achieve a minimum furnace roof temperature of ~~1270°~~ F and a minimum temperature of 1800° F above the grate (at a height to be specified by the vendor) prior to ignition of MSW. The appropriate minimum furnace roof temperature shall be established by the Department, based on the test data collected during the facility's initial start-up operations, and shall be correlated to the minimum temperature of 1800° F above the grate.

During all shut-down procedures, propane gas shall be used to ensure that the temperature above the grate, as specified above, does not drop below 1800° F and the furnace roof temperature is maintained above 1270° the minimum furnace roof temperature, as specified above, while any MSW is still burning.

* * * * *

e. Baghouse Operations

All baghouses (except for the lime silo dust collector and the baghouses for the silos containing hydrated lime, soda ash, and activated charcoal for the facility's water treatment system) shall be equipped with pressure drop monitoring equipment. Baghouses for the facility's combustion units shall have a maximum air-to-cloth ratio of 4:1. The baghouse for the ash handling building's dust collection system shall have a maximum air-to-cloth ratio of 10:1.

* * * * *

5. Emission Control Equipment

* * * * *

¹Language added to the existing text of the Conditions of Certification is underscored. Language deleted from the existing text of the Conditions of Certification is ~~struck through~~.

b. The facility shall be equipped with dry scrubbers which are designed, constructed and operated to remove SO₂ at an efficiency of 80% by weight or to achieve an emission rate of 30 ppm_{dv} at 7% O₂, 24 hour geometric average, which ever is less stringent, ~~and to cool the flue gases to an average temperature not to exceed 300°F (3-hour rolling average).~~ Except during a malfunction, the maximum flue gas temperature at the final particulate matter control device inlet, during the combustion of solid waste, shall not exceed the maximum temperature established by Rule 62-296.416(4)(a), F.A.C.

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTSTATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 648-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32582 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTE P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 859-7070 FAX (407) 859-7368	BARNETT TOWER P.O. BOX 2881 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3788
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PLEASE REPLY TO :

September 28, 1994

Tallahassee

Hamilton Oven, Jr.
Power Plant Siting Coordinator
Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

SEP 28 1994

Re: Amendments For Lee County
Resource Recovery Facility
(Case No. PA 90-30)

SITING COORDINATION

Dear Mr. Oven:

As you know, this law firm assisted Lee County with its efforts to obtain the environmental permits for the Lee County Resource Recovery Facility ("Facility"), including the certification under the Florida Electrical Power Plant Siting Act ("PPSA").

On behalf of Lee County, we are sending this letter to the Department because the County now wishes to amend two provisions in its application for certification, as described below. Both of the amendments are minor, and will have no significant environmental impact. We hereby formally notify the Department of the following amendments to Lee County's application for site certification. It is our understanding that the submittal of this letter is sufficient to accomplish these amendments.

1. Easement for FPL Transmission Line to Serve Buckingham Park.

The County would like to construct an electric distribution line from Buckingham Road to serve the needs of the County's Buckingham Park. The County has determined that there would be fewer environmental impacts (i.e., fewer trees would be cut down) if the transmission line were placed on the Facility's site in a 10 foot easement located adjacent to the site's southeastern boundary. The distribution line and easement will run north from

Hamilton Oven, Jr.
September 28, 1994
Page 2

Buckingham Road for approximately 2,000 feet and then it will turn to the east and enter the Buckingham Park. The construction of the transmission line would only require the placement of a few telephone poles and would not involve any impacts to wetlands or other sensitive environmental areas.

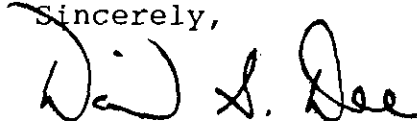
2. Filter Cake From The Water Treatment System

The Facility's water treatment system will produce solids, which will be concentrated and placed in a filter press. The cake from the filter press will be placed in the ash handling building and taken to the landfill for disposal.

Conclusion

If the Department has any questions about these two amendments, please call Mr. Larry Johnson, the Director of Lee County's Department of Solid Waste Management, at 813/338-3100 or me at 904/224-1585.

Sincerely,



David S. Dee

cc: Richard Donelan
Jim Yaeger
David Owen
Larry Johnson
Lindsey Sampson
Joe Treshler

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTSTATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 848-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32582 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTE P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 659-7070 FAX (407) 659-7368	BARNETT TOWER P.O. BOX 2881 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3768
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PLEASE REPLY TO :

September 28, 1994

Tallahassee

Hamilton Oven, Jr.
Power Plant Siting Coordinator
Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

Re: Administrative Modification for
Lee County Resource Recovery Facility
(Case No. 90-30)

Dear Mr. Oven:

Pursuant to Section 403.511(5)(a), Florida Statutes, Lee County ("County") respectfully requests the Department of Environmental Protection ("Department") to administratively modify the Conditions of Certification for its Resource Recovery Facility ("Facility").

Section XIV.A.4.b. of the Conditions of Certification establishes a 300° Fahrenheit (F) limitation on the temperature of the flue gases in the Facility's air pollution control system. This temperature limitation appears to have been superseded by the temperature limitation in the Department's mercury rule. See Rule 62-296.416(4), F.A.C. Since the Department's mercury rule establishes more stringent requirements for the operation of the Facility, the rule serves as an automatic modification to the Conditions of Certification. See § 403.511(5)(a), Florida Statutes. Based on Rule 62-296.416(4), F.A.C., the Conditions of Certification should be modified as follows:

XIV. OPERATION

A. Air

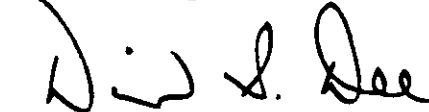
4. Emission Control Equipment

b. The facility shall be equipped with dry scrubbers which are designed, constructed and operated to remove SO₂ at an efficiency of 80% by weight or to achieve an emission rate of 30 ppmdv at 7% O₂, which ever is less stringent, ~~and to cool the flue gases to an average temperature not to exceed 300°F (3-hour rolling average).~~ Except during a malfunction, the maximum flue gas temperature at the final particulate matter control device inlet, during the combustion of solid waste, shall not exceed the maximum temperature established by Rule 62-296.416(4)(a), F.A.C.¹

Conclusion

If the Department has any questions about this proposed modification, please call me at 224-1585.

Sincerely,



David S. Dee

cc: Richard Donelan
Clair Fancy
Jim Yaeger
David Owen
Larry Johnson
Lindsey Sampson
Joe Treshler

¹Language added to the existing text of the Conditions of Certification is underscored. Language deleted from the existing text of the Conditions of Certification is ~~struck through~~.

August 17, 1994

Larry Johnson, P.E.
Director
Lee County Department of Solid Waste
2013 Altamont Avenue
Ft. Myers, FL 33901

**RE: Surface Water Management Plan
Control Elevation for the Facility Site**

Dear Mr. Johnson:

The control elevation for the Facility site is defined by South Florida Water Management District (SFWMD) as the lowest elevation at which water can be released through a control device. The control elevation for the Facility site was originally established at 20.5' in the Power Plant Site Certification (PPSC). The control elevation has been since modified based upon site specific information. Detailed Facility and surrounding site analyses was undertaken by Malcolm Pirnie as required for submission of the *Review Package for Surface Water Management Permit (Review Package)* under the Power Plant Site Certification (PPSC). As a result, the control elevation was established at 21.4' and provides an enhancement to both the Facility site and surrounding eco-system. Malcolm Pirnie believes that the revised control elevation of 21.4' NGVD is appropriate to provide for:

- effective site drainage,
- necessary retention of stormwater onsite, and
- reducing potential impacts to the hydrologic balance of adjacent sites.

The following provides a brief description of the activities undertaken by Malcolm Pirnie to establish a control elevation of 21.4':

As required by the SFWMD, an application for a Surface Water Management Permit must contain supporting discussion describing the methods by which the average wet season water table elevations were determined. The methods most acceptable to the SFWMD were stated to be: (first), on site information which is both obtained during the latter part of the wet season and representative of the average wet season water table; or (second), technically defensible near-site similar information. As a result, Malcolm Pirnie utilized both applications by using survey crews, on-site information, and information on the control elevation used for other facilities located near the project (Buckingham Park and Buckingham Road). Specifically, the following provides a description of the activities undertaken in an effort to establish the control elevation in accordance with the SFWMD guidelines.

EXHIBIT A

- August 3, 1992 Malcolm Pirnie's subconsultant, Kevin L. Erwin Ecologists (KLECE) performed a field investigation of the Facility site and erected stakes to mark off the high water levels.
- August 4, 1994 Malcolm Pirnie's subconsultant INK Engineering surveyed the stakes erected by KLECE to determine the water level elevations for use in determination of the control elevation. In addition, INK Engineering researched available information on the control elevation used for other facilities located near the project (Buckingham Park and Buckingham Road).
- August 18, 1992 Malcolm Pirnie provided formal notice to Ogden Martin Systems of Lee, Inc. (OMSL) that 21.4' NGVD would be utilized as the control elevation for all calculations and drawings to be submitted to the SFWMD as part of the Review Package for the Surface Water Management Permit (Review Package).
- August 25, 1992 OMSL submitted the Surface Water Management System Construction Plans and Dewatering Plans to the SFWMD based on the 21.4' NGVD control elevation. Two sealed sets of the submitted plans and calculations were resubmitted to the SFWMD on December 31, 1992.
- September 2, 1992 Review Package was submitted to the SFWMD by Malcolm Pirnie. All drawings and calculations were based on the 21.4' NGVD control elevation.

As stated in the PPSC, Section XVC3a "...(2) If control elevations are revised for any portion of the proposed surface water management system, revised calculations which demonstrate compliance with the SFWMD's retention/detention criteria for both quantity and quality purposes (are required); (3) If control elevations are revised for any portion of the proposed surface water management system, revise soil storage calculations (are required)...". Malcolm Pirnie and OMSL provided this documentation as part of the original submittals to SFWMD.

On October 20, 1992, SFWMD issued an authorization to commence construction and/or initiation of the following:

- storm water management system and dewatering operations for the area within the facility site boundary,
- ground and surface water monitoring plans, and
- surface water management system, wetland mitigation, monitoring, maintenance plan, and dewatering operations outside the facility site boundary.

For your information we have enclosed a copy of the following documents:

- A copy of the December 31, 1992 OMSL submittal to the SFWMD which was the resubmittal of the calculations and plans originally presented on August 25, 1992.
- A copy of the cover letter transmitted with the September 2, 1992 submittal of the Review Package by Malcolm Pirnie.
- A copy of Item I-5 of the Review Package "Wetland Control Elevation Table" which provides a completed SFWMD form No. 0545-G07, field survey information, and a wetland control elevation survey.
- October 20, 1992 SFWMD authorization to commence construction.

In summary, Malcolm Pirnie believes that the revised control elevation of 21.4' NGVD is appropriate to provide the necessary site drainage and retention of stormwater onsite, while reducing potential impacts to the hydrologic balance of adjacent sites.

If you have any questions regarding this matter or any of the enclosures, please do not hesitate to contact us.

Very truly yours,

MALCOLM PIRNIE, INC.



David S. Ferrato
Senior Project Manager

- c: D. Dee, Esq., Carlton, Fields et al. (w/ encl.)
D. Owen, Esq., Lee County Attorney's Office (w/o encl.)
L. Sampson, Lee County Department of Solid Waste (w/o encl.)



South Florida Water Management District

5501 Gun Club Road • P.O. Box 24680 • West Palm Beach, FL 33418-4680 • (407) 686-8800 • FL WATS 1-800-452-2045

LAN 04-06

July 22, 1994

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

Dear Mr. Oven:

**Subject: Lee County Solid Waste Resource Recovery Facility (Phase I)
Well Construction and Relocation**

South Florida Water Management District (SFWMD) staff has reviewed the information submitted on July 20, 1994 by Ogden Martin Systems of Lee, Inc., included the accompanying May 5, 1994 water supply withdrawal evaluation from Ardaman and Associates, Inc. and the February, 1994 Production Well Completion Report from Southwest Water Wells, for the proposed construction of up to four additional wells at the above-referenced project site, pursuant to Certification Condition XV.B.3.d. Based on the flows available from the existing two wells previously authorized, the applicant has indicated that the construction of two to four additional wells is necessary to obtain the total combined flow of 1,000 gpm authorized under Certification Condition XV.B.2.c

The proposed well construction and relocation is consistent with SFWMD criteria and the scope of activities permitted under the approved Site Certification Order for the Lee County Solid Waste Resource Recovery Facility. Based on staff's review of the documentation submitted, the SFWMD concurs that the proposed two additional wells, with a maximum withdrawal capacity of 250 gpm for each well, will not have a greater impact than the previously permitted six well system. Consequently, the proposed well construction and relocation is acceptable to the SFWMD, subject to compliance with the applicable Certification Conditions, including those conditions that address activities during and after construction. We also recommend that Certification Condition XV.B.2.c. be amended to read:

~~6 - 8' x 150' wells cased to 80' withdrawing from the Sandstone aquifer with a pumping capacity of 175 gpm per well.~~

A maximum of 6 - 8" x 150' wells cased to 80' withdrawing from the Sandstone aquifer with a total combined pumping capacity of 1,000 gpm.

EXHIBIT B

Governing Board:

Valerie Boyd, Chairman
Frank Williamson, Jr.: Vice Chairman
Annie Betancourt

William Hammond
Betsy Krant
Allan Milledge

Eugene K. Pettis
Nathaniel P. Reed
Leah G. Schad

Tilford C. Creel, Executive Director
Thomas K. MacVicar, Deputy Executive Director

Mr. Hamilton S. Oven, Jr., P.E.
July 22, 1994
Page 2

In the event the two additional wells do not produce sufficient flow to achieve the 1000 gpm needed as a backup water supply source, the applicant shall provide an evaluation similar to that provided with this request for review and approval by the SFWMD prior to constructing Wells 5 and/or 6:

In addition, please have the well contractor complete and return the enclosed Well Completion Report form so that we may keep our files on this project current.

If any of the above requires additional clarification, please do not hesitate to contact Susan Coughanour at (407) 687-6920.

Sincerely,



Steve Lamb, Director
Regulation Department
South Florida Water Management District

SL/jjg

c: Richard P. Donelan, DEP-Tallahassee
Philip Barbaccia, DEP-Fort Myers
Linda McCarthy, DEP-West Palm Beach
R. Lane Ware, Raytheon, Inc.
Don Markley, Malcolm Pirnie, Inc.
L. Peter Young, Ogden Martin Systems of Lee, Inc.
Lindsey Sampson, Lee County Solid Waste Division
Jim Yaegar, Lee County Attorney
David Owen, Assistant Lee County Attorney
Walter Stephens, Lee County Division of Water Resources
George Crawford, Lee County DOT
David Dee, Carlton, Fields, Ward, et al.
Wayne Daltry, Southwest Florida Regional Planning Council
James V. Antista, Florida Game & Freshwater Fish Commission
Steve Pfeifer, Department of Community Affairs

OGDEN MARTIN SYSTEMS OF LEE, INC.

40 LANE ROAD, CN 2615
FAIRFIELD, NJ 07007-2615

TEL: (201) 882-9000
FAX: (201) 882-4199

July 29, 1994

Mike
Jim
John
Patrick - permit file



RECEIVED

AUG 1 1994

Bureau of
Air Regulation

Florida Department of Environmental Protection
South District Office
2295 Victoria Venue
Suite 364
Ft. Myers, FL 33901

Attention: Phillip Barbaccia

Reference: Lee County Solid Waste Resource Recovery Facility
Ft. Myers, Florida
Project C-1033, Our Ref. LE1308L

Subject: NOTICE OF ANTICIPATED START-UP

Gentlemen,

On behalf of Lee County, the permittee of the above reference PPSC and PSD, Ogden Martin Systems of Lee, Inc. is pleased to advise the South District Office of the Florida Department of Environmental Protection that the Lee County Solid Waste Resource Recovery Facility is anticipated to start-up with its initial firing of refuse on, or about, August 12, 1994. The second waste combustor boiler is anticipated to start-up within three (3) days after the firing of the first boiler.

The Specific Condition in the PPSC that specifically requires submittal of this information is as follow:

PPSC: Section XIV.A.5

Do not hesitate to call at (201) 882-7246 if you have any questions or further needs.

Very truly yours,

L. Peter Young
Assistant Vice President -
Project Management

cc: D. Cerrato - Malcolm Pirnie
D. Markley - Malcolm Pirnie
L. Sampson
C. H. Fancy - FDEP/Bureau of Air Reg.
T. Eriksen - OMSL
L. Brasowski - OMSL
J. Kowal - OMSL
R. Rizzi - Raytheon
pf 5.1 FDEP

pja/3614



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

August 5, 1994

Certified Mail - Return Receipt Requested

Mr. Peter Young
Assistant Vice President -
Project Management
Ogden Martin Systems of Lee, Inc.
40 Lane Road, CN 2615
Fairfield, NJ 07007-2615

RE: Compliance Test-Lee County Solid Waste Resource Recovery
Facility

Dear Mr. Young:

We reviewed the proposed test schedule for the above referenced source which was received on August 2. The proposed schedule includes test methods which are either different from those required by the permit or which have not been adopted in Chapter 17-297, F.A.C. These specific test methods include: 1) EPA Method 25A for volatile organic compounds (VOCs) and 2) EPA Method 29 for the metals for lead (Pb), beryllium (Be), and arsenic (As). The use of these proposed methods would require advance approval as alternate sampling procedures pursuant to Rule 17-297.620, F.A.C. A copy of the rule is attached for your information.

Since EPA Method 29 is still a conditional test method which has not been adopted by EPA, it is unlikely that its use will be approved for the measurement of lead (Pb), beryllium (Be), and arsenic (As). However, the Department may consider approving a request to use the RCRA multi-metals method in 40 CFR 266 Appendix IX for the metals lead (Pb), beryllium (Be), and arsenic (As). EPA Method 26 is for the measurement of hydrogen chloride (HCl) and the incorporation of any deviations for the measurement of ammonia (NH₃) will also require prior approval as an alternate sampling procedure. Please provide: 1) A detailed description of the sampling and analytical procedures for ammonia (NH₃); and, 2) A demonstration that the ammonia measurement technique will not compromise the measurement of hydrogen chloride (HCl).

The use of EPA Method 7E for the measurement of nitrogen oxides (NO_x) will require a permit amendment. The request for permit amendment should be submitted to the Bureau of Air Regulation in Tallahassee.

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The purpose of the 120 minute of sampling duration for EPA Method 5 is not clear. An acceptable compliance test for EPA Method 5 consists of 3 valid runs with a minimum sampling duration 60 minutes each. Table 2-1 of the proposed protocol shows that on day number 2, the test method for the measurement of polychlorinated dibenzo-p-dioxins/polychlorinated dibenzofurans (PCDFs/PCDDs) is EPA Method 9. Please be advised that the appropriate test method for polychlorinated dibenzo-p-dioxins/polychlorinated dibenzofurans (PCDFs/PCDDs) is EPA Method 23 and not EPA Method 9.

Requests for approval of alternate standards and procedures are processed by the Division of Air Resources Management in Tallahassee (specifically the Emissions Monitoring Section). In order to satisfy the demonstration requirements of Rule 17-297.620(2)(d), F.A.C., the Department routinely requires the petitioner to test the source simultaneously using both the adopted procedure and the proposed procedure. The processing of a request for approval of an alternate standard or procedure generally requires a minimum of about 90 days from the date that all of the required information is received. Until an Order approving an alternate sampling procedure is signed, compliance with the applicable limitations shall be determined using the methods specified in the permit.

If you have any questions, please call Ramesh Menon at (904) 488-1344 or write to Michael Harley.

Sincerely,



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

Enclosure

cc: J. Brown
J. Pennington
B. Oven
D. Knowles, S. District
D. McNeal, EPA Region IV
D. Dees