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DEC 19 2011

**DIVISION OF AIR
RESOURCE MANAGEMENT**

December 16, 2011

Mr. Syed Arif, P.E.
Environmental Administrator
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road, MS#5505
Tallahassee, Florida 32399-2400

RE: Lee County RRF
Draft Title V Air Operation Permit Renewal, Project No. 0710119-007-AV
Comments To Revised Draft Renewal Permit Public Noticed December 2, 2011

Dear Mr. Arif:

On November 18, 2011, the Florida Department of Environmental Protection (FDEP) issued emails to the Lee County RRF (Facility) stating that a revised draft of the Facility's renewal Title V permit was available for review and comment. On December 2, 2011, the Facility placed the draft permit on public notice. The purpose of this letter is to submit Facility comments regarding the draft renewal Title V permit to the FDEP for consideration as part of the official public comment period.

A. Title V Air Operation Permit Revision

1. Page III.A.-1, first paragraph, fourth sentence
The description indicates that MWC 1 and MWC 2 are each equipped with one auxiliary natural gas/propane fired burner. Each of the MWCs is actually equipped with two auxiliary burners – please correct the description.
2. Page III.A.-1 and 2, Condition A.4, Items a. and b.
The maximum capacity limits included in items a. and b. of Condition A.4 are design related and compliance with them at any snapshot of time cannot be practically demonstrated. We request that the following statement be added:

“d. Compliance with each of the mass and energy throughput limitations in a. and b. of Condition A.4 above shall be demonstrated by complying with the 186,200 lb/hr (4-hr average) steam production limitation”
3. Page III.A.-3, Condition A.6, Item f.(1)

The language in the draft permit says “Construction and demolition debris.” This language was changed from that contained in the underlying PSD permit term (i.e., PSD-FL-151B, Condition 4.f) and the current Title V permit (Condition A.10.1). The facility did not request this change and no regulatory basis exists for changing language based on an underlying PSD permit without first revising the PSD permit. Therefore, we request that the language of this permit term revert to that of the underlying PSD permit, as follows:

“(1) Unsorted mixtures of construction and demolition debris, or that fraction of sorted construction and demolition debris that is predominately non-combustible. Non-combustible construction and demolition debris shall include concrete, metals, gypsum products, plaster, rock, brick, and masonry.”

4. Page III.A.-4, Condition A.13.

Concurrent with the revised draft Title V permit, a draft PSD permit is also on public notice. Comments regarding the draft PSD permit will be provided under separate cover. However, since the basis of Condition A.13.b is stated as Permit No. 0710119-008-AC/PSD-FL-151E, a comment is also provided here. As originally permitted, cadmium was not included in any PSD permit for MWC 1 and MWC 2. The Facility did not request a PSD limit for cadmium and no regulatory basis exists for adding cadmium to the PSD permit at this time. We request deletion of Condition A.13.d.

5. Page III.A.-5, Condition A.17

In response to our request, all pollutant emission limits on a lb/MMBtu basis were removed from the permit. However, Condition A.17 still contains a lb/MMBtu limit for sulfuric acid mist. We request deletion of the 0.036 lb/MMBtu limit.

6. Page III.A.-6, Condition A.24

The language in Condition A.24 does not include EPA’s safety-related allowances provided in Subpart Cb. As such, we request inclusion of the following:

“b. For the purpose of compliance with the carbon monoxide emission limits in 40 CFR 60.53b(a), if a loss of boiler water level control (e.g., boiler waterwall tube failure) or a loss of combustion air control (e.g., loss of combustion air fan, induced draft fan, combustion grate bar failure) is determined to be a malfunction, the duration of the malfunction period is limited to 15 hours per occurrence. During such periods of malfunction, monitoring data shall be dismissed or excluded from compliance calculations, but shall be recorded and reported in accordance with the provisions of 40 CFR 60.59b(d)(7).

c. During a loss of boiler water level control or loss of combustion air control malfunction period as specified in paragraph (a)(1)(iii) of 40 CFR 60.58b, a diluent cap of 14 percent oxygen or 5 percent carbon dioxide may be used in the emissions calculations for sulfur dioxide and nitrogen oxides.”

7. Page III.A.-7, Condition A.32

Concurrent with the revised draft Title V permit, a draft PSD permit is also on public notice. Comments regarding the draft PSD permit will be provided under separate cover. However, since the basis of Condition A.32 includes a reference to, and is consistent with, Permit No. 0710119-008-AC/PSD-FL-151E, a comment is also provided here. Under the description for EPA Methods 7, 7C, 7E or 19 is the following statement:

“NO_x emissions testing shall be conducted with the air heater operating at the highest input possible during the test.”

This statement has not been included in any previous permit issued to the Facility and its purpose is unknown. We request deletion of the statement.

8. Page III.A.-8, Condition A.37

Concurrent with the revised draft Title V permit, a draft PSD permit is also on public notice. Comments regarding the draft PSD permit will be provided under separate cover. However, since the basis of Condition A.37 includes a reference to, and is consistent with, Permit No. 0710119-008-AC/PSD-FL-151E, a comment is also provided here. The second paragraph of Condition A.37 requires the stack testing protocol to include details regarding the weight percentage of used tires in the MSW stream during the compliance testing. Condition A.7.e specifies that compliance with the amount of used tires that can be combusted is determined on a calendar month basis. Therefore, no basis exists for requiring an accounting of the weight percentage of tires burned during compliance testing. We request deletion of this requirement.

9. Page III.B.-1, second paragraph

First and second sentences – The description indicates that MWC 3 has a nominal design rated capacity of 186,200 lbs/hour steam production. MWC 3 actually has a nominal design rated capacity of 197,400 lbs/hour steam production – please correct the description.

10. Page III.B. 2, Condition B.5

The maximum capacity limits included in items a. and b. of Condition B.5 are design related and compliance with them at any snapshot of time cannot be practically demonstrated. We request that the following statement be added:

“d. Compliance with each of the mass and energy throughput limitations in a. and b. of Condition B.5 above shall be demonstrated by complying with the 186,200 lb/hr (4-hr average) steam production limitation”

11. Page III.B.-3, Condition B.7.e

The current permit language limits the total quantity of waste tires burned to 3%, by weight, of the Facility's total fuel. The Facility conducted testing in March 2008 to allow this limit to be increased to 5%. A copy of the test report was emailed to Mr. Scott Sheplak, P.E., of FDEP on December 2, 2011. We request correction of the limit to 5%.

12. Page III.B.-3, Condition B.7, Item f.(1)

The language in the draft permit says "Construction and demolition debris." This language was changed from that contained in the underlying PSD permit term [i.e., PSD-FL-151D, Condition B.6.7(a)] and the current Title V permit [Condition D.6.7(a)]. The facility did not request this change and no regulatory basis exists for changing language based on an underlying PSD permit without first revising the PSD permit. Therefore, we request that the language of this permit term revert to that of the underlying PSD permit, as follows:

"(1) Unsorted mixtures of construction and demolition debris, or that fraction of sorted construction and demolition debris that is predominately non-combustible. Non-combustible construction and demolition debris shall include concrete, metals, gypsum products, plaster, rock, brick, and masonry."

13. Page III.B.-6, Condition B.21.b

Concurrent with the revised draft Title V permit, a draft PSD permit is also on public notice. Comments regarding the draft PSD permit will be provided under separate cover. However, since the basis of Condition B.21 includes a reference to, and is consistent with, Permit No. 0710119-008-AC/PSD-FL-151E, a comment is also provided here. An hourly CO limit of 23.0, which is based on the annual average CO limit of 80 ppmv corrected to 7% oxygen, is included in the draft Title V permit, consistent with proposed Permit No. 0710119-008-AC/PSD-FL-151E and the initial construction permit issued for MWC 3. However, a demonstration of compliance with an hourly limit that is based on an annual concentration limit is not practically possible. Further, the limit serves no environmental protection or regulatory purpose. As such, we request deletion of the 23.0 lbs/hour limit.

14. Page III.B.-6, Condition B.24

The language in Condition A.24 does not include safety-necessitated allowances provided by EPA in Subpart Cb. As such, we request inclusion of the following:

b. For the purpose of compliance with the carbon monoxide emission limits in 40 CFR 60.53b(a), if a loss of boiler water level control (e.g., boiler waterwall tube failure) or a loss of combustion air control (e.g., loss of combustion air fan, induced draft fan, combustion grate bar failure) is determined to be a malfunction, the duration of the malfunction period is limited to 15 hours per occurrence. During such periods of malfunction, monitoring data shall be dismissed or excluded from compliance calculations,

but shall be recorded and reported in accordance with the provisions of 40 CFR 60.59b(d)(7).

c. During a loss of boiler water level control or loss of combustion air control malfunction period as specified in paragraph (a)(1)(iii) of 40 CFR 60.58b, a diluent cap of 14 percent oxygen or 5 percent carbon dioxide may be used in the emissions calculations for sulfur dioxide and nitrogen oxides.

15. Page III.B.-8, Condition B.33

Concurrent with the revised draft Title V permit, a draft PSD permit is also on public notice. Comments regarding the draft PSD permit will be provided under separate cover. However, since the basis of Condition B.33 includes a reference to, and is consistent with, Permit No. 0710119-008-AC/PSD-FL-151E, a comment is also provided here. Under the description for EPA Methods 7, 7C, 7E or 19 is the following statement:

“NOx emissions testing shall be conducted with the air heater operating at the highest input possible during the test.”

This statement has not been included in any previous permit issued to the Facility and its purpose is unknown. We request deletion of the statement.

16. Page III.B.-9, Condition B.38, Permitting Note

The current federal mercury limit is 0.050 mg/dscm at 7% O₂ or an 85% reduction (whichever is less stringent). We request correction of the value in the permitting note.

17. Page III.B.-10, Condition B.43.b

The current permit language limits the total quantity of waste tires burned to 3%, by weight, of the Facility's total fuel. The Facility conducted testing in March 2008 to allow this limit to be increased to 5%. A copy of the test report was emailed to Mr. Scott Sheplak, P.E., of FDEP on December 2, 2011. We request correction of the limit to 5%.

18. Page III.C.-1, Condition C.4

Concurrent with the revised draft Title V permit, a draft PSD permit is also on public notice. Comments regarding the draft PSD permit will be provided under separate cover. However, since the basis of Condition B.33 includes a reference to, and is consistent with, Permit No. 0710119-008-AC/PSD-FL-151E, a comment is also provided here. The stack for the ash handling building will be removed. As part of the PSD permit revision, both the particulate matter emission limit of 0.010 grains/dscf and the 5% visible emission limit were removed from the PSD permit. However, while the grain loading limit was removed from the draft Title V permit, the 5% visible emission limit also applicable to the ash handling building baghouse stack was not deleted. Since the ash handling building will no longer have a stack subject to the 5% visible emission limit, Condition C.4 should be deleted. The fact that Condition C.4 was inadvertently not deleted was confirmed in a telephone

conversation between Mr. Scott Sheplak, P.E., of FDEP and Mr. M. Kirk Dunbar of HDR Engineering on December 14, 2011. We request deletion of Condition C.4.

19. Page III.C.-2, Condition C.12

Concurrent with the revised draft Title V permit, a draft PSD permit is also on public notice. Comments regarding the draft PSD permit will be provided under separate cover.

However, since the basis of Condition B.33 includes a reference to, and is consistent with, Permit No. 0710119-008-AC/PSD-FL-151E, a comment is also provided here. Consistent with the previous comment regarding deletion of Condition C.4, Condition C.12 is no longer applicable or necessary. Condition C.5 imposes the applicable requirement from 40 CFR Part 60, Subpart Eb to conduct fugitive ash observations. We request deletion of Condition C.12.

B. Table 1, Summary of Air Pollutant Standards and Terms

1. EU 001 and 002, Cd

As discussed previously, the 0.009 lbs/hour per unit value is not an allowable limit and, as such, should be moved to the Equivalent Emissions column.

2. EU 001 and 002, NO_x

The permitted hourly NO_x limit is 80 lbs/hour per unit as opposed to the 80.0 value shown in Table 1. We request correction of the Table 1 value to 80 lbs/hour.

3. EU 001 and 002, SAM

a. SAM is listed twice. We request deletion of the duplicate entry.

b. As discussed previously, the lb/MMBtu basis limits were removed for all pollutants except for SAM. Consistent with our comment above, we request deletion of the 0.036 lb/MMBtu limit for SAM (please note that we are not requesting deletion of the 9.85 lbs/hour limit).

4. EU 003, CO

As discussed previously, the hourly CO limit of 23.0 lbs/hour based on the annual concentration limit of 80 ppm_{dv} at 7% O₂ is not practically enforceable. Consistent with our comment above, we request deletion of the 23.0 lbs/hour limit.

5. Ash Handling

As discussed previously, 5% opacity limit for the ash handling building is no longer applicable. Consistent with our comment above, we request deletion of the entire Page 2 of Table 1.


C. Table 2, Summary of Compliance Requirements

1. Ash Handling

As discussed previously, 5% opacity limit for the ash handling building is no longer applicable. Consistent with our comment above, we request deletion of the entire Page 2 of Table 2.

Thank you for your consideration of our comments. Should you have any questions, please contact me at (239-533-8000) or Mr. M. Kirk Dunbar of HDR Engineering, Inc. at (763-591-5476).

Sincerely,



Lindsey J. Sampson
Lee County Solid Waste Division Director

cc: D. Castro – HDR Engineering, Inc.
K. Dunbar – HDR Engineering, Inc.
S. Sheplak – DEP Bureau of Air Regulation
M. Halpin, P.E. – DEP-Siting
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Mike Duff – Covanta Energy of Lee County
J. Gorrie – Covanta Energy
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