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February 12, 2008

Sent via Electronic Mail - Received Receipt Requested

sampsolj@leegov.com

Mr. Lindsay J. Sampson
Director
Lee County Solid Waste Division
10500 Buckingham Road, Suite 200
Fort Myers, Florida 33905

Re: Request for Additional Information
Project Number 0710119-006-AV, Title V Air Operation Permit Revision Application
Lee County RRF

Dear Mr. Sampson:

The Department received the subject application for a Title V air operation permit revision via Electronic Permit Submittal and Processing System (EPSAP) on December 28, 2007. The Lee County Resource Recovery Facility is located in Lee County at 10500 Buckingham Road, Fort Myers.

In order to continue processing your application, the Department will need the additional information items requested below. Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revisions to the application.

Additional Information Items

A. Initial Compliance Tests, Initial Performance Testing & Construction Permit Requirements.

1. Provide an executive summary (cover letter & summary) of the recent test results for Unit 3 as submitted to the compliance authority, the South District Office.
2. Was the information from 40 CFR 60.59b(f) provided in the test report as required by Condition B.11. of PSD-FL-151C? What were the values?
3. Did Unit 3 demonstrate compliance with the air pollutant emission standards and limitations from PSD-FL-151D?

4. Condition B.4. of the PSD-FL-151C permit required the permittee to submit manufacturer guarantees for the selected air pollution control equipment, e.g., baghouse, spray dryer scrubber, carbon injection system and selective non catalytic reduction system (SNCR) system, to the South District Office. Please provide a copy.
5. Were the design specifications of the MWC Unit 3 selected submitted to the South District Office as required by Condition B.26. of PSD-FL-151C?
6. Condition D.3.(c) of PSD-FL-151C required an Operational Procedures Manual to be submitted to the South District Office.
 - a. Has this been submitted to the South District Office?
 - b. The procedures are also required to be provided with the initial Title V permit application for Unit 3 (see the application form, Emissions Unit Section I. Additional Information item number 4.). In the EPSAP, a previously submitted document was cited as having been submitted on the February 17, 2003. This could not be located on file. Please provide a copy to this office.
7. I found the note in the comment field (page 154) within the EPSAP submission regarding the lime silo. The PSD permit addressed a lime and carbon silo. Do both the lime and carbon silos vent internally?

B. New Applicable Requirements - Federal Regulation Amendments, Municipal Waste Combustors 40 CFR 60, Subparts Cb & Eb.

1. U.S. EPA recently filed a motion to remand the recent amendments to 40 CFR 60, Subpart Cb & Eb. The amendments had been promulgated by U.S. EPA on May 10, 2006, and were adopted by reference into the Florida rules on May 31, 2007, at Rule 62-204.800(8)(b)7., F.A.C. and Rule 62-204.800(9)(b), F.A.C. (excerpts of rule adoption are enclosed). Note certain exceptions were made in Florida's adoption of 40 CFR 60, Subpart Cb in Rule 62-204.800(9)(b), F.A.C.

As part of these amendments, the emission limits for lead (Pb), cadmium (Cd), mercury (Hg) and particulate matter (PM) were lowered. For example, the Cd emission limit for a 'new' (an Eb unit) unit which would apply to Unit 3, was changed from: 20 microgram/dscm to: 10 microgram/dscm {note: the BACT limit is 0.02 mg/dscm}. Another example applying to an 'existing' unit (a Cb unit) like Units 1 and 2, the Hg emission limit was lowered from: 80 microgram/dscm {note: Florida Rule 62-296.416, F.A.C. limits Hg to 70 microgram/dscm} to: 50 microgram/dscm. The amendments also changed test scheduling & frequency and provide an array of options for the use of new continuous emissions monitoring system (CEMs) technology for Hg, dioxin, multi-metal & HCl emissions.

- a. Please prepare a chart(s) showing the current emission limits vs. the new emission limits under these amendments for Units 1, 2 and 3. The new

emission standards and limits are scheduled to take effect April 28, 2009 (compliance deadline) for all of the amendments.

- b. Do the amendments contain any new applicable requirements for Unit 1, 2 and/or 3? Please provide any written materials highlighting the changes as this can be useful in revising the conditions of the permit and useful for the facility in making the transition to the new requirements.
- c. Are any modifications to Unit 1, 2 and/or 3 necessary to come into compliance with the federal amendment changes?
- d. The permits for Unit 3, PSD-FL-151D and PSD-FL-151C do not contain these amendments. The most recent Title V permit number 0710119-004-AV renewed for Unit 1 and 2, effective April 4, 2006, does not contain the amendments. These federal amendments are considered to be applicable requirements until they are removed from the "books."

With the amendments currently on the books, these federal regulation amendments need to be identified as applicable requirements in the application, specifically, the supplemental attachment and any affected pieces of the application form (DEP Form No. 62-210.900(1) - Form, EPSAP version). Please make any necessary changes to the application and resubmit.

Note: If the amendments are removed entirely, they do not need to be included in the permit. We understand that it could take the U.S. EPA two months or more to remand the May 10, 2006, amendments. In addition, the ultimate outcome of the remand is unknown at this time.

The inclusion of Unit 3 can easily be accomplished as requested with or without the federal amendments. If a revised permit were issued today for the inclusion of Unit 3 alone, the federal amendments must be included for this unit. To simplify this permitting action, you could withdraw the request to revise the Title V permit to reflect the amendments for Unit 1 and 2. We can discuss further how to best proceed, keeping this permitting action simplified.

C. New Applicable Requirements - Maximum Available Control Technologies (MACTs).

1. U.S. EPA promulgated the Reciprocating Internal Combustion Engines (RICE) MACT, 40 CFR 63, Subpart ZZZZ on February 26, 2004. The RICE MACT was adopted by reference shortly thereafter into the Florida rules at Rule 62-204.800(11)(b), F.A.C.

Is the diesel generator listed in Appendix I -1, item 17., subject to this MACT? Please provide key information on the applicability like the type of engine, date it was constructed, etc.

D. New Applicable Requirements - Compliance Assurance Monitoring (CAM) Plan.

The U.S. EPA promulgated and the State of Florida adopted the CAM federal regulation, 40 CFR 64, in Rule 62-204.800, F.A.C. CAM may apply to pollutants for which federal standards were promulgated pre-1990 (see the CAM federal regulation, for the complete applicability). CAM does not apply to post-1990 federal standards for certain pollutants.

1. Within the CAM Plan, applicability was addressed for individual air pollutants limited in the PSD permit. Ammonia was not addressed. Ammonia is limited in Condition B.8 of the PSD permit. Please address CAM applicability to ammonia emissions.
2. Mercury (Hg) emissions. You provided an uncontrolled estimate of 0.71 tons per year (TPY) for Hg emissions. The permit limits the TPY to 0.0736 based on no less than 85% reduction. What level of reduction was achieved during the initial compliance test? What were the actual Hg emissions during the test?
3. In the CAM Plan submitted for Unit 3 on page 2, a reference was made to a July 7, 1999, U.S. EPA policy memo as being attached. The attachment was not found. Please provide the attachment.
4. Hydrogen flouride (HF) & sulfuric acid mist (SAM) emissions. In Section III.C. on pages 5 & 8 of the proposed CAM Plan, SO₂ testing was referenced.
 - a. What were the SO₂ test results? What level of reduction of SO₂ emissions, %, was achieved during compliance testing? Compared to the emission limit of 26 ppm, at what level, %, was the unit operating within the limit?
 - b. Was compliance evaluated on the HF limit in the PSD permit of 3.5 ppm? Actual testing could be used for additional justification in the CAM Plan
5. In the applicable requirements supplemental attachment, CAM is listed as not being applicable to Unit 3 on page 4. However, in the emissions unit information section of the form (page 153) CAM is checked as being applicable and a CAM Plan is attached. It appears that Unit 3 is required to have a CAM Plan. Please correct this supplemental attachment if this is the case.
6. Please provide a Microsoft® Word version of the proposed CAM Plan.

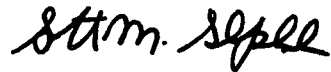
The Department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C. requires that all applications for a Department Title V air operation permit must be certified by a professional engineer (P.E.) registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. The requested items require a P.E. certification. For any

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material changes to the application, please include a new certification statement by the responsible official (R.O.).

If you should have any questions, please contact me at 850/921-9532.

Sincerely,



Scott M. Sheplak, P.E.
Title V Section
Bureau of Air Regulation
Mail Station #5505
Scott.Sheplak@dep.state.fl.us

/sms

Enclosures

Excerpts of Rule 62-204.800, F.A.C.

copy to: Mr. Donald J. Castro, P.E., HDR Engineering, Inc.: Don.Castro@HDRInc.com
Mr. Kirk Dunbar, HDR Engineering, Inc.: Kirk.Dunbar@HDRInc.com
Mr. Mike Halpin, P.E., DEP-Siting: mike.halpin@dep.state.fl.us
Mr. A. J. Satyal, DEP-SD: ajaya.satyal@dep.state.fl.us

CHAPTER 62-204 AIR POLLUTION CONTROL - GENERAL PROVISIONS

62-204.100	Purpose and Scope. (Effective 3/13/96)
62-204.200	Definitions. (Effective 2/12/06)
62-204.220	Ambient Air Quality Protection. (Effective 3/13/96)
62-204.240	Ambient Air Quality Standards. (Effective 3/13/96)
62-204.260	Prevention of Significant Deterioration Maximum Allowable Increases (PSD Increments). (Effective 2/12/06)
62-204.300	Approved State Implementation Plan. (Repealed)
62-204.320	Procedures for Designation and Redesignation of Areas. (Effective 3/13/96)
62-204.340	Designation of Attainment, Nonattainment, and Maintenance Areas. (Effective 3/13/96)
62-204.360	Designation of Prevention of Significant Deterioration Areas. (Effective 3/13/96)
62-204.400	Public Notice and Hearing Requirements for State Implementation Plan Revisions. (Effective 11/30/94)
62-204.500	Conformity. (Effective 9/1/98)
62-204.600	Transportation Conformity. (Repealed)
62-204.800	Federal Regulations Adopted by Reference. (Effective 2/1/08)

62-204.100 Purpose and Scope.

(1) This chapter establishes maximum allowable levels of pollutants in the ambient air, or ambient air quality standards, necessary to protect human health and public welfare. This chapter also establishes maximum allowable increases in ambient concentrations for subject pollutants to prevent significant deterioration of air quality in areas where ambient air quality standards are being met. It further specifies approved air quality monitoring and modeling methods.

(2) In addition, this chapter designates all areas of the state as attainment, nonattainment, or unclassifiable with respect to each pollutant for which ambient air quality standards have been adopted; further designates certain attainment and unclassifiable areas of the state as air quality maintenance areas for particular pollutants; classifies all areas of the state as Class I, Class II, or Class III for determining which set of prevention of significant deterioration (PSD) increments apply; and designates all attainment and unclassifiable areas of the state as one or more PSD areas for determining which pollutant-specific PSD baseline dates apply. This chapter also sets forth procedures for redesignating and reclassifying areas as above.

(3) The Department of Environmental Protection adopts this chapter to identify the Florida State Implementation Plan (SIP) required by the U.S. Environmental Protection Agency pursuant to 40 C.F.R. Part 51; to set forth the public notice and hearing requirements that the Department will adhere to for making SIP revisions; and to set forth the definitions, criteria, and procedures that the Department will use to review a federal agency's general conformity determination, made pursuant to 40 C.F.R. Part 51, Subpart W; and to adopt by reference an interagency memorandum of agreement that the Department will comply with to review any transportation conformity determination, made pursuant to 40 C.F.R. Part 51, Subpart T. The provisions to 40 C.F.R. 51.853 require that a federal agency make a general conformity determination for any federal agency action in a nonattainment or maintenance area, to ensure that such action is consistent with the SIP and that such federal conformity determination be reviewed by the affected state. The provisions of 40 C.F.R. 51.394 require that a transportation conformity determination be made for the adoption, acceptance, approval, or support of certain transportation plans, transportation improvement programs, and transportation projects in nonattainment and maintenance areas for transportation-related criteria pollutants to ensure that such actions are consistent with the SIP.

(4) Finally, this chapter adopts and incorporates by reference federal air pollution control regulations which are referenced in whole or in part throughout the Department's air pollution control rules.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.021, 403.031, 403.061, 403.8055 FS. History—New 11-30-94, Amended 3-13-96.

62-204.200 Definitions.

The following words and phrases when used in this chapter, unless content clearly indicates otherwise, have the following meanings:

(1) "Actual Emissions" – The actual rate of emission of a pollutant from an emissions unit as determined in accordance with the following provisions.

62-204.500 Conformity.

(1) General Conformity. The provisions of this rule apply to state review of all federal general conformity determinations submitted to the state pursuant to 40 C.F.R. Part 51, Subpart W, adopted and incorporated by reference at Rule 62-204.800, F.A.C. Pursuant to 40 C.F.R. Part 51, Subpart W, federal agencies are required to make conformity determinations to ensure that certain federal actions are consistent with the State Implementation Plan.

(a) Definitions. In addition to the definitions in Rule 62-204.200, F.A.C., the definitions used in reviewing federal general conformity determinations shall be the definitions in 40 C.F.R. 51.852.

(b) Criteria. The criteria for reviewing federal general conformity determinations shall be the criteria in 40 C.F.R. 51.858.

(c) Procedures. The procedures for reviewing federal general conformity determinations shall be the procedures in 40 C.F.R. 51.859.

(d) Mitigation of Air Quality Impacts.

1. A federal general conformity determination submitted to the Department for review must contain, at a minimum, the following before the Department can make a positive finding of conformity in its review.

a. Any measures that are intended to mitigate air quality impacts must be identified, and the process for implementation and enforcement of such measures must be described including an implementation schedule containing explicit timelines for implementation.

b. Written commitments to take any mitigation measures from all persons or agencies committing to such measures.

2. A positive finding of conformity by the Department in any review of a federal general conformity determination is expressly based, in part, on reliance that all written commitments for mitigation measures shall be fulfilled by the timelines set out in such written commitments. Failure to fulfill such mitigation measures by the explicit timelines expressed in the written commitments shall nullify a positive Department review finding of conformity as of midnight of the date of the unfulfilled expressed timeline.

(2) Transportation Conformity. Pursuant to 40 C.F.R. 93.105, adopted and incorporated by reference at Rule 62-204.800, F.A.C., the Department has certain consultation and conflict resolution responsibilities in the transportation conformity process. The Department will carry out these responsibilities for transportation conformity pursuant to the interagency memorandum of agreement as revised in 1998 and hereby adopted and incorporated by reference.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History--New 11-30-94, Amended 3-13-96, 3-23-97, 9-1-98.

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) Title 40, Code of Federal Regulations, Part 50, National Primary and Secondary Ambient Air Quality Standards.

(a) The provisions of 40 CFR Part 50, Sections 50.1 through 50.12, revised as of July 1, 2006; Section 50.13, promulgated October 17, 2006, at 71 FR 61143; and Section 50.14, promulgated March 22, 2007, at 72 FR 13559; amended May 22, 2007, at 72 FR 28612; are adopted and incorporated by reference.

(b) The following appendices of 40 CFR Part 50, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 50, Appendix A, Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method).

2. 40 CFR 50, Appendix B, Reference Method for Determination of Suspended Particulate Matter in the Atmosphere (High-Volume Method).

3. 40 CFR 50, Appendix C, Measurement Principle and Calibration Procedure for the Measurement of Carbon Monoxide in the Atmosphere (Non-Dispersive Infrared Photometry).

4. 40 CFR 50, Appendix D, Measurement Principle and Calibration Procedure for the Measurement of Ozone in the

(4) Title 40, Code of Federal Regulations, Part 53, Ambient Air Monitoring Reference and Equivalent Methods.

The following subparts of 40 CFR Part 53, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

(a) 40 CFR 53, Subpart A, General Provisions; amended October 17, 2006, at 71 FR 61235.

(b) 40 CFR 53, Subpart B, Procedures for Testing Performance Characteristics of Automated Methods for SO₂, CO, O₃, and NO₂.

(c) 40 CFR 53, Subpart C, Procedures for Determining Comparability Between Candidate Methods and Reference Methods; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193.

(d) 40 CFR 53, Subpart D, Procedures for Testing Performance Characteristics of Methods for PM₁₀.

(e) 40 CFR 53, Subpart E, Procedures for Testing Physical (Design) and Performance Characteristics of Reference Methods and Class I and Class II Equivalent Methods for PM_{2.5} or PM_{10-2.5}; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193.

(f) 40 CFR 53, Subpart F, Performance Specifications for PM_{2.5} Class II Equivalent Samplers; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193.

(5) Title 40, Code of Federal Regulations, Part 55, Outer Continental Shelf Air Regulations.

(a) The provisions of 40 CFR Part 55, Sections 55.1 through 55.15, revised as of July 1, 2001, are adopted and incorporated by reference.

(b) The following appendices of 40 CFR Part 55, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

Appendix A, Listing of State and Local Requirements Incorporated by Reference into Part 55, by State.

(6) Title 40, Code of Federal Regulations, Part 58, Ambient Air Quality Surveillance.

(a) The following subparts of 40 CFR Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 58, Subpart A, General Provisions; amended October 17, 2006, at 71 FR 61235.

2. 40 CFR 58, Subpart B, Monitoring Network, amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193.

3. 40 CFR 58, Subpart C, Special Purpose Monitors; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193.

4. 40 CFR 58, Subpart D, Comparability of Ambient Data to NAAQS; amended October 17, 2006, at 71 FR 61235.

5. 40 CFR 58, Subpart F, Air Quality Index Reporting; amended October 17, 2006, at 71 FR 61235.

6. 40 CFR 58, Subpart G, Federal Monitoring; amended October 17, 2006, at 71 FR 61235.

(b) The following appendices of 40 CFR Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 58, Appendix A, Quality Assurance Requirements for SLAMS, SPMs and PSD Air Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193.

2. 40 CFR 58, Appendix C, Ambient Air Quality Monitoring Methodology; amended October 17, 2006, at 71 FR 61235.

3. 40 CFR 58, Appendix D, Network Design Criteria for Ambient Air Quality Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193.

4. 40 CFR 58, Appendix E, Probe and Monitoring Path Siting Criteria for Ambient Air Quality Monitoring; amended October 17, 2006, at 71 FR 61235.

5. 40 CFR 58, Appendix G, Uniform Air Quality Index (AQI) and Daily Reporting.

(7) Title 40, Code of Federal Regulations, Part 59, National Volatile Organic Compound Emission Standards For Consumer And Commercial Products. Standards Adopted. The following National Volatile Organic Compound Emission Standards For Consumer And Commercial Products contained in 40 CFR Part 59, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

(a) 40 CFR 59, Subpart B, Automobile Refinish Coatings.

(b) 40 CFR 59, Subpart C, Consumer Products.

(c) 40 CFR 59, Subpart D, Architectural Coatings.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) Definitions. For the purposes of subsection 62-204.800(8), F.A.C., the definitions contained in the various provisions of 40 CFR Part 60 adopted herein shall apply, except that the term "Administrator," when used in any provision of 40 CFR Part 60 that is delegated to the Department by the U.S. Environmental Protection Agency, shall mean the Secretary or the Secretary's designee.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 CFR Part 60, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 60, Subpart D, Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971; amended June 13, 2007, at 72 FR 32709.

2. 40 CFR 60, Subpart Da, Electric Utility Steam Generators for Which Construction Is Commenced After September 18, 1978; amended August 14, 2001, at 66 FR 42608; amended May 18, 2005, at 70 FR 28605; amended August 30, 2005, at 70 FR 51266; amended February 27, 2006, at 71 FR 9865; amended June 13, 2007, at 72 FR 32709; except that the Secretary is not the Administrator for purposes of 40 CFR 60.47a.

3. 40 CFR 60, Subpart Db, Industrial-Commercial-Institutional Steam Generating Units; amended August 14, 2001, at 66 FR 42608; amended October 1, 2001, at 66 FR 49830; amended February 27, 2006, at 71 FR 9865; amended November 16, 2006, at 71 FR 66681; amended June 13, 2007, at 72 FR 32709; except that the Secretary is not the Administrator for purposes of 40 CFR 60.44b(f) and (g) and 40 CFR 60.49b(a)(4).

4. 40 CFR 60, Subpart Dc, Small Industrial-Commercial-Institutional Steam Generating Units; amended February 27, 2006, at 71 FR 9865; amended June 13, 2007, at 72 FR 32709; except that the Secretary is not the Administrator for the purposes of 40 CFR 60.48c(a)(4).

5. 40 CFR 60, Subpart E, Incinerators; amended October 30, 2003, at 68 FR 61759.

6. 40 CFR 60, Subpart Ea, Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989, and on or Before September 20, 1994.

7. 40 CFR 60, Subpart Eb, Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994, or for Which Modification or Reconstruction is Commenced After June 19, 1996; amended July 12, 2001, at 66 FR 36473; amended November 16, 2001, at 66 FR 57824; amended May 10, 2006, at 71 FR 27324. Any municipal waste combustor plant which contains a municipal waste combustor unit subject to 40 CFR 60, Subpart Eb, is subject to the permitting requirements of Chapter 62-213, F.A.C. Any municipal waste combustor plant subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 CFR 60, Subpart Eb, shall file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., ninety days before expiration of the source's construction permit, but no later than 180 days after commencing operation.

8. 40 CFR 60, Subpart Ec, Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996; except that the Secretary is not the Administrator for purposes of 40 CFR 60.56 (c)(i).

9. 40 CFR 60, Subpart F, Portland Cement Plants.

10. 40 CFR 60, Subpart G, Nitric Acid Plants.

11. 40 CFR 60, Subpart H, Sulfuric Acid Plants.

12. 40 CFR 60, Subpart I, Hot Mix Asphalt Facilities.

13. 40 CFR 60, Subpart J, Petroleum Refineries.

14. 40 CFR 60, Subpart K, Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.

15. 40 CFR 60, Subpart Ka, Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984; except that the Secretary is not the Administrator for purposes of 40 CFR 60.114a.

16. 40 CFR 60, Subpart Kb, Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984; amended October 15, 2003, at 68 FR 59328.

17. 40 CFR 60, Subpart L, Secondary Lead Smelters.

18. 40 CFR 60, Subpart M, Secondary Brass & Bronze Production Plants.

19. 40 CFR 60, Subpart N, Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.

which regulates emissions of pollutants or emissions units not regulated by an applicable Standard of Performance, shall apply.

(d) General Provisions Adopted. The general provisions of 40 CFR Part 60, Subpart A, revised as of July 1, 2001; amended August 27, 2001, at 66 FR 44978; amended July 8, 2004, at 69 FR 41346; amended May 18, 2005, at 70 FR 28605; amended December 16, 2005, at 70 FR 74869; amended June 1, 2006, at 71 FR 31100; amended July 6, 2006, at 71 FR 38481; amended July 11, 2006, at 71 FR 39153; amended May 16, 2007, at 72 FR 27437; amended June 13, 2007, at 72 FR 32709; are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of 40 CFR 60.4, 40 CFR 60.8(b)(2) and (3), 40 CFR 60.11(e)(7) and (8), 40 CFR 60.13(g), (i) and (j)(2), and 40 CFR 60.16.

(e) Appendices Adopted. The following appendices of 40 CFR Part 60, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 60, Appendix A-1, Test Methods 1 through 2F.
2. 40 CFR 60, Appendix A-2, Test Methods 2G through 3C; amended May 15, 2006, at 71 FR 28081; amended September 7, 2007, at 72 FR 51365.
3. 40 CFR 60, Appendix A-3, Test Methods 4 through 5I.
4. 40 CFR 60, Appendix A-4, Test Methods 6 through 10B; amended May 15, 2006, at 71 FR 28081; amended September 7, 2007, at 72 FR 51365.
5. 40 CFR 60, Appendix A-5, Test Methods 11 through 15A.
6. 40 CFR 60, Appendix A-6, Test Methods 16 through 18.
7. 40 CFR 60, Appendix A-7, Test Methods 19 through 25E; amended May 15, 2006, at 71 FR 28081; amended September 21, 2006, at 71 FR 55119; amended September 7, 2007, at 72 FR 51365.
8. 40 CFR 60, Appendix A-8, Test Methods 26 through 30B; amended September 7, 2007, at 72 FR 51493.
9. 40 CFR 60, Appendix B, Performance Specifications, amended January 12, 2004, at 69 FR 1785; amended May 18, 2005, at 70 FR 28605; amended September 21, 2006, at 71 FR 55119; amended June 13, 2007, at 72 FR 32709.
10. 40 CFR 60, Appendix C, Determination of Emission Rate Change.
11. 40 CFR 60, Appendix D, Required Emission Inventory Information.
12. 40 CFR 60, Appendix F, Quality Assurance Procedures, amended January 12, 2004, at 69 FR 1785; amended June 13, 2007, at 72 FR 32709.

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times.

(a) General Applicability and Definitions.

1. The Emission Guidelines for Existing Sources adopted by reference in this rule shall be controlling over other standards in the air pollution rules of the Department except that any emissions limiting standard contained in or determined pursuant to the air pollution rules of the Department which is more stringent than one contained in an Emission Guideline, or which regulates emissions of pollutants or emissions units not regulated by an applicable Emission Guideline, shall apply.

2. For the purposes of subsection 62-204.800(9), F.A.C., the definitions contained in the various provisions of 40 CFR Part 60 adopted herein shall apply, except that the term "Administrator," when used in any provision of 40 CFR Part 60 that is delegated to the Department by the U.S. Environmental Protection Agency, shall mean the Secretary or the Secretary's designee.

(b) Municipal Waste Combustors. 40 CFR 60, Subpart Cb, Emission Guidelines and Compliance Times for Large Municipal Waste Combustors That Are Constructed on or Before September 20, 1994, revised as of July 1, 2001, amended July 14, 2004, at 69 FR 42117; amended May 10, 2006, at 71 FR 27324; is hereby adopted and incorporated by reference, subject to the following provisions:

1. Applicability. The applicability of paragraph 62-204.800(9)(b), F.A.C., shall be the same as set forth in 40 CFR 60.32b.
2. Definitions. For purposes of paragraph 62-204.800(9)(b), F.A.C., the definitions in 40 CFR 60.31b shall apply.
3. Emission Limiting Standards.
 - a. The emission limit for particulate matter shall be the same as set forth in 40 CFR 60.33b(a)(1)(i).
 - b. The opacity limit shall be the same as set forth in 40 CFR 60.33b(a)(1)(iii).
 - c. The emission limits for cadmium and lead shall be the same as set forth in 40 CFR 60.33b(a)(2)(i) and (a)(4).
 - d. The emission limit for mercury shall be the same as set forth in 40 CFR 60.33b(a)(3) except that, where applicable, the emission limiting standards of Rule 62-296.416, F.A.C., also shall apply.
 - e. The emission limit for sulfur dioxide shall be the same as set forth in 40 CFR 60.33b(b)(1)(i) and (b)(3)(i).
 - f. The emission limit for hydrogen chloride shall be the same as set forth in 40 CFR 60.33b(b)(2)(i) and (b)(3)(ii).

g. The emission limit for total mass dioxin/furans (tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans) shall be the same as set forth in 40 CFR 60.33b(c)(1)(i), (c)(1)(ii), and (c)(1)(iii).

h. The emission limit for nitrogen oxides shall be the same as set forth in 40 CFR 60 Subpart Cb, Table 1, or 40 CFR 60.33b(d)(3) as applicable. Emissions averaging pursuant to 40 CFR 60.33b(d)(1) shall be allowed. 40 CFR 60.33b(d)(2) shall not apply.

i. The emission limit for carbon monoxide shall be the same as set forth in 40 CFR 60, Subpart Cb, Table 3.

4. Operating Practices. The operating practices applicable to each municipal waste combustor unit subject to paragraph 62-204.800(9)(b), F.A.C., shall be the same as set forth in 40 CFR 60.53b(b) and (c).

5. Operator Training. The operator training and certification requirements of 40 CFR 60.54b shall apply to all municipal waste combustor units subject to paragraph 62-204.800(9)(b), F.A.C. Compliance with these requirements shall be conducted according to the schedule specified in 40 CFR 60.39b(c)(4).

6. Fugitive Ash Emissions. The fugitive ash emissions requirements applicable to each municipal waste combustor unit subject to paragraph 62-204.800(9)(b), F.A.C., shall be the same as set forth in 40 CFR 60.55b.

7. Compliance and Performance Testing.

a. The compliance and performance testing requirements applicable to each municipal waste combustor unit subject to paragraph 62-204.800(9)(b), F.A.C., shall be the same as set forth in 40 CFR 60.58b, except as provided for under 40 CFR 60.24(b)(2) and subparagraph 62-204.800(9)(b)7.b., F.A.C.

b. The alternative performance testing schedule for dioxins/furans specified in 40 CFR 60.58b(g)(5)(iii) shall apply to municipal waste combustor plants that achieve a dioxin/furan emission level less than or equal to 15 nanograms per dry standard cubic meter, corrected to 7 percent oxygen.

8. Reporting and Recordkeeping. The reporting and recordkeeping requirements applicable to each municipal waste combustor unit subject to paragraph 62-204.800(9)(b), F.A.C., shall be the same as set forth in 40 CFR 60.59b, except for the siting requirements under 40 CFR 60.59b(a), (b)(5) and (d)(11).

(c) Municipal Solid Waste Landfills. 40 CFR 60, Subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills, revised as of July 1, 2001, is hereby adopted and incorporated by reference, subject to the following provisions:

1. Applicability.

a. The facility to which paragraph 62-204.800(9)(c), F.A.C., applies is each existing municipal solid waste (MSW) landfill:

(i) For which construction, reconstruction or modification was commenced before May 30, 1991; and

(ii) Which has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.

b. Physical or operational changes made to an existing MSW landfill solely to comply with the provisions of paragraph 62-204.800(9)(c), F.A.C., are not considered a modification or reconstruction and would not subject an existing MSW landfill to the requirements of 40 CFR 60, Subpart WWW (see 40 CFR 60.750).

2. Definitions. The terms used but not defined in 40 CFR 60, Subpart Cc, have the meaning given to them in the Act and in Subparts A, B, and WWW of 40 CFR 60.

3. Standards for Air Emissions from MSW Landfills.

a. Each owner or operator of an MSW landfill subject to paragraph 62-204.800(9)(c), F.A.C., and which also meets the following conditions as of December 31, 1996, shall comply with the provisions of 40 CFR 60.752(b)(2)(i) through (v) commencing from December 31, 1996.

(i) The landfill has a design capacity greater than or equal to 2.5 million Megagrams and 2.5 million cubic meters. The landfill may calculate design capacity in either Megagrams or cubic meters for comparison with the exemption values. Any density conversions shall be documented and submitted with the initial design capacity report and any application for a solid waste permit; and

(ii) The landfill has a nonmethane organic compound (NMOC) emission rate of 50 Megagrams per year or more.

b. Any MSW landfill which has a design capacity greater than or equal to 2.5 million Megagrams and 2.5 million cubic meters but whose NMOC emission rate as of December 31, 1996, is less than 50 Megagrams per year shall comply with the provisions of 40 CFR 60.752(b)(2)(i) through (v) commencing from December 31 of the first year after 1996 for which the nonmethane organic compound emission rate equals or exceeds 50 Megagrams per year.

Friday, Barbara

To: sampsolj@leegov.com; don.castro@hdrinc.com; Kirk.Dunbar@HDRInc.com; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Attachments: ExcerptofRule62-204.800,F.A.C..pdf; LindsaySampson0710119-006-AVRAI.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

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Thank you,

DEP, Bureau of Air Regulation

2/12/2008

Friday, Barbara

From: System Administrator
To: Satyal, Ajaya
Sent: Tuesday, February 12, 2008 12:03 PM
Subject: Delivered:RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: 'sampsolj@leegov.com'; 'don.castro@hdrinc.com'; 'Kirk.Dunbar@HDRInc.com'; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Sent: 2/12/2008 12:03 PM

was delivered to the following recipient(s):

Satyal, Ajaya on 2/12/2008 12:03 PM

Friday, Barbara

From: Satyal, Ajaya
To: Friday, Barbara
Sent: Tuesday, February 12, 2008 1:28 PM
Subject: Read: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: 'sampsolj@leegov.com'; 'don.castro@hdrinc.com'; 'Kirk.Dunbar@HDRInc.com'; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Sent: 2/12/2008 12:03 PM

was read on 2/12/2008 1:28 PM.

Friday, Barbara

From: Satyal, Ajaya
Sent: Tuesday, February 12, 2008 1:31 PM
To: Friday, Barbara
Subject: RE: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Received the ref. Documents. Thanks.

From: Friday, Barbara
Sent: Tuesday, February 12, 2008 12:03 PM
To: 'sampsolj@leegov.com'; 'don.castro@hdrinc.com'; 'Kirk.Dunbar@HDRInc.com'; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

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Friday, Barbara

From: System Administrator
To: Halpin, Mike
Sent: Tuesday, February 12, 2008 12:03 PM
Subject: Delivered:RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: 'sampsolj@leegov.com'; 'don.castro@hdrinc.com'; 'Kirk.Dunbar@HDRInc.com'; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Sent: 2/12/2008 12:03 PM

was delivered to the following recipient(s):

Halpin, Mike on 2/12/2008 12:03 PM

Friday, Barbara

From: Halpin, Mike
To: Friday, Barbara
Sent: Tuesday, February 12, 2008 1:31 PM
Subject: Read: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: 'sampsolj@leegov.com'; 'don.castro@hdrinc.com'; 'Kirk.Dunbar@HDRInc.com'; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Sent: 2/12/2008 12:03 PM

was read on 2/12/2008 1:31 PM.

Friday, Barbara

From: System Administrator
To: Sheplak, Scott
Sent: Tuesday, February 12, 2008 12:03 PM
Subject: Delivered:RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: 'sampsolj@leegov.com'; 'don.castro@hdrinc.com'; 'Kirk.Dunbar@HDRInc.com'; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Sent: 2/12/2008 12:03 PM

was delivered to the following recipient(s):

Sheplak, Scott on 2/12/2008 12:03 PM

Friday, Barbara

From: Sheplak, Scott
To: Friday, Barbara
Sent: Tuesday, February 12, 2008 12:07 PM
Subject: Read: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: 'sampsolj@leegov.com'; 'don.castro@hdrinc.com'; 'Kirk.Dunbar@HDRInc.com'; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Sent: 2/12/2008 12:03 PM

was read on 2/12/2008 12:07 PM.

Friday, Barbara

From: Exchange Administrator
Sent: Tuesday, February 12, 2008 12:03 PM
To: Friday, Barbara
Subject: Delivery Status Notification (Relay)

Attachments: ATT542750.txt; RequestforAdditionalInformation-0710119-006-AV - Lee County RRF



ATT542750.txt
(370 B)

RequestforAddition
alInformatio...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

don.castro@hdrinc.com
Kirk.Dunbar@HDRInc.com

Friday, Barbara

From: Castro, Don [Don.Castro@hdrinc.com]
To: Friday, Barbara
Sent: Tuesday, February 12, 2008 12:09 PM
Subject: Read: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: Don.Castro@hdrinc.com
Subject:

was read on 2/12/2008 12:09 PM.

Friday, Barbara

From: System Administrator
To: Sampson, Lindsey J.
Sent: Tuesday, February 12, 2008 12:04 PM
Subject: Delivered:RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: sampsolj@leegov.com; don.castro@hdrinc.com; Kirk.Dunbar@HDRInc.com; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF
Sent: 2/12/2008 12:03 PM

was delivered to the following recipient(s):

Sampson, Lindsey J. on 2/12/2008 12:03 PM

Friday, Barbara

From: postmaster@leegov.com
Sent: Tuesday, February 12, 2008 12:03 PM
To: Friday, Barbara
Subject: Message relayed (sampsolj@leegov.com)

Attachments: ATT542824.txt; ATT542825.dat



ATT542824.txt (396 B) ATT542825.dat (2 KB)

Your message has been relayed
to the following recipient(s):

sampsolj@leegov.com
(Was addressed to sampsolj@leegov.com)
Message relayed

The message was successfully delivered to 1 recipient(s) at domain leegov.com.

Friday, Barbara

From: Castro, Don [Don.Castro@hdrinc.com]
Sent: Thursday, February 14, 2008 1:42 PM
To: Friday, Barbara
Subject: RE: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Document receipt acknowledged.

Don Castro, P.E.

HDR Engineering, Inc.
2202 N. West Shore Blvd.
Tampa, FL 33607
Telephone 813 282 2404
Facsimile: 813 282 2440
Cellular: 813 417 6594

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Tuesday, February 12, 2008 12:03 PM
To: sampsolj@leegov.com; Castro, Don; Dunbar, Kirk; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

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2/15/2008

Friday, Barbara

From: Dunbar, Kirk [Kirk.Dunbar@hdrinc.com]
To: undisclosed-recipients
Sent: Tuesday, February 12, 2008 2:39 PM
Subject: Read: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Your message

To: Kirk.Dunbar@hdrinc.com
Subject:

was read on 2/12/2008 2:39 PM.

Friday, Barbara

From: Sampson, Lindsey J. [SAMPSONLJ@leegov.com]
Sent: Tuesday, February 12, 2008 2:42 PM
To: Friday, Barbara
Subject: RE: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

Received.

Lindsey J. Sampson
Lee County Solid Waste Division
sampsolj@leegov.com
Ph 239-338-3302
Fax 239-461-5871

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Tuesday, February 12, 2008 12:03 PM
To: Sampson, Lindsey J.; don.castro@hdrinc.com; Kirk.Dunbar@HDRInc.com; Halpin, Mike; Satyal, Ajaya
Cc: Sheplak, Scott
Subject: RequestforAdditionalInformation-0710119-006-AV - Lee County RRF

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2/15/2008