



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

August 14, 2003

CERTIFIED MAIL – Return Receipt Requested

Mr. E. David Fernandez  
Utility Director  
City of Key West  
Southernmost Waste-to-Energy Facility  
P. O. Box 1409  
Key West, Florida 33041-1409

Re: Applicable Requirements  
3<sup>rd</sup> Notice

Dear Mr. Fernandez:

On October 8, 2002, and January 21, 2003, a letter was sent to you requesting a list of the specific applicable requirements of 40 CFR Part 60, Subparts A and BBBB, for your facility and affected emissions units. On August 11<sup>th</sup>, we received your letter, dated August 6<sup>th</sup>, which updated the progress that is being made toward coming into compliance with 40 CFR 60, Subpart BBBB, but did not address the applicable requirements.

Your initial Title V Permit was issued/effective on December 31, 1999. On December 6, 2000, the regulations at 40 CFR Part 60, Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or before August 30, 1999, became applicable to your facility. Since the additional applicable requirements became applicable to your facility and there is more than 3 (three) years left on your permit, as of the effective date of the new regulations, the Department is required to open your Title V Permit for cause and install these requirements in accordance with Rules 62-4.080(1) and 62-213.430(4), F.A.C., and 40 CFR 70.7(f). In order to incorporate the specific applicable requirements of 40 CFR Part 60, Subparts A and BBBB, into your Title V Permit, please provide the specific rule cites of these applicable regulations for your facility and affected emissions units.

If there are any questions, please give Bruce Mitchell a call, at 850/413-9198, or write to me at the above letterhead.

Sincerely,

Trina L. Vielhauer  
Chief  
Bureau of Air Regulation

cc: Scott M. Sheplak, P.E., BAR

"More Protection, Less Process"

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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Mr. E. David Fernandez  
 Utility Director  
 City of Key West  
 Southernmost Waste-to-Energy Facility  
 P.O. Box 1409  
 Key West, Florida 33041-1409

2. Article Number  
 (Transfer from service label) 7000 2870 0000 7028 1372

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Kent Irish*  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery  
 8/18/03

D. Is delivery address different from item 1?  Yes  
 if YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**U.S. Postal Service  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only: No Insurance Coverage Provided)**

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Mr. E. David Fernandez, Utility Director

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
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**Sent To**  
 Mr. E. David Fernandez, Utility Director  
 Street, Apt. No.; or PO Box No.  
 P.O. Box 1409  
 City, State, ZIP+4  
 Key West, Florida 33041-1409

copy to Bruce



August 6, 2003

THE CITY OF KEY WEST

P.O. BOX 1409  
KEY WEST, FL 33041-1409  
www.keywestcity.com

RECEIVED

AUG 11 2003

BUREAU OF AIR REGULATION

Mr. John Glunn  
FDEP  
Office of Policy Analysis and  
Program Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Re: Final Control Plan compliance schedule  
Southernmost Waste to Energy Facility  
Permit No. 0870047-001 AV

Dear Mr. Glunn:

The City of Key West (City) has submitted a Final Control Plan for the Southernmost Waste-to-Energy Facility (SWTE). This plan was submitted to the FDEP on September 26, 2001. The compliance date was requested as March 1, 2004. We have since sent a request to the FDEP in a letter dated September 17, 2002 to request a change of the final compliance date to October 30, 2005. The reasons for that request are outlined in the September 17<sup>th</sup> letter.

A technical advisory committee (TAC) has been approved and assembled by the City Commission to advise the City of the best options for our future solid waste needs. Mr. Bill Hinkley, Solid Waste Bureau Chief of the FDEP, is a voting member on this TAC. Our last update stated that City staff and the TAC are working on an "accelerated" schedule to get a "final" decision from the City Commission in July of 2003. This milestone was not achieved. We still believe that there is a good chance that the City may choose to change the current way we handle our solid waste, most likely in the form of a transfer station. We are in the process of releasing a RFP for hauling and disposal services for the City. This RFP will be the last bit of information the TAC and commission needs to make a decision for the future use of the facility. We expect the City to be ready to make a final decision by December of 2003. According to our conversations with our consultants as well as the vendors that submitted budgetary proposals all agree that we can complete the upgrade in approximately 18 months. This makes for a very tight timeline for meeting the compliance date, but we believe, achievable.

We will continue to proceed as quickly as possible with the TAC process, and we will give you another progress update in October 2003.

We wish to thank you for your understanding and cooperation in this matter.

Submit Final Control Plan	<b>Completed</b>
Award Contracts	<b>January 31, 2004</b>
Begin Onsite Construction	<b>April 30, 2004</b>
Complete Onsite Construction	<b>May 31, 2005</b>
Achieve Final Compliance	<b>October 30, 2005</b>

Please contact my office if you have any questions or need any further information.

R.B. Havens



Plant Manager

Southernmost Waste-to-Energy Facility

(305) 293-6409

[rbhaven@keywestcity.com](mailto:rbhaven@keywestcity.com)

cc: Scott M. Sheplak, P.E., FDEP Tallahassee  
Ronald Blackburn, FDEP Fort Meyers  
Jim Edds, FDEP Marathon  
File



RECEIVED

FEB 24 2003

February 20, 2003

THE CITY OF KEY WEST

P.O. BOX 1409  
KEY WEST, FL 33041-1409  
www.keywestcity.com

BUREAU OF AIR REGULATION

Mr. John Glunn  
FDEP  
Office of Policy Analysis and  
Program Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Re: Final Control Plan compliance schedule  
Southernmost Waste to Energy Facility  
Permit No. **0870047-001 AV**

Dear Mr. Glunn:

As per our phone conversation, the City of Key West (City) had previously submitted a Final Control Plan for the Southernmost Waste-to-Energy Facility (SWTE). This plan was submitted to the FDEP on September 26, 2001. The compliance date was requested as March 1, 2004. We have since sent a request to the FDEP in a letter dated September 26, 2002 to request a change of the final compliance date to October 30, 2005. The reasons for that request are outlined in the September 26<sup>th</sup> letter.

It is our understanding that in order to change the compliance date the department will have to submit a revised plan to the EPA under the Clean Air Act Section 111(d) for approval, and that the FDEP is willing to make this request.

The timeline shown in this letter is the same as was requested in the September 26, 2002 letter and should meet the needs of the City to get the facility into compliance on time. However, the City is currently investing alternative options to continued operations of the SWTE.

A technical advisory committee (TAC) has been approved and assembled by the City Commission to advise the City of the best options for the future solid waste needs. Mr. Bill Hinkley, Solid Waste Bureau Chief of the FDEP, is a voting member on this TAC. City staff and the TAC are working on an "accelerated" schedule to get a "final" decision from the City Commission in July of 2003. We believe that there is a good chance that the City may choose to change the current way we handle our solid waste, most likely in the form of a transfer station. Given this uncertainty, we agree with the FDEP that waiting for a final decision from the City Commission prior to requesting a compliance date change from the EPA is prudent, with the understanding that the FDEP has no reason to take exception with this timeline or approved plan. This would save double work and expense for the FDEP, EPA and the City.

We will continue to proceed as quickly as possible with the TAC process, and we will give you regular progress updates, once a month.

We wish to thank you for your understanding and cooperation in this matter.

Submit Final Control Plan	<b>Completed</b>
Award Contracts	<b>July 31, 2003</b>
Begin Onsite Construction	<b>April 30, 2004</b>
Complete Onsite Construction	<b>May 31, 2005</b>
Achieve Final Compliance	<b>October 30, 2005</b>

Please contact my office if you have any questions or need any further information.

R.B. Havens



Plant Manager

Southernmost Waste-to-Energy Facility

(305) 293-6409

[rbhavens@keywestcity.com](mailto:rbhavens@keywestcity.com)

cc: Scott M. Sheplak, P.E., FDEP Tallahassee  
Ronald Blackburn, FDEP Fort Meyers  
Jim Edds, FDEP Marathon  
File

1/27/03

Larry,

Here's a copy of the letter from the City of Key West Southernmost Waste-to-Energy facility with a new final compliance date - October 30, 2005.

The compliance schedule in the 111(d) plan has a final compliance date of March 1, 2004. Our August 29, 2002 letter was in regard to reopening the Title V permit.

Scott

copy to: Trina



# The City of Key West Southernmost Waste To Energy Facility

Phone: (305) 293-6409

Fax: (305) 293-6415

Date: 1/27/2003

To: Bruce Mitchell

Fax: (850) 922-6979

Re: Final Control Plan

Sender: Katy Boyer, Utilities Administrative Assistant

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<sup>2</sup>  
You should receive ~~14~~ <sup>2</sup> page(s) including this cover.  
Please call Katy at (305) 293- 6409 if you do not receive all  
pages.

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*Bruce  
it pulled 2 pgs  
through at end  
this is 2nd pg  
of h. George letter*



Water Pumps. The pumps are to be variable speed, positive displacement type, to deliver water to the Evaporative Cooler Tower.

The system will have two of each of the above-mentioned devices (two trains) sharing one common stack (existing).

In addition to the above, the following sub-systems are required for each pollution control system.

- Structural Supports and Platforms
- Instrumentation and Controls
- Expansion Joints and Ductwork
- Compressor
- End Product Handling System (existing)
- One (1) common lime storage and delivery system
- One (1) common activated carbon storage and delivery system

The City has already approved the FY 02/03 budget to include the cost of this retrofit project. These budget amounts were obtained from several vendors of pollution control technology tasked by the City to provide a Budgetary Proposal with not to exceed estimates.

The following is an estimated time line for milestones for this project.

1. Have compliance stack test 2001 (for Title V permit) as well as data testing for all emissions that are to be regulated under the new rule on or before October 31, 2001.
2. Have design build RFP for pollution control retrofit issued and advertised on or before March 31, 2002.
3. Award design-build RFP on or before September 30, 2002.
4. Apply for all necessary construction permits and permit modifications on or before December 30, 2002.
5. Start site construction on or before May 31, 2003.
6. Startup system and test on or before December 1, 2003.
7. Be in operational compliance on or before March 1, 2004.

If you have any questions or need any further information, please contact my office.

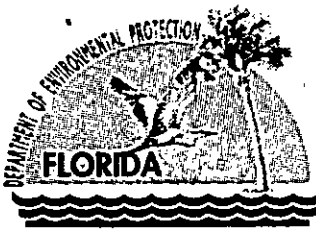
Sincerely,



R.B. Havens  
Plant Manager  
Southernmost Waste-to-Energy Facility  
Ph: (305) 293-6409

cc: Venkata Panchakarla / FDEP Tallahassee  
Ronald Blackburn / FDEP Fort Meyers  
Jim Edds / FDEP Marathon

RH



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

January 21, 2003

CERTIFIED MAIL – Return Receipt Requested

Mr. E. David Fernandez  
Utility Director  
City of Key West  
Southernmost Waste-to-Energy Facility  
P. O. Box 1409  
Key West, Florida 33041-1409

Re: Section 111(d) Compliance Schedule Progress and Applicable Requirements  
**2<sup>nd</sup> Notice**

Dear Mr. Fernandez:

Please refer to the attached Compliance Schedule that applies to the municipal waste combustion units at your facility (ID. No. **0870047**). This Compliance Schedule is a requirement of Rule 62-204.800(8)(e), F.A.C. The first Increment of Progress scheduled event, "Submit Final Control Plan", was due on September 30, 2001. On August 29, 2002, a letter was sent to you requesting the "Final Control Plan"; and, on October 8, 2002, a letter was sent to you requesting a listing of the applicable requirements pertaining to 40 CFR 60, Subpart BBBB. Please provide us a copy of this Final Control Plan submission and applicable requirements as soon as possible.

In addition, your initial Title V Permit was issued/effective on December 31, 1999. On December 6, 2000, the regulations at 40 CFR Part 60, Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or before August 30, 1999, became applicable to your facility. Since the additional applicable requirements became applicable to your facility and there is more than 3 (three) years left on your permit as of the effective date of the new regulations, the Department is required to open your Title V Permit for cause and install these requirements in accordance with Rules 62-4.080(1) and 62-213.430(4), F.A.C., and 40 CFR 70.7(f). In order to incorporate the specific applicable requirements of 40 CFR Part 60, Subparts A and BBBB, into your Title V Permit, please provide the specific rule cites of these applicable regulations for your facility and affected emissions units.

If there are any questions, please give Bruce Mitchell a call at 850/413-9198.

Sincerely,

Scott M. Sheplak, P.E.  
Program Administrator  
Title V Section

Attachment

"More Protection, Less Process"

Printed on recycled paper.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Mr. E. David Fernandez  
 Utility Director  
 City of Key West  
 Southernmost Waste-to-Energy Facility  
 P.O. Box 1409  
 Key West, Florida 33041-1409

2. Article Number  
 (Transfer from service label) 7000 2870 0000 7028 0696

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Kent Fisher*  Agent  Addressee

B. Received by (Printed Name) *Kent Fisher* C. Date of Delivery *6/24/03*

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7000 2870 0000 7028 0696

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
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Mr. E. David Fernandez, Utility Director

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
Here

Sent To  
 Mr. E. David Fernandez, Utility Director  
 Street, Apt. No.; or PO Box No.  
 P. O. Box 1409  
 City, State, ZIP+4  
 Key West, Florida 33041-1409

## Source Inventory

The two sources in Florida that are subject to 40 CFR 60, Subpart BBBB, are the following. Both sources have valid air operating permits. Each facility has two SMWC units.

1. Bay County Resource Recovery Facility, Panama City (Class I).
2. Southernmost Waste-to-Energy Facility, City of Key West (Class II).

## Compliance Schedules and Increments of Progress

All affected SMWCUs shall comply with all the requirements of Rule 62-204.800(8)(e), F.A.C., and achieve final compliance or cease operation as expeditiously as practicable but not later than the earlier of (1) December 6, 2005, or (2) three years after the effective date of State Plan approval by the EPA. The individual compliance schedules for meeting increments of progress and achieving final compliance, as outlined in each facility's final control plan, are given below.

Table 1. Increments of Progress

Increments of Progress	Source	
	Bay County	Southernmost
Submit Final Control Plan	09/30/01	09/30/01
Award Contracts	05/01/04	09/30/02
Begin Onsite Construction	06/01/04	05/31/03
Complete Onsite Construction	07/15/05	12/01/03
Achieve Final Compliance	11/15/05	03/01/04

## Emissions Limits and Inventory

Table 2 is a summary list of the applicable emission limiting standards for all SMWCUs subject to 40 CFR 60, Subpart BBBB.

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
PROPOSED SECTION 111(d) STATE PLAN**



**SMALL MUNICIPAL WASTE COMBUSTION UNITS  
November 29, 2001**

*Florida Department of Environmental Protection • Division of Air Resources Management  
2600 Blair Stone Road • MS 5500  
Tallahassee, Florida 32399-2400 • (850) 488-0114*