

Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Carol M. Browner, Secretary

December 17, 1992

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Wayne Barlow
Vice President and General Manager
Container Corporation of America
Post Office Box 2000
Fernandina Beach, Florida 32034

Dear Mr. Barlow:

Re: Amendment to the Construction Permit
No. 8 Batch Digester: AC 45-190382 and PSD-FL-165

The Department has reviewed Ms. Carla L. Gay's letter of October 12, 1992, which requested changes to the above referenced construction permits. The request is acceptable and the following will be changed and/or added:

SPECIFIC CONDITIONS:

No. 2.:

FROM: The emissions from the No. 8 batch digester system (BDS), as defined in 40 CFR 60.281(d), shall be collected and transported by the noncondensable gas handling system to the incinerator (No. 4 Lime Kiln) in accordance with 40 CFR 60.283(a)(1)(iii).

TO: The emissions from the No. 8 batch digester system (BDS), as defined in 40 CFR 60.281(d), shall be collected and transported by the noncondensable gas handling system to the incinerator (No. 4 Lime Kiln) in accordance with 40 CFR 60.283(a)(1)(i) and 40 CFR 60.283(a)(5).

No. 5.:

FROM: All TRS gases burned in the TRS incinerator shall be subjected to a minimum temperature of 1200°F for at least 0.5 second. A device to continuously monitor and record the combustion temperature at the point of incineration shall be installed pursuant to all applicable requirements of 40 CFR 60.284(b)(1).

Mr. Wayne S. Barlow
Amendment to AC 45-190382 (PSD-FL-165)
December 17, 1992
Page 2 of 3

TO: The back-up TRS control system to the No. 4 Lime Kiln is a wet scrubber system, which uses white liquor as the scrubbing medium.

Attachment to be Incorporated:

- o Ms. Carla L. Gay's letter with enclosures received October 15, 1992.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the amendment applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit Amendment File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

Mr. Wayne S. Barlow
Amendment to AC 45-190382 (PSD-FL-165)
December 17, 1992
Page 3 of 3

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office in General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

This letter must be attached to air construction permit, No. AC 45-190382 (PSD-FL-165), and shall become a part of the permit.

Sincerely,

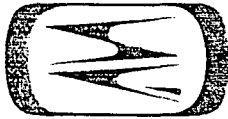


Carol M. Browner
Secretary

CB/BM/rbm

Attachment

cc: A. Kutyna, NED
J. Braswell, Esq., DER
C. Gay, CCA
D. Buff, P.E., KBN



CONTAINER CORPORATION OF AMERICA

AN AFFILIATE OF JEFFERSON SMURFIT CORPORATION

Mill Division
NORTH 8TH STREET
FERNANDINA BEACH, FL 32034
TELEPHONE: 904/261-5551

October 12, 1992

Mr. Bruce Mitchell
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

OCT 15 1992

Subject: No. 4 Lime Kiln
Permit A045-188176 Revision Division of Air
Resources Management

Dear Mr. Mitchell,

As discussed by telephone, the No. 4 lime kiln operating permit No. A045-188176 was recently revised to include the No. 8 batch digester in the NCG system that is collected and transported to the No. 4 lime kiln for TRS control. In the revision, specific conditions No. 13 and No. 14 were added to the lime kiln operating permit, requiring the monitoring and reporting of kiln combustion temperature. In a telephone conversation with Mr. Johnny Cole on September 15, 1992, CCA objected to specific conditions No. 13 and No. 14 and requested that No. 13 be deleted and No. 14 be changed to reference 40 CFR 283(a)(1)(i) and 283(a)(5) on the basis that

- the referenced Federal NSPS in 40 CFR 60.284(b)(1) and 40 CFR 60.283(a)(1)(iii) apply to combustion of TRS gases in existing sources that have no TRS CEM requirements,
- the new batch digester and the No. 4 lime kiln are subject to the NSPS in subpart BB and the specifically the requirements of 40 CFR 60.283(a)(1)(i) and 40 CFR 283(a)(5),
- TRS CEM monitoring and reporting requirements demonstrate compliance,

In subsequent telephone conversations with the Northeast District, Mr. Johnny Cole stated that the temperature monitoring requirements were specific conditions in the batch digester construction permit No. AC 45-190382 issued by Tallahassee. Mr. Cole recommended contacting Tallahassee to discuss the temperature monitoring issue. To allow time to resolve these permit issues, a petition for an extension of time was requested and granted on September 30, 1992, giving CCA until November 4, 1992 to file a petition for hearing.

Although the batch digester construction permit does require incineration of TRS gases at a minimum temperature of 1200 deg. F, the permit specific condition No. 5 states that the device to monitor and record temperature shall be installed "pursuant to all applicable requirements of 40 CFR 60.284(b)(1)." The requirements of 60.284(b)(1) require temperature monitoring only "where the provisions of 60.283(a)(1)(iii) apply." The provisions of 60.283(a)(1)(iii) apply when TRS gases are "combusted in a lime kiln or recovery boiler "not subject to the provisions of this subpart" (subpart BB). The lime kiln is a new source, subject to the provisions of subpart BB. The appropriate NSPS for the batch digester are in 60.283(a)(1)(i) which allow the batch digester to discharge gases for combustion in a lime kiln subject to 60.283(a)(5). No. 4 lime kiln is subject to 60.283(a)(5) which requires the lime kiln gases to meet the 8 ppm TRS limit.

Enclosed are copies of the following items:

lime kiln construction permit, operating permit, and recent revision

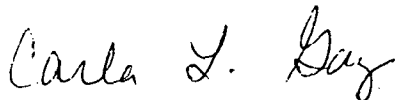
batch digester construction permit, and

Order granting a time extension to November 4, 1992 to file a petition for hearing.

In summary, the lime kiln CEM monitoring and reporting requirements are adequate to demonstrate compliance. Temperature monitoring requirements cited in the batch digester construct permit and in the revised lime kiln permit are limited to combustion of TRS gases in existing sources or incinerators not subject to NSPS. Both the new batch digester and No. 4 lime kiln are subject to the NSPS in Subpart BB and consequently, TRS CEM data is recorded and reported quarterly to the DER. Therefore, the specific conditions No. 13 and 14 in the revised No. 4 lime kiln operating permit should be revised accordingly. Hopefully this issue can be resolved without a hearing.

If you have questions, please contact me at (904) 277-5807.

Sincerely,



Carla L. Gay
Environmental Supervisor

CLG/sl

Enclosures: