

Check Sheet

Company Name: JSC/CCA
Permit Number: VE-45-313
PSD Number:
County:
Permit Engineer:
Others involved:

this file is a Variance

Application:

- Initial Application
- Incompleteness Letters
- Responses
- Final Application (if applicable)
- Waiver of Department Action
- Department Response

Intent:

- Intent to Issue
- Notice to Public
- Technical Evaluation
- BACT Determination
- Unsigned Permit

Attachments:

-
-
-
- Correspondence with:
 - EPA
 - Park Services
 - County
 - Other
- Proof of Publication
- Petitions - (Related to extensions, hearings, etc.)

Final Determination:

- Final Determination
- Signed Permit
- BACT Determination

Post Permit Correspondence:

- Extensions
- Amendments/Modifications
- Response from EPA
- Response from County
- Response from Park Services



Florida Department of Environmental Regulation

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

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

February 9, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Roger Hagan
Container Corporation of America
North Eighth Street
Fernandina Beach, Florida 32034

Dear Mr. Hagan:

Re: No. 4 Lime Kiln - Pre and Post Tests for SO₂ Emissions

As Mr. Bruce Mitchell discussed with you on Tuesday, February 6, 1990, the Department is currently preparing a response to EPA Region IV regarding PSD review of the SO₂ emissions arising from the incineration of TRS gases. The information that is being used are the pre and post tests for SO₂ emissions. Since your new No. 4 Lime Kiln has not yet been connected to the TRS NCG system, the Department requests that a mass test for SO₂ emissions be performed prior to connecting the TRS NCG system to the No. 4 Lime Kiln and another one performed after the connection has been made. Your cooperation in providing this data is very much appreciated.

If there are any questions, please call Bruce Mitchell at (904) 488-1344 or write to me at the above address.

Sincerely,

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

CHF/BM/plm

cc: A. Kutyna, NE District
B. Mitchell

must submit its debt claim to the paying agency as provided in this part. The paying agency must certify any amounts already collected, notify the employee and send a copy of the certification and notice of the employee's separation to the creditor agency. If the creditor agency is aware that the employee is entitled to Civil Service Retirement and Disability Fund or similar payments, it must certify to the agency responsible for making such payments the amount of the debt and that the provisions of this part have been followed; and

(vi) If the employee has already separated and all payments due from the paying agency have been paid, the Director may request, unless otherwise prohibited, that money payable to the employee from the Civil Service Retirement and Disability Fund or other similar funds be collected by administrative offset as provided under 5 CFR 831.1801 or other provisions of law or regulation.

(b) *The Selective Service System as the paying agency.* (1) Upon receipt of a properly certified debt claim from another agency, deductions will be scheduled to begin at the next established pay interval. The employee must receive written notice that the Selective Service System has received a certified debt claim from the creditor agency, the amount of the debt, the date salary offset will begin, and the amount of the deduction(s). The Selective Service System shall not review the merits of the creditor agency's determination of the validity or the amount of the certified claim. (2) If the employee transfers to another agency after the creditor agency has submitted its debt claim to the Selective Service System and before the debt is collected completely, the Selective Service System must certify the total amount collected. One copy of the certification must be furnished to the employee. A copy must be furnished the creditor agency with notice of the employee's transfer.

§ 1697.8 Procedures for salary offset.

(a) Deductions to liquidate an employee's debt will be by the method and in the amount stated in the Director's notice of intention to offset as provided in § 1697.4. Debts will be collected in one lump sum where possible. If the employee is financially unable to pay in one lump sum, collection must be made in installments.

(b) Debts will be collected by deduction at officially established pay intervals from an employee's current pay account unless alternative arrangements for repayment are made with the approval of the Director.

(c) Installment deductions will be made over a period not greater than the anticipated period of employment. The size of installment deductions must bear a reasonable relationship to the size of the debt and the employee's ability to pay. The deduction for the pay intervals for any period must not exceed 15% of disposable pay unless the employee has agreed in writing to a deduction of a greater amount.

(d) Unliquidated debts may be offset against any financial payment due to a separated employee including but not limited to final salary or leave payment in accordance with 31 U.S.C. 3716.

§ 1697.9 Refunds.

(a) The Selective Service System will refund promptly any amounts deducted to satisfy debts owed to the Selective Service System when the debt is waived, found not owed to the Selective Service System, or when directed by an administrative or judicial order.

(b) The creditor agency will promptly return any amounts deducted by the Selective Service System to satisfy debts owed to the creditor agency when the debt is waived, found not owed, or when directed by an administrative or judicial order.

(c) Unless required by law, refunds under this subsection shall not bear interest.

§ 1697.10 Statute of Limitations.

If a debt has been outstanding for more than 10 years after the agency's right to collect the debt first accrued, the agency may not collect by salary offset unless facts material to the government's right to collect were not known and could not reasonably have been known by the official or officials who were charged with the responsibility for discovery and collection of such debts.

§ 1697.11 Non-waiver of rights.

An employee's involuntary payment of all or any part of a debt collected under these regulations will not be construed as a waiver of any rights that employee may have under 5 U.S.C. 5514 or any other provision of contract or law unless there are statutes or contract(s) to the contrary.

§ 1697.12 Interest, penalties, and administrative costs.

Charges may be assessed for interest, penalties, and administrative costs in accordance with the Federal Claims Collection Standards, 4 CFR 102.13

[FR Doc. 89-27256 Filed 11-20-89; 8:45 am]

BILLING CODE 8015-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[FL-027; FRL-3682-1]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants in Florida; Total Reduced Sulfur (TRS) From Kraft Pulp Mills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA approved Florida's 111(d) plan for the control of total reduced sulfur (TRS) emission from Kraft Pulp Mills on August 10, 1988 (53 FR 30051). Final compliance for most TRS sources was due on May 12, 1989. Florida is extending the compliance date for Container Corporation of America, Fernandina Beach, Florida to June 1, 1990. EPA concurs with Florida that the extension is justified and is hereby approving the extended compliance schedule as a SIP revision.

DATE: This action will be effective January 22, 1990 unless notice is received within 30 days that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the *Federal Register*.

ADDRESSES: Copies of the document relevant to this action are available for public inspection at the following locations:

Environmental Protection Agency,
Region IV, Air Programs Branch, 345
Courtland St. N.E., Atlanta, Georgia
30365

Florida Bureau of Air Quality
Management, Twin Towers Office
Bldg., 2600 Blair Stone Road,
Tallahassee, Florida 32301

Public Information Reference Unit,
Library Systems Branch,
Environmental Protection Agency, 401
M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: R. Douglas Neeley, EPA Region IV, Air Programs Branch at above listed address and telephone numbers 404-347-2864 or FTS 257-2864.

SUPPLEMENTARY INFORMATION: In accordance with section 111 of the Clean Air Act, "Standards of Performance for New Stationary Sources," EPA has promulgated standards of performance for criteria pollutants (those for which National Ambient Air Quality Standards have been published) and noncriteria pollutants. The standards apply to "new" sources (i.e., new, modified, or

RECEIVED

NOV 28 1989

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

Bruce Mitchell

Initial

Date

2.

RECEIVED

Initial

Date

3.

NOV 28 1989

Initial

Date

4.

DER - BAQM

Initial

Date

REMARKS:

F Y I

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

Ray

DATE

11/27/89

PHONE

reconstructed sources) which commenced construction after the date on which EPA proposed standards for that particular source category.

A source in existence prior to the date on which EPA proposed new source performance standards for that particular source category is defined as an "existing source." Paragraph (d) of section 111 of the Clean Air Act requires states to develop plans for the control of emissions of the same non-criteria, or designated, pollutants from such "existing" sources. The requirements for such plans are set forth in subpart B of 40 CFR part 60 (November 17, 1975; 40 FR 53346). Since total reduced sulfur (TRS) is a designated pollutant, regulated under section 111(d) of the CAA, states are required to develop section 111(d) plans for the control of TRS emissions from existing kraft pulp mills contained in the state.

The Florida Department of Environmental Regulations (FDER) submitted its section 111(d) plan for control of TRS emissions from kraft pulp mills and tall oil plants on May 24, 1985. This submittal contained certification that adoption of the plan had been preceded by adequate notice and public hearing.

The plan as submitted contained all the elements needed for an approvable section 111(d) plan pursuant to 40 CFR part 60, subpart B (Adoption and Submittal of State Plans for Designated Facilities), and the guideline document. This plan submittal included: regulations establishing emission standards for all affected sources along with the adoption of necessary definitions; regulations establishing the procedures for the development of individual source compliance schedules to include increments of progress; regulations establishing test methods and procedures for determining compliance with the emission standards; an emission inventory of all designated facilities; regulations establishing procedures for monitoring the status of compliance with emission standards through record-keeping, periodic inspections, and testing; and documentation that the State had legal authority to carry out the plan.

EPA approved the plan on August 10, 1988 (53 FR 30051). As part of that plan, final compliance for digester systems, multiple effect evaporation systems, condensate stripper systems, smelt dissolving tank vents, tall oil plants and combustion devices subject to FDER's Rule 17-2.600(4)(c); FAC was due May 12, 1989. One of the affected sources was Container Corporation of America, Fernandina Beach, Florida, hereinafter referred to as CCA. On March 19, 1987,

CCA petitioned the FDER to issue a variance extending the final compliance date for the No. 5 Multiple Effect Evaporator System (MEES), batch digester system and Kamyrdigester system to June 1, 1990. CCA presently operates two lime kilns (Nos. 2 and 3). As part of CCA's current modernization program and proposed "TRS Conceptual Compliance Plan" submitted to FDER on January 30, 1988, the source elected to replace the two lime kilns with a new lime kiln which will be subject to subpart BB (Standards of Performance for kraft pulp mills) of 40 CFR part 60 (Standards of Performance for New Stationary Sources). The new lime kiln will be subject to a TRS emission standard of 8 ppm corrected to 10% oxygen. The existing lime kilns would have had to meet a 20 ppm standard by volume on a dry basis at standard conditions corrected to 10% oxygen as a 12-hour average.

As part of the "TRS Conceptual Compliance" for CCA, the source also elected to install a TRS noncondensable gas (NCG) handling system for capturing and transporting TRS emissions from the existing No. 5 MEES, batch digester system, and Kamyrdigester system, to the new lime kiln (No. 4) for incineration. Since the 2 existing lime kilns will be replaced with the No. 4 lime kiln, CCA felt that it would be redundant and not cost-effective to install and operate a temporary or secondary TRS control system connected to the No. 2 or 3 lime kilns, for the existing No. 5 MEES, batch digester system and Kamyrdigester. However, since the proposed new No. 4 lime kiln cannot be constructed and in compliance by May 12, 1989 (the final compliance date for the existing No. 5 MEES, batch digester system and Kamyrdigester system), the source requested a variance to extend the final compliance date to June 1, 1990 to allow for completion of construction and start-up of the new No. 4 lime kiln. FDER held a public hearing on March 3, 1988 concerning the variance request and issued the variance on March 17, 1988. FDER then submitted the variance request as a SIP revision to EPA on April 15, 1988.

Final Action

EPA is approving the variance as a SIP revision which extends the final compliance date for the three emission sources at CCA from May 12, 1989 to June 1, 1990.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225). On

January 6, 1989, the officer of Management and Budget waived Table 2 and 3 SIP revisions (54 FR 222) from the requirements of Section 3 of Executive Order 12291 for a period of two years.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic and environmental factors and in relation to relevant statutory and regulatory requirements.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities (See 46 FR 8709.)

This action is being taken without prior proposal because the changes are noncontroversial and EPA anticipates no significant comments on them. The public should be advised that this action will be effective 60 days from date of this Federal Register notice. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

Under section 307(b)(1) of the Act, petition for judicial review of this action must be filed in the United States Court of Appeals or the appropriate circuit by January 22, 1990. This action may not be challenged later in proceedings to enforce its requirements (See section 307(b)(2)).

List of Subjects in 40 CFR Part 62

Air pollution control, Inter governmental relations, Paper and paper products industry, Reporting and Recordkeeping requirements.

Dated: November 6, 1989.

Lee A. DeHihns III,
Acting Regional Administrator.

PART 62—[AMENDED]

Part 62 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

Subpart K—Florida

1. The authority citation for Part 62 continues to read as follows:

Authority 42 U.S.C. 7401-7642.

2. Section 62.2350 is amended by adding paragraph (b)(4) to read as follows:

§ 62.2350 Identification of plan.

(b)
 (4) The final compliance date to achieve TRS emission limits for the No. 5 Multiple Effect Evaporation System, batch digester system and Kamyr digester system for Container Corporation of America in Fernandina Beach, Florida is June 1, 1990.

[FR Doc. 89-27329 Filed 11-20-89; 8:45 am]
 BILLING CODE 6560-50-M

40 CFR Part 799

[OPTS-42103A; FRL 3662-9]
 RIN 2070-AB07

C.I. Disperse Blue 79:1; Testing Consent Order

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This notice announces that EPA has signed an enforceable Testing Consent Order with eight companies who have agreed to perform certain health and environmental effects tests with C.I. Disperse Blue 79:1 (DB-79:1) (CAS No. 3618-72-2). This action is in response to the TSCA Interagency Testing Committee's (ITC) recommendation of this substance for priority testing. EPA also announces its decision not to initiate rulemaking for C.I. Disperse Blue 79 (DB-79) (CAS No. 3956-55-6) and two of its analogs (CAS Nos. 21429-43-6 and 3618-73-3) for health and environmental effects and chemical fate testing.

EFFECTIVE DATE: November 21, 1989.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Rm. EB-44, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551.

SUPPLEMENTARY INFORMATION: Under procedures described in 40 CFR part 790, eight manufacturers of DB-79:1, also known as acetamide, N-5-[bis[2-(acetyloxy)ethyl]amino]-2-[(2-bromo-4,6-dinitrophenyl)azo]-4-methoxyphenyl], have entered into a Testing Consent Order with EPA in which they have agreed to perform certain health and environmental effects tests using DB-79:1. This rule amends subpart C of 40 CFR part 799 to add DB-79:1 to the list of chemical substances and mixtures ("chemicals") subject to Testing Consent Orders for which the export notification requirements of 40 CFR part 707 apply.

I. ITC Recommendations

In its Nineteenth Report to EPA, published in the Federal Register of November 14, 1986 (51 FR 41417) the ITC recommended that DB-79 (CAS No. 3956-55-6) be tested for (1) chemical fate (water solubility, and aerobic and anaerobic biodegradation); (2) environmental effects (acute and chronic toxicity to algae, aquatic invertebrates, fish, and benthic organisms, and bioconcentration in fish); and (3) health effects (absorption and chemical disposition, and 90-day subchronic toxicity).

In its Twentieth Report to EPA published in the Federal Register of May 20, 1987 (52 FR 19020), the ITC also recommended DB-79:1 (CAS No. 3618-72-2), the chloro/methoxy analog of DB-79 (CAS No. 3618-73-3), and the chloro/ethoxy analog (CAS No. 21429-43-6), for the same testing as DB-79.

II. Testing Consent Order Negotiation

In the Federal Register of October 12, 1988 (53 FR 34786) and in accordance with the procedures established in 40 CFR 790.28, EPA requested persons interested in participating in or monitoring testing negotiations for DB-79:1 to contact EPA. EPA held public meetings on October 26, 1988, November 29, 1988, and January 24, 1989, to discuss testing appropriate for this chemical. On October 20, 1989 EPA and eight companies signed a Testing Consent Order for DB-79:1. The eight companies agreed to conduct or to provide for the conducting of the following studies: (1) subchronic oral toxicity in the rat, (2) sex-linked recessive lethal (SLRL) test in *Drosophila*, (3) developmental toxicity in the rat and rabbit, (4) metabolism in the rat, and (5) a rainbow trout fish partial life-cycle test. These tests are to be conducted by specific dates and according to the test standards and the Appendices of the Consent Order.

A group of companies who comprise the manufacturing and importing industry for DB-79:1 and DB-79 and its two analogs, have reported to EPA through the Ecological and Toxicological Association of Dyestuffs Manufacturing Industry (ETAD) that less than 1,000 pounds of DB-79 and less than 25,000 pounds of the chloro/methoxy analog were produced in 1985 (Ref. 1). The chloro/ethoxy analog was not manufactured or imported in 1985. The aggregated TSCA section 8(a) inventory update information supports this industry estimate (Ref. 2). Therefore, EPA is not initiating rulemaking proceedings for health, environmental, and chemical fate testing of these

chemicals because there is little or no production.

However, because analogs of DB-79:1 could be used as substitutes for DB-79:1, EPA will monitor future manufacturing of these chemicals through the section 8(a) TSCA Inventory Update Rule, 40 CFR part 710, published in the Federal Register of June 12, 1986 (51 FR 21438), and section 5 TSCA premanufacture notification requirements, to determine whether further testing will be needed.

III. Technical Summary

A. Manufacture and Use

The estimated average annual production from 1980 to 1985 is 2 to 3 million pounds for DB-79:1 and related analogs as active colorants (Ref. 3). ETAD has estimated the current domestic sales market (1985) for DB-79:1 to be 1.8 million pounds of active colorant (Ref. 1). The aggregated TSCA section 8(a) inventory update data for 1987 support this industry estimate (Ref. 2).

Disperse Blue-79:1 and related products are used almost exclusively for dyeing or printing polyester fibers.

B. Human Exposure

1. *Occupational exposure.* Dermal and inhalation/ingestion exposure to DB-79:1 can occur during production, processing, and use of DB-79:1. A maximum of 180 workers (10 to 20 workers at 9 sites) are potentially exposed during production, while a maximum of 66 workers are exposed during processing (3 to 6 workers at 11 sites). In addition, from 1 to 3 dye weighers and 1 to 18 machine operators per site are potentially exposed to DB-79:1 during use according to an EPA engineering analysis of occupational exposure (Ref. 5). If the dye weighers are considered for potential worker exposure at 300 to 400 sites (ETAD estimate), then approximately 900 to 1,200 workers are potentially exposed via both inhalation/ingestion and dermal routes. If the machine operators are included, an additional 7,200 workers are potentially exposed via the dermal route. ETAD agrees that EPA's estimates of the number of workers potentially exposed through use are reasonable (Ref. 1).

The results from a preliminary review of a joint study on the occupational exposure of textile dye color on storeroom workers, conducted by the American Textile Manufacturers Institute (ATMI), EPA, and ETAD, support ETAD's supposition and reports that the average daily level of exposure to dye weighers is 0.09 mg (Ref. 7) and

P 274 010 490

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 1985-480-794

PS Form 3800, June 1985

Mr. Paul J. Magnell, Gen. Mgr. Container Corporation of Amer. North 8th Street	
P.O., State and ZIP Code Fernandina Bch., FL 32034	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date Mailed: 03/17/88 Permit: OGC CASE NO. VE-45-313	

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Mr. Paul J. Magnell General Manager Container Corporation of America North 8th Street Fernandina Beach, FL 32034	4. Article Number P 274-010 490 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
5. Signature - Addressee X	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent X <i>J. Sandlin</i>	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery 3/18/88	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF VARIANCE

CERTIFIED MAIL - Return Receipt Requested

Mr. Paul J. Magnell
General Manager
Container Corporation of America
North 8th Street
Fernandina Beach, Florida 32034

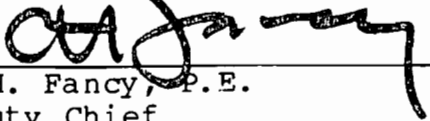
March 17, 1988

Enclosed is a Variance, OGC Case No. VE-45-313, for Container Corporation of America to extend the final compliance date for the No. 5 Multiple Effect Evaporator System, batch digester system and Kamyr digester system, to June 1, 1990. This Variance is issued pursuant to Section 403, Florida Statutes.

Any Party to this Variance has the right to seek judicial review of the Variance pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Variance is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality Management

Copies furnished to:

B. Stewart, NE Dist.
B. Williams, JSC
R. Hagan, CCA
B. Pittman, Esq.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF INTENT TO ISSUE and all copies were mailed before the close of business on March 17, 1988.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to
§120.52(9), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.

Martha J. Wise
Clerk

3-17-88
Date

Final Determination
Container Corporation of America
Variance: VE-45-313

The Department has reviewed the Petition for Variance, OGC Case No. VE-45-313, and supplementary material. Public Notice of the Department's Intent to Issue was published in the Fernandina Beach News-Leader on January 28, 1988, and in the Florida Administrative Weekly on January 29, 1988. The Intent to Issue was available for public inspection at the Department's Northeast District office and Bureau of Air Quality Management office.

A Public Hearing was held in Fernandina Beach, Florida, on March 3, 1988 (see agenda). In attendance were representatives of the mill, the Department's District and Headquarters. There were no representatives of the third party or public in attendance to offer any questions or comments about the project (see attendee list and minutes). The agenda, attendee list, and minutes, will become attachments to the Variance.

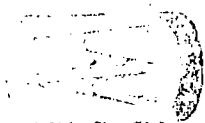
Comments were received by phone from Mr. Stuart Perry with Region IV, U.S. Environmental Protection Agency, and confirmed by a letter from Mr. Bruce P. Miller, Chief, Air Programs Branch, of the same agency, dated February 26, 1988, and received on March 4, 1988. The comments reflect concurrence with the Intent to Issue.

Attachments to be Incorporated:

9. Public Notice - Fernandina Beach News-Leader: January 28, 1988.
10. Public Notice - Florida Administrative Weekly: January 29, 1988.
11. March 3, 1988 Public Hearing Agenda.
12. March 3, 1988 Public Hearing Attendee List.
13. March 3, 1988 Public Hearing Minutes.
14. Mr. Bruce P. Miller's letter dated February 28, 1988, and received March 4, 1988.

The final action of the Department will be to issue the Variance, VE-45-313, as drafted and with the "Attachments" incorporated.

ATTACHMENT 9



JSC CCA

JEFFERSON SMEARTH CORPORATION & CHEMICALS, INC. TALLAHASSEE, FLORIDA

DER

Mill Division
NORTH 6TH STREET
PO BOX 0000
FERNANDINA BEACH, FL 32034
TELEPHONE 904 271 8551

FEB 3

CERTIFIED MAIL

BAQM

February 2, 1988

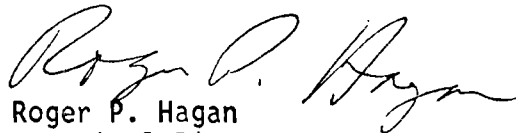
Mr. Bruce Mitchell
Florida Department of Environmental
Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Mitchell:

Please find attached a certified copy of the Notice of Proposed Agency Action which appeared in the January 28, 1988 edition of the Fernandina Beach News-Leader.

Please let me know if there are any questions or comments on this.

Sincerely,


Roger P. Hagan
Technical Director

RPH/js
Attachment

cc: E. E. Frey - FDER - Jax

News-Leader

Published Weekly

FERNANDINA BEACH, NASSAU COUNTY, FLORIDA

The Department of Environmental Regulation gives notice of its receipt of application and of its intent to issue a variance (VE-45-313) with conditions pursuant to Section 403.201, Florida Statutes (F.S.), to Containor Corporation of America, Fernandina Beach, Florida, for postponement of the final compliance date to June 1, 1990, as set forth in Florida Administrative Code (FAC) Rule 17-2.950, for 3 existing sources, the No. 5 Multiple Effect Evaporator (MEE) system, the batch digester system and the Kamyri digester system. A proposed new No. 4 Lime Kiln is designated as the facility's control device for combusting the total reduced sulfur (TRS) emissions collected and transported from the existing No. 5 MEE system, batch digester system and Kamyri digester system.

Any person who is substantially affected by the Department's proposed permitting decision may request a hearing in accordance with Section 120.57, F.S., and Chapters 17-1 and 23-5, FAC. The request for hearing must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, F.S.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the Hearing Officer. If one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to an administrative determination (hearing) under Section 120.57, F.S.

If granted, the variance would require a revision to the State Implementation Plan pursuant to 40 CFR Part 51. A hearing will be held on March 3, 1988 at the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida at 9:30 a.m. to hear public comment on the revision.

The petition for variance is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Regulation, Northeast District Office, 3426 Bills Road, Jacksonville, Florida 32207; Department of Environmental Regulation, Bureau of Air Quality Management Office, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared

Bett Yates Adams

who on oath says that he is Business Manager of The Fernandina Beach News-Leader a weekly newspaper published at Fernandina Beach in Nassau County Florida; that the attached copy of advertisement, being a Legal Notice

in the matter of Notice of Proposed Agency Action

in the Nassau Court, was published in said newspaper in the issues of 1-28-88

Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me

this 28th day of January

Bett Yates Adams

A. D. 19⁸⁸
Jerry L. Jones
(SEAL) Notary Public

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Feb. 24, 1990

ATTACHMENT 10

Affected persons may request a hearing on the applications by filing a written request with the department on or before February 5, 1988. In lieu of request and attending a hearing, written comments submitted to the department relative to the merits of this application will become part of the official project application file. HRS Purchase Order No. 30695.

NOTICE OF FY 1989 FINAL PUBLIC WORKS PROGRAM

The Florida Department of Environmental Regulation announces the studies and projects to be included in the State's FY 1989 Final Program of Public Works. Chapter 17-26, Florida Administrative Code, specifies the procedure for state review of proposals for Army Corps of Engineers studies and projects. This is a revision of the Preliminary Program list published in the August 20, 1987, Florida Administrative Weekly.

FLOOD DAMAGE PREVENTION (AND WATER SUPPLY)

Broward County Comprehensive Water Management Plan, Central and Southern Florida FCP (Hillsboro Canal Survey Review), Four River Basins Project, Northwest Florida Coastline Groundwater Management, St. Marys River Basin Management, St. Petersburg Coastal Flooding, Upper St. Johns Project.

NAVIGATION

Big Sarasota Pass, Clearwater Spoil Disposal, Ft. Pierce Harbor, Lower St. Johns River Enhancement, Mexico Beach Inlet, Miami Harbor Channel, Miami River Cleanup, Port Canaveral, Port Everglades, Port Manatee Project, Port of St. Petersburg Basin/Channel Dredging Project, Stump Pass.

BEACH EROSION CONTROL

Broward County Beaches (John U. Lloyd State Recreation Area), Captiva Island Beach Nourishment, Coast of Florida Erosion and Storm Effects Study, Delray Beach, Dinner Key Beach Landing (Dade Co.), Flagler County Beaches, Ft. DeSoto Park Erosion Control, Ft. Pierce Beach, Indian River County Beach Nourishment (Vero Beach Component), Indian Rocks Beach (Pinellas County), Longboat Key, Manatee County Beach Erosion, Monroe County Beach Erosion, Sarasota County Beaches (Venice/Caspersen Beach), Town of Palm Beach, Virginia Key Barrier Island Park (Dade County), Watson Island Park Beach Erosion (Dade County).

ENVIRONMENTAL RESTORATION AND ENHANCEMENT

Biscayne Bay Survey Review, Lower Hillsborough River Water Quality Enhancement, Six Mile Cypress.

For further information please contact Ms. Mary Morris or Mr. Pratt Finlayson of the Bureau of Laboratories and Special Programs, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (phone: 904/487-1762).

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION NOTICE OF PROPOSED AGENCY ACTION

The Department gives notice of its intent to issue a variance (File No. VE-66-371) pursuant to Section 403.201, Florida Statutes, to Mr. Leonard Joffe.

The variance is for authorization to construct two single family docks, and to place riprap at approximately MHW, on Hogtown Bayou, adjacent to Choctawatchee Bay, Walton County, in waters approved for shellfish harvesting by the Department of Natural Resources. The granting of this variance does not guarantee issuance of a dredge and fill permit. The petition is available for inspection Monday through Friday except for legal holidays, 8 a.m. to 5 p.m., at the Division of Environmental Permitting, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

Persons whose substantial interests are affected by the above proposed agency action have a right pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on the proposed action. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver any such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes.

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 proposed agency action. Therefore, persons who may not wish to file a petition may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Regulation gives notice of its receipt of application and of its intent to issue a variance (VE-45-313) with conditions pursuant to Section 403.201, Florida Statutes (F.S.), to Container Corporation of America, Fernandina Beach, Florida, for postponement of the

final compliance date to June 1, 1990, as set forth in Florida Administrative Code (FAC) Rule 17-2.960, for 3 existing sources, the No. 5 Multiple Effect Evaporator (MEE) system, the batch digester system and the Kamyr digester system. A proposed new No. 4 Lime Kiln is designated as the facility's control device for combusting the total reduced sulfur (TRS) emissions collected and transported from the existing No. 5 MEE system, batch digester system and Kamyr digester system.

Any person who is substantially affected by the Department's proposed permitting decision may request a hearing in accordance with Section 120.57, F.S., and Chapters 17-1 and 28-5, FAC. The request for hearing must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, F.S.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed

with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to an administrative determination (hearing) under Section 120.57, F.S.

If granted, the variance would require a revision to the State Implementation Plan pursuant to 40 CFR Part 51. A hearing will be held on March 3, 1988 at the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida at 9:30 a.m. to hear public comment on the revision.

The petition for variance is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Regulation, Northeast District Office, 3426 Bills Road, Jacksonville, Florida 32207; Department of Environmental Regulation, Bureau of Air Quality Management Office, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

SECTION IX

ORDERS

NONE

ATTACHMENT 11

DEPARTMENT OF ENVIRONMENTAL REGULATION ADMINISTRATIVE HEARING

The Department of Environmental Regulation gives notice of its Intent to Issue a Variance (VE-45-313) to Container Corporation of America, Fernandina Beach, Nassau County, Florida.

Date: March 3, 1988

Time: 9:30 a.m.

Place: City of Fernandina Beach
Recreational Center Auditorium
2500 Atlantic Avenue
Fernandina Beach, Florida

Hearing Officer: Steve Smallwood, P.E.
Chief,
Bureau of Air Quality Management

-AGENDA-

9:30 a.m. Call to Order
BAQM Response to Petition Review
Container Corporation of America
Response to Petition Issues
Public Comments on Intent to Issue
Closing Statements
Adjourn

ATTACHMENT 12

Best Available Copy

Continuation Corporation of America's Voiceless Public Hearing
March 3 1988 "11-75-813"

Attendee listings

9:00 a.m.

Bruce Mitchell	DER/BERA/CAPS	Tallahassee	904-45-1347
Steve Smallwood	"	"	"
Betsy Pitman	DER/SSC	"	(904)-458-9730
Mark Zilberberg	"	"	"
PAUL J MAGNELL	JSC/CCA	FREN Bch.	904-261555
Roger P. Hagan	"	"	"
RONALD L CAFFE	JSC/CCA	FREN Bch	"
Christine Hardy	"	"	"
Jacki Fernandez	DER/DED.	Jacksonville	(904)798-4200
Moat Benjamin	DER/NED	"	"
Bill Stewart	"	"	"

ATTACHMENT 13

Public Hearing Minutes

Container Corporation of America
Petition for Variance: OGC Case No. VE-45-313
Fernandina Beach's Recreation Center Auditorium
March 3, 1988
9:30 A.M.

Steve Smallwood:

Steve Smallwood, Chief of the DER's Bureau of Air Quality Management. This is a public meeting being held at the Recreation Center, Fernandina Beach, on March 3, 1988. The purpose of the meeting is to discuss and receive public input on a request from Container Corporation of America for a Variance to the Department's TRS Rule, which would allow the company some additional time to install new equipment at the plant in lieu of renovating existing facilities and the proposal would result in some delay in achieving the final emission limits, but the final emission limits for the new facility would be tighter than the existing source rules. The question on the Variance is whether the trade-off being proposed is appropriate. The Department's staff has reviewed it and believes that it is.

As part of the process for approving air variances, they have to be adopted by the Secretary of the Department and submitted to the Environmental Protection Agency (EPA) as a source specific provision to the State Implementation Plan (SIP). Federal rules, that govern the processing of State Implementation Plan revisions, require that, prior to submitting a SIP revision to EPA and prior to Agency taking final action to approve a SIP revision, that the full text of the proposed revision be made available for public review and comment in the area affected by the source and that there be a public meeting, at which interested citizens may learn of the proposal, ask questions, and provide any comments if they wish. A record is to be made of the public meeting. The comments are to be considered by the Agency in making its final decision on the Variance request or SIP revision, and a transcript of the public meeting is to be provided to the EPA along with the proposed change to the plan.

This public meeting was duly noticed. Notice has been in effect for 30 days, as of this time. The Department has received no written comments during the Public Notice period. The meeting was scheduled to begin today at 9:30(a.m.). It is now 10:10(a.m.) and no representatives of the general public have appeared to ask questions or to provide any comments. The people present at this public meeting, as reflected in the attendance roster, involve DER personnel from Tallahassee Headquarter's office, the District office, and representatives of Container Corporation, the company that has requested the Variance.

Public Hearing Minutes
Page Two

Therefore, there being no representatives of the public to ask questions or provide comments, I think it is probably appropriate to adjourn the meeting. Before doing so, I will see if anyone present has any comments.

With me is: Bruce Mitchell, who is project officer; Betsy Pittman, Mark Zilberberg - air attorneys.

Bruce, is there any additional information that we need to add to what I've just said to adequately describe what the company has requested, of the circumstances of the notice, or the people present? Bruce Mitchell's response: No.

Mark, is there any legal reason why this public meeting should not be adjourned?

Mark Zilberberg's response: No. More than the requisite time has passed for comment. This meeting is in excess of the 30-day period. There is no oral comment to be presented. It's my opinion that it's proper to adjourn at this time.

Steve Smallwood: Does anyone else present at this meeting desire to say anything for the record at this time? Mark Zilberberg: Let the record reflect that there's no comment.

Steve Smallwood: Okay. Therefore, I formally adjourn this public meeting. Thank you very much.

ATTACHMENT 14



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA, GEORGIA 30303

RECEIVED

4APT-APB

MAR 4 1988

FEB 26 1988

DER-BAQM

Mr. Steve Smallwood, P.E., Chief
Bureau of Air Quality Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399

Dear Mr. Smallwood:

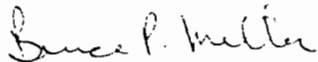
This is in reference to your January 21, 1988, letter requesting comments on a variance petition for Container Corporation of America in Fernandina Beach. The variance will delay final compliance for three emission points (Kamyr digester system, No. 5 set of multiple effect evaporators and the batch digesters) from May 12, 1989, to June 1, 1990, to allow their emissions to be vented to a new lime kiln (No. 4) for incineration. We have reviewed the submittal and offer the following comments:

1. The addition of ductwork and other stated changes to the batch digesters, the Kamyr digester, and the No. 5 set of multiple effect evaporators will serve to bring these presently uncontrolled sources into compliance by venting the total reduced sulfur (TRS) emissions from these sources to the new lime kiln for incineration, and will not cause any increase of TRS emissions from these points given that the present emissions are uncontrolled. The effective emission limits for these points will be 0 ppm since the TRS emissions will all be vented to the lime kiln for incineration. If a method other than incineration is chosen as a means for coming into compliance the limit is 5 ppm and the final compliance date is May 12, 1989. The level of emissions should be verified before and after the modifications.
2. In the event that the addition of ductwork or other stated changes causes an increase of emissions from any of these emission points, the changes could then subject the emission point(s) to NSPS via the modification provisions in 40 CFR Part 60.
3. On Page 5: Item No. 2 provides that by November 12, 1990, an initial compliance test shall be performed on the proposed new No. 4 lime kiln with the Non-Condensable Gas (NCG) handling system and all associated NCG emission points connected to it. As stipulated in 40 CFR 60.8, the owner of the affected facility must conduct the initial performance test within 60 days after achieving the maximum production rate, but no later than 180 days after initial startup.

4. The approval of this variance request presently hinges on the final approval of the Florida TRS plan. The final notice approving the plan (minus bubble provisions) has been sent to Headquarters for approval.

If you have any questions regarding these comments, please contact me or Stuart Perry of my staff at (404) 347-2864.

Sincerely,



Bruce P. Miller, Chief
Air Programs Branch
Air, Pesticides and Toxics
Management Division

CERTIFIED MAIL P 274 010 490
RETURN RECEIPT REQUESTED

Intent to Issue

Mr. Paul J. Magnell
General Manager
Container Corporation of America
Post Office Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

Container Corporation of America
Petition for Variance
File No. VE-45-313
Nassau County

On March 19, 1987, the Department received the above referenced Petition for Variance pursuant to Rule 17-2.960(1)(g)1., Florida Administrative Code (FAC), and Section 403.201, Florida Statutes (FS). Container Corporation of America requested a variance to June 1, 1990, at which time final compliance will have to be demonstrated for the existing No. 5 multiple effect evaporator (MEE) system, batch digester system and Kamyrdigester system.

The Department has reviewed the Petition for Variance and hereby gives notice of its intent to issue to Container Corporation of America (CCA) a variance based on the following findings:

- 1) Part of CCA's current modernization program and proposed "TRS Conceptual Compliance Plan" is the installation of a new No. 4 lime kiln, replacing the existing Nos. 2 and 3 lime kilns.
- 2) Another part of the proposed "TRS Conceptual Compliance Plan" is the installation of a TRS noncondensable gas (NCG) handling system for capturing and transporting TRS emissions from the existing No. 5 MEE system, batch digester system and Kamyrdigester system, to a combustion source. Without a variance, final compliance for these existing sources will

have to be demonstrated by May 12, 1989, pursuant to Rule 17-2.960(1)(d), FAC.

- 3) The combustion source selected by CCA to treat/combust the TRS emissions collected by the NCG system is the proposed new No. 4 lime kiln. The proposed new No. 4 lime kiln cannot be constructed and in compliance by May 12, 1989 - the final compliance date for the existing No. 5 MEE system, batch digester system and Kamyr digester system; therefore, the company has requested a variance for the existing No. 5 MEE system, batch digester system and Kamyr digester system, to June 1, 1990, to allow for completion of the construction and start-up of the proposed new No. 4 lime kiln (which is required to be in final compliance by November 12, 1990, pursuant to Rule 17-2.960(1)(d)3.b., FAC).
- 4) Container Corporation of America, therefore, applied to the Department for a variance under Chapter 403.201(1)(b), FS, pursuant to Rule 17-2.960(1)(g)1., FAC. Following a completeness review, supplemental information was requested and received, thus completing the variance application package.
- 5) In order to avoid redundancy and improve cost-effectiveness, CCA does not propose to install and operate a temporary or secondary TRS NCG control system for the existing No. 5 MEE system, batch digester system and Kamyr digester system, because it would be disconnected and dismantled after the proposed new No. 4 lime kiln and TRS NCG system are connected (by June 1, 1990).

- 6) CCA does not want to escalate the final compliance date of the proposed new No. 4 lime kiln to that of the existing sources, already identified for which a variance is sought, because of the time constraints associated with the design, engineering, delivery, construction, and initial compliance testing of the proposed new No. 4 lime kiln (estimated to take two years). Also, CCA wants to spread the total cost of the new No. 4 lime kiln and the TRS NCG system over a multi-year time period instead of a single year.

- 7) Over the last four years, CCA asserts that it has spent over \$100 million on upgrading and modernization, trying to make the mill more efficient and profitable. Besides the \$26 million committed to the proposed new No. 4 lime kiln and TRS NCG system, CCA intends to commit approximately \$2.7 million to upgrade and maintain the present mill in such a way as to minimize the facility's TRS emissions until final compliance is achieved (see Paul J. Magnell's letters dated November 12 and December 11, 1987).

- 8) Nassau County has an estimated population of 41,000. CCA employs greater than 4% of the employed labor force. In 1986, CCA paid over \$2.8 million in property taxes, which is over 22% of the total property taxes collected by the County. CCA's wages are part of the reason that Nassau County is one of the top 4 counties in the State in per capita income.

- 9) The construction of the proposed new No. 4 lime kiln will result in the retirement of two existing lime kilns (Nos. 2 and 3). The proposed new No. 4 lime kiln will be subject to

the emission limiting standards of the federal New Source Performance Standards (NSPS), 40 CFR 60, Subpart BB, adopted by reference in Rule 17-2.660, FAC. Consequently, the proposed new No. 4 lime kiln, as opposed to the two existing lime kilns, will be a more efficient and reliable combustion source for handling the facility's TRS emissions. Also, the particulate matter emissions limiting standard(s) for the proposed new No. 4 lime kiln will be more stringent than the current standard(s) for the existing Nos. 2 and 3 lime kilns.

- 10) The control system for the proposed new No. 4 lime kiln is an electrostatic precipitator, which is an excellent control device for particulate matter. By eliminating the existing wet scrubber systems on the existing lime kilns, which use contaminated condensate for their scrubbing medium, an additional reduction in TRS emissions will be effected (past test results show a large range of TRS emissions from both systems). Therefore, eliminating two existing air pollution sources for a tightly regulated, more efficient source is more desirable from an environmental and regulatory perspective.

- 11) Pursuant to Rule 17-2.960(1)(e), FAC, a mill is allowed up to two years extension under a variance. CCA requested from May 12, 1989 to June 1, 1990, under the Petition for Variance, for additional time to demonstrate final compliance for the existing No. 5 MEE system, batch digester system and Kamyr digester system. Approval of the Petition for Variance will result in requiring final compliance of these sources to be demonstrated by June 1, 1990.

The Department hereby gives notice of its intent to issue a variance (VE-45-313) to Container Corporation of America for the No. 5 MEE system, batch digester system and Kamyr digester system, subject to the following conditions:

- 1) The existing No. 5 MEE system, batch digester system and Kamyr digester system, shall be in final compliance with Rule 17-2, FAC, by June 1, 1990.
- 2) By November 12, 1990, an initial compliance test in accordance with 40 CFR 60.8, Subpart A, shall be performed on the proposed new No. 4 lime kiln with the TRS NCG system connected to it and with all of the TRS NCG emission sources, which is to include the No. 6 MEE system, in operation (90-100% of permitted capacities).
- 3) A construction permit application with the appropriate fee shall be submitted by CCA to the Department by May 12, 1988, for the proposed new No. 4 lime kiln pursuant to Rule 17-2.960(1)(d)3.b., FAC.
- 4) CCA shall upgrade, where cost effective and practical, and maintain the present facility in such a manner as to minimize interim TRS emissions. Pursuant to Rule 17-2.600(4)(c)1.c., FAC, a maintenance and malfunction contingency plan shall be submitted to the Department's Northeast District office and the Bureau of Air Quality Management office within ninety days after the effective date of this variance, outlining the interim maintenance

program for minimizing TRS emissions that will be in effect prior to achieving final compliance.

- 5) After compliance has been demonstrated on the proposed new No. 4 lime kiln, CCA shall shut down the existing Nos. 2 and 3 lime kilns and surrender any active Departmental permits for these sources to the Department, but no later than November 12, 1990.
- 6) The TRS emissions from the No. 6 MEE system shall be diverted to the TRS NCG system by June 1, 1990.
- 7) CCA agreed to expend approximately \$2.7 million to minimize TRS emissions from the present facility during the interim period and prior to demonstrating final compliance on the sources for which this variance is sought, unless a greater amount is required to maintain the present facility and minimize TRS emissions during this period (see Paul J. Magnell's letters dated November 12 and December 11, 1987). Documentation shall be required in the form of a Quarterly Report and the first report shall be due March 1, 1988.
- 8) The Quarterly Report shall be submitted to the Department's Northeast District office describing the status of the facility's progress in complying with the terms of this variance. The report shall also describe any equipment upgrades and interim maintenance procedures implemented, and their associated costs, to minimize TRS emissions from the present facility.
- 9) The Department shall be notified in writing prior to any deviation(s) from the terms contained in this variance.

10) This variance is null and void if CCA alters its strategy to comply with the TRS Rule(s) contained in Rule 17-2, FAC, by using an existing source to treat/combust the facility's TRS emissions instead of the proposed new No. 4 lime kiln. Consequently, the mill's existing sources, for which this variance is sought and subject to the TRS Rule, will have to be in final compliance in accordance with Rule 17-2.960, FAC, if the proposed new No. 4 lime kiln is not constructed to treat/combust the facility's TRS emissions as reflected by their application for this variance.

11) The following attachments are incorporated:

1. Mr. Paul J. Magnell's letter dated January 30, 1987, and received February 12, 1987.
2. Mr. C.H. Fancy's letter dated March 12, 1987.
3. Mr. Paul J. Magnell's letter dated March 19, 1987, and received March 25, 1987.
4. Mr. Steve Smallwood's letter dated July 21, 1987.
5. Mr. Paul J. Magnell's letter dated August 19, 1987, and received August 25, 1987.
6. Mr. Paul J. Magnell's letter dated October 13, 1987, and received October 21, 1987.
7. Mr. Paul J. Magnell's letter dated November 12, 1987, and received November 16, 1987.
8. Mr. Paul J. Magnell's letter dated December 11, 1987, and received December 11, 1987 (hand delivered).
9. Public Notice - Fernandina Beach News-Leader: issue of February 28, 1988.
10. Public Notice - Florida Administrative Weekly: issue of February 29, 1988.
11. March 3, 1988 Public Hearing Agenda.
12. March 3, 1988 Public Hearing Attendee List.
13. March 3, 1988 Public Hearing Minutes.
14. Mr. Bruce P. Miller's letter dated February 28, 1988, and received March 4, 1988.

Any administrative relief approved by the Department must also be approved by the Regional Administrator of Region IV, United States Environmental Protection Agency (EPA). The Department will coordinate with the Atlanta office of the EPA in this regard to the maximum extent possible.

Pursuant to Rules 17-103.100 and 17-103.150, FAC, the petitioner shall publish at his expense one time only the attached legal notice in a newspaper of general circulation in the area affected by the proposed project. Proof of publication shall be in the form of an affidavit of publication submitted to the Office of the Director of the Division of Environmental Permitting, Department of Environmental Regulation. The Department will place the public notice in the Florida Administrative Weekly.

This Intent to Issue shall be placed before the Secretary for final action, unless an appropriate petition for a hearing pursuant to the provision of Section 120.57, FS, is filed within fourteen (14) days of publication of the public notice (copy attached) required pursuant to Rule 17-103.150, FAC. Should anyone wish to dispute a material fact or object to a condition of this proposed intent, a petition for a formal hearing shall be filed in accordance with the provisions of Section 120.57(1), FS. The petition must comply with the requirements of Rules 17-103.155 and 28-5.201, FAC (copies attached), and be filed pursuant to Rule 17-103.155(1), FAC, in the Office of General Counsel of the Department of Environmental Regulation at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to file a petition within fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, FS.

In the event a formal hearing is conducted pursuant to Section 120.57(1), FS, all parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination of witnesses and submit rebuttal evidence, to submit proposed findings of facts and orders, to file exceptions to any order of the hearing officer's recommended order, and to be represented by counsel. If an informal hearing is requested, pursuant to Section 120.57(2), FS, the agency, in accordance with its rules of procedure, will provide affected persons or parties or their counsel an opportunity at a convenient time and place, to present to the agency or hearing officer, written or oral evidence in opposition to the agency's action or refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction.

The administrative hearing process is designed to formulate agency action. Accordingly, if a petition is filed, the Department's final action may be different from the proposed agency action. Therefore, persons who may not wish to file a petition, may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, FS.

If the Department does not receive a petition for hearing within the time allowed by this letter and does receive proof of public notice from the petitioner, a final order will be issued.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

 15 March 88
Dale Twachtman Date

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

Copies furnished to:

S. Smallwood, DER
H. Rhodes, DER
R. Armstrong, DER
E. Frey, DER
C. Fancy, DER
J. Brown, DER
M. Zilberberg, Esq., DER
B. Pittman, Esq., DER
B. Miller, EPA
M. Flores, NPS
B. Williams, JSC
R. Hagan, CCA

Yellow-Bronc Mitchell

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

March 18, 1988

The Honorable George Crady
Representative, 13th District
Route 3, Box 778
Yulee, Florida 32097

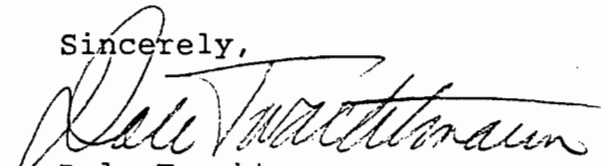
Dear Representative Crady:

This is in response to your letter about Container Corporation of America and its request for a Variance, OGC Case No. VE-45-313.

Now that the requirements have been satisfied for making a Final Determination on the Department's Intent to Issue, I am pleased to be able to inform you that I have approved and signed the Variance. I have enclosed a copy.

Thank you once again for your letter. If I can be of any further assistance, please call.

Sincerely,


Dale Twachtmann
Secretary

DT/cg

Attachment

cc: Steve Smallwood

DEPARTMENT OF ENVIRONMENTAL REGULATION

**ROUTING AND
TRANSMITTAL SLIP**

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

Bruce Mitchell

Initial

Date

2.

Suzanne Sava

Initial

Date

3.

Initial

Date

4.

Initial

Date

REMARKS:

INFORMATION

Review & Return

Review & File

Initial & Forward

RECEIVED

MAR 23 1988

DER - BAQM

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

DATE

PHONE

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

3-14-88

1. TO: (NAME, OFFICE, LOCATION)

Bandy Armstrong

Initial

Date

2.

Steve Smallwood

Initial

Date

3.

Bruce Mitchell

Initial

Date

4.

Howard **RECEIVED**

Initial

Date

REMARKS:

Jim MAR 2 1988

INFORMATION

Review & Return

Review & File

Initial & Forward

DER - BAQM

Please handle

RECEIVED
MAR 16 1988

RECEIVED
MAR 2 1988

RECEIVED
MAR 16 1988

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

DIVISION OF ENVIRONMENTAL PERMITTING

Office of the Secretary

DIRECTOR - PROGRAMS

Staff response

for notes

3-14-88

Spoke w/ S. Lewis

3-14-88 to 3-16-88 - postponed - rescheduled

FROM:

Jim Lewis

DATE

2/29/88

PHONE

DOCUMENT SUMMARY

Library: PLDRAFTS
Title: Representative Crady: ~~44-072~~
Document ID: 1712
Author: Bruce Mitchell
Operator: Suzanne Sousa

Comments:

Number of Copies: 1
From Page: 1 To Page: 1
Starting Print Date/Time: 03/16/88 12:31

Jep
3/17

Notify U999 on System VS85A

STATISTICS

OPERATION	DATE	TIME	WORKTIME	KEYSTROKES
Created	03/16/88	11:39	:14	823
Revised	03/16/88	12:20	:00	20
Last Retrieved	/ /	:	from:	
Last Archived	/ /	:	to: PLDRAFTS	
Total Pages:	1	Total Worktime:	:26	
		Total Keystrokes:	862	

OK/
JH
3-16-88

March 16, 1988

The Honorable George Crady
Representative, 13th District
Route 3, Box 778
Yulee, Florida 32097

Dear Representative Crady:

Your letter regarding Container Corporation of America and their request for a Variance, OGC Case No. VE-45-313, is appreciated. Now that the requirements have been satisfied for making a Final Determination on the Department's Intent to Issue, I am pleased to be able to inform you that I have approved and signed the Variance, of which a copy has been enclosed for you.

Thank you once again for your letter. If I can be of any further assistance, please call.

Sincerely,

Dale Twachtmann
Secretary

DT/ss

Enclosure

cc: Steve Smallwood



- 1. Randy Armstrong - handle
- 2. Dan Thompson - info
- 3. F. Walper - info

Florida House of Representatives

George Crady
Representative, 13th District

Reply to:

- Route 3, Box 778
Yulee, FL 32097
(904) 225-5035
- 207 House Office Building
Tallahassee, FL 32399-1300
(904) 488-6920

Committees

- Ethics & Elections, Chairman
- Rules & Calendar, Vice Chairman
- Appropriations
- Commerce
- Health & Rehabilitative Services
- Natural Resources

February 26, 1988

RECEIVED
FEB 29 1988

Dale Twachtmann, Secretary
Department of Environmental Regulation
Twin Towers
2600 Blairstone Rd.
Tallahassee, FL 32399-2400

Office of the Secretary

Dear Secretary Twachtmann:

Container Corporation of America, Nassau County's largest industry, has requested a variance from your department to allow the company to complete construction of a new state-of-the-art lime kiln operation. The lime kiln will be used to incinerate TRS.

Container Corporation is an outstanding corporate citizen in my district and I strongly recommend approval of this variance by your department. Your positive consideration of this request will be sincerely appreciated.

If I can be of service to you in the future, please feel free to call upon me.

Sincerely yours,

George Crady

George Crady
Representative, District 13

GC/lah

cc: Bob Williams

RECEIVED
MAR 2 1988

DIVISION OF
ENVIRONMENTAL PERMITTING

RECEIVED
MAR 2 1988
DER-BAQM

CERTIFIED MAIL P 274 010 490
RETURN RECEIPT REQUESTED

Intent to Issue

Mr. Paul J. Magnell
General Manager
Container Corporation of America
Post Office Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

Container Corporation of America
Petition for Variance
File No. VE-45-313
Nassau County

On March 19, 1987, the Department received the above referenced Petition for Variance pursuant to Rule 17-2.960(1)(g)1., Florida Administrative Code (FAC), and Section 403.201, Florida Statutes (FS). Container Corporation of America requested a variance to June 1, 1990, at which time final compliance will have to be demonstrated for the existing No. 5 multiple effect evaporator (MEE) system, batch digester system and Kamyrdigester system.

The Department has reviewed the Petition for Variance and hereby gives notice of its intent to issue to Container Corporation of America (CCA) a variance based on the following findings:

- 1) Part of CCA's current modernization program and proposed "TRS Conceptual Compliance Plan" is the installation of a new No. 4 lime kiln, replacing the existing Nos. 2 and 3 lime kilns.
- 2) Another part of the proposed "TRS Conceptual Compliance Plan" is the installation of a TRS noncondensable gas (NCG) handling system for capturing and transporting TRS emissions from the existing No. 5 MEE system, batch digester system and Kamyrdigester system, to a combustion source. Without a variance, final compliance for these existing sources will

have to be demonstrated by May 12, 1989, pursuant to Rule 17-2.960(1)(d), FAC.

- 3) The combustion source selected by CCA to treat/combust the TRS emissions collected by the NCG system is the proposed new No. 4 lime kiln. The proposed new No. 4 lime kiln cannot be constructed and in compliance by May 12, 1989 - the final compliance date for the existing No. 5 MEE system, batch digester system and Kamyr digester system; therefore, the company has requested a variance for the existing No. 5 MEE system, batch digester system and Kamyr digester system, to June 1, 1990, to allow for completion of the construction and start-up of the proposed new No. 4 lime kiln (which is required to be in final compliance by November 12, 1990, pursuant to Rule 17-2.960(1)(d)3.b., FAC).
- 4) Container Corporation of America, therefore, applied to the Department for a variance under Chapter 403.201(1)(b), FS, pursuant to Rule 17-2.960(1)(g)1., FAC. Following a completeness review, supplemental information was requested and received, thus completing the variance application package.
- 5) In order to avoid redundancy and improve cost-effectiveness, CCA does not propose to install and operate a temporary or secondary TRS NCG control system for the existing No. 5 MEE system, batch digester system and Kamyr digester system, because it would be disconnected and dismantled after the proposed new No. 4 lime kiln and TRS NCG system are connected (by June 1, 1990).

- 6) CCA does not want to escalate the final compliance date of the proposed new No. 4 lime kiln to that of the existing sources, already identified for which a variance is sought, because of the time constraints associated with the design, engineering, delivery, construction, and initial compliance testing of the proposed new No. 4 lime kiln (estimated to take two years). Also, CCA wants to spread the total cost of the new No. 4 lime kiln and the TRS NCG system over a multi-year time period instead of a single year.

- 7) Over the last four years, CCA asserts that it has spent over \$100 million on upgrading and modernization, trying to make the mill more efficient and profitable. Besides the \$26 million committed to the proposed new No. 4 lime kiln and TRS NCG system, CCA intends to commit approximately \$2.7 million to upgrade and maintain the present mill in such a way as to minimize the facility's TRS emissions until final compliance is achieved (see Paul J. Magnell's letters dated November 12 and December 11, 1987).

- 8) Nassau County has an estimated population of 41,000. CCA employs greater than 4% of the employed labor force. In 1986, CCA paid over \$2.8 million in property taxes, which is over 22% of the total property taxes collected by the County. CCA's wages are part of the reason that Nassau County is one of the top 4 counties in the State in per capita income.

- 9) The construction of the proposed new No. 4 lime kiln will result in the retirement of two existing lime kilns (Nos. 2 and 3). The proposed new No. 4 lime kiln will be subject to

the emission limiting standards of the federal New Source Performance Standards (NSPS), 40 CFR 60, Subpart BB, adopted by reference in Rule 17-2.660, FAC. Consequently, the proposed new No. 4 lime kiln, as opposed to the two existing lime kilns, will be a more efficient and reliable combustion source for handling the facility's TRS emissions. Also, the particulate matter emissions limiting standard(s) for the proposed new No. 4 lime kiln will be more stringent than the current standard(s) for the existing Nos. 2 and 3 lime kilns.

- 10) The control system for the proposed new No. 4 lime kiln is an electrostatic precipitator, which is an excellent control device for particulate matter. By eliminating the existing wet scrubber systems on the existing lime kilns, which use contaminated condensate for their scrubbing medium, an additional reduction in TRS emissions will be effected (past test results show a large range of TRS emissions from both systems). Therefore, eliminating two existing air pollution sources for a tightly regulated, more efficient source is more desirable from an environmental and regulatory perspective.

- 11) Pursuant to Rule 17-2.960(1)(e), FAC, a mill is allowed up to two years extension under a variance. CCA requested from May 12, 1989 to June 1, 1990, under the Petition for Variance, for additional time to demonstrate final compliance for the existing No. 5 MEE system, batch digester system and Kamyrdigester system. Approval of the Petition for Variance will result in requiring final compliance of these sources to be demonstrated by June 1, 1990.

The Department hereby gives notice of its intent to issue a variance (VE-45-313) to Container Corporation of America for the No. 5 MEE system, batch digester system and Kamyr digester system, subject to the following conditions:

- 1) The existing No. 5 MEE system, batch digester system and Kamyr digester system, shall be in final compliance with Rule 17-2, FAC, by June 1, 1990.
- 2) By November 12, 1990, an initial compliance test in accordance with 40 CFR 60.8, Subpart A, shall be performed on the proposed new No. 4 lime kiln with the TRS NCG system connected to it and with all of the TRS NCG emission sources, which is to include the No. 6 MEE system, in operation (90-100% of permitted capacities).
- 3) A construction permit application with the appropriate fee shall be submitted by CCA to the Department by May 12, 1988, for the proposed new No. 4 lime kiln pursuant to Rule 17-2.960(1)(d)3.b., FAC.
- 4) CCA shall upgrade, where cost effective and practical, and maintain the present facility in such a manner as to minimize interim TRS emissions. Pursuant to Rule 17-2.600(4)(c)1.c., FAC, a maintenance and malfunction contingency plan shall be submitted to the Department's Northeast District office and the Bureau of Air Quality Management office within ninety days after the effective date of this variance, outlining the interim maintenance

program for minimizing TRS emissions that will be in effect prior to achieving final compliance.

- 5) After compliance has been demonstrated on the proposed new No. 4 lime kiln, CCA shall shut down the existing Nos. 2 and 3 lime kilns and surrender any active Departmental permits for these sources to the Department, but no later than November 12, 1990.
- 6) The TRS emissions from the No. 6 MEE system shall be diverted to the TRS NCG system by June 1, 1990.
- 7) CCA agreed to expend approximately \$2.7 million to minimize TRS emissions from the present facility during the interim period and prior to demonstrating final compliance on the sources for which this variance is sought, unless a greater amount is required to maintain the present facility and minimize TRS emissions during this period (see Paul J. Magnell's letters dated November 12 and December 11, 1987). Documentation shall be required in the form of a Quarterly Report and the first report shall be due March 1, 1988.
- 8) The Quarterly Report shall be submitted to the Department's Northeast District office describing the status of the facility's progress in complying with the terms of this variance. The report shall also describe any equipment upgrades and interim maintenance procedures implemented, and their associated costs, to minimize TRS emissions from the present facility.
- 9) The Department shall be notified in writing prior to any deviation(s) from the terms contained in this variance.

10) This variance is null and void if CCA alters its strategy to comply with the TRS Rule(s) contained in Rule 17-2, FAC, by using an existing source to treat/combust the facility's TRS emissions instead of the proposed new No. 4 lime kiln. Consequently, the mill's existing sources, for which this variance is sought and subject to the TRS Rule, will have to be in final compliance in accordance with Rule 17-2.960, FAC, if the proposed new No. 4 lime kiln is not constructed to treat/combust the facility's TRS emissions as reflected by their application for this variance.

11) The following attachments are incorporated:

1. Mr. Paul J. Magnell's letter dated January 30, 1987, and received February 12, 1987.
2. Mr. C.H. Fancy's letter dated March 12, 1987.
3. Mr. Paul J. Magnell's letter dated March 19, 1987, and received March 25, 1987.
4. Mr. Steve Smallwood's letter dated July 21, 1987.
5. Mr. Paul J. Magnell's letter dated August 19, 1987, and received August 25, 1987.
6. Mr. Paul J. Magnell's letter dated October 13, 1987, and received October 21, 1987.
7. Mr. Paul J. Magnell's letter dated November 12, 1987, and received November 16, 1987.
8. Mr. Paul J. Magnell's letter dated December 11, 1987, and received December 11, 1987 (hand delivered).
9. Public Notice - Fernandina Beach News-Leader: issue of February 28, 1988.
10. Public Notice - Florida Administrative Weekly: issue of February 29, 1988.
11. March 3, 1988 Public Hearing Agenda.
12. March 3, 1988 Public Hearing Attendee List.
13. March 3, 1988 Public Hearing Minutes.
14. Mr. Bruce P. Miller's letter dated February 28, 1988, and received March 4, 1988.

Any administrative relief approved by the Department must also be approved by the Regional Administrator of Region IV, United States Environmental Protection Agency (EPA). The Department will coordinate with the Atlanta office of the EPA in this regard to the maximum extent possible.

Pursuant to Rules 17-103.100 and 17-103.150, FAC, the petitioner shall publish at his expense one time only the attached legal notice in a newspaper of general circulation in the area affected by the proposed project. Proof of publication shall be in the form of an affidavit of publication submitted to the Office of the Director of the Division of Environmental Permitting, Department of Environmental Regulation. The Department will place the public notice in the Florida Administrative Weekly.

This Intent to Issue shall be placed before the Secretary for final action, unless an appropriate petition for a hearing pursuant to the provision of Section 120.57, FS, is filed within fourteen (14) days of publication of the public notice (copy attached) required pursuant to Rule 17-103.150, FAC. Should anyone wish to dispute a material fact or object to a condition of this proposed intent, a petition for a formal hearing shall be filed in accordance with the provisions of Section 120.57(1), FS. The petition must comply with the requirements of Rules 17-103.155 and 28-5.201, FAC (copies attached), and be filed pursuant to Rule 17-103.155(1), FAC, in the Office of General Counsel of the Department of Environmental Regulation at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to file a petition within fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, FS.

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The administrative hearing process is designed to formulate agency action. Accordingly, if a petition is filed, the Department's final action may be different from the proposed agency action. Therefore, persons who may not wish to file a petition, may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, FS.

If the Department does not receive a petition for hearing within the time allowed by this letter and does receive proof of public notice from the petitioner, a final order will be issued.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

 15 March 88
Dale Twachtman Date

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

Copies furnished to:

S. Smallwood, DER
H. Rhodes, DER
R. Armstrong, DER
E. Frey, DER
C. Fancy, DER
J. Brown, DER
M. Zilberberg, Esq., DER
B. Pittman, Esq., DER
B. Miller, EPA
M. Flores, NPS
B. Williams, JSC
R. Hagan, CCA

City of Fernandina Beach

FERNANDINA BEACH, FLORIDA 32034

Date March 14, 1988

To: [Dept. of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Attn: Bruce Mitchell]

For: Auditorium rental fee - March 3, 1988 - P. O. #27023-H

In Re: Petition for Variance Administrative Hearing
Container Corporation of America: VE-45-313

Amount Due \$ 159.00

Judy Lee
City Treasurer BT



Best Available Copy HEADQUARTER PURCHASE ORDER

THIS NUMBER MUST APPEAR ON INVOICES, B.L., PACKAGES, CASES, DELIVERY LISTS AND CORRESPONDENCE.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

PURCHASING OFFICE RM. 450
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

27023 H

VENDOR: (NOT TRANSFERABLE)

City of Fernandina Beach
2500 Atlantic Ave.
Fernandina Beach, Fl 32304
Attn: Ms. Barbara Thorton

Date **1-15-88** THE FOLLOWING DELIVERY SCHEDULE IS MANDATORY,
UNLESS OTHERWISE SPECIFIED:
8:00 A.M., 4:00 P.M., MONDAY THROUGH FRIDAY

Ship To: Dept. of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Attn: Bruce Mitchell

Invoice Only To: (Submit Copies)

DEPARTMENT OF Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

ACQUISITION NO. **AQM-88-176**

Direct Inquiries To:

Phone Number

904/487-4831

FUND APTF RCC OBJ PRO CONTRACT #/BID #/PERSON QUOTING
 300401 434000 2845 (T)

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
	ea	Room/auditorium Rental- March 3, 1988 Petition for Variance Administrative Hearing Container Corporation of America: VE-45-313 No food or drink to be charged to this P.O.		\$159.00
		3-15-88 Signed sold copy and gave to Sue Harms in Purchasing. <i>RM</i>		
		1/21		

RECEIVED
MAR 15 1988
DER-BAQM

THIS NUMBER MUST APPEAR ON INVOICES, B.L., PACKAGES, CASES, DELIVERY LISTS AND CORRESPONDENCE.

FLORIDA SALES TAX EXEMPTION # 02-00809-00-47
FEDERAL EXCISE TAX EXEMPTION # A-106339
FEID # 59-6001874

27023 H

BY *Jim [Signature]*
PURCHASING AGENT

IMPORTANT: READ THIS PURCHASE ORDER AND THE INSTRUCTIONS AND CONDITIONS ON THE REVERSE SIDE.

VENDOR COPY



Interoffice Memorandum

For Routing To Other Than The Addressee

To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

TO: Dale Twachtmann

FROM: Howard L. Rhodes *HLR*
Randy Armstrong ~~RA~~

SUBJ: Approval of a Variance for Container Corporation
of America
OGC Case Number: VE-45-313

DATE: March 10, 1988

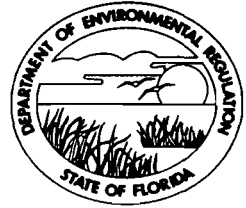
Attached for your approval and signature is a Variance prepared by Central Air Permitting for the above mentioned company to extend the final compliance date to June 1, 1990, for the No. 5 multiple effect evaporator system, batch digester system and Kamyrdigester system. The existing facility is located in Fernandina Beach, Nassau County, Florida.

Comments were received from Region IV, U.S. EPA, concurring with the Intent to Issue. There was no one in attendance other than the mill and Department representatives to offer any comments at the Public Hearing held on March 3, 1988, in Fernandina Beach.

We recommend your approval and signature.

HLR/aqm/bm

attachments



Interoffice Memorandum

For Routing To Other Than The Addressee	
To: <u>Randy</u>	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

TO: ~~Howard L. Rhodes~~
Randy Armstrong *for*

FROM: Steve Smallwood *for Willard Hank*

SUBJ: Variance for Container Corporation of America
OGC Case Number: VE-45-313

DATE: March 10, 1988

*Initial attached
memo + forward
to Dals.*

Attached for your approval is a Variance prepared by Central Air Permitting for the above mentioned company to extend the final compliance date to June 1, 1990, for the No. 5 multiple effect evaporator system, batch digester system and Kamyr digester system. The existing facility is located in Fernandina Beach, Nassau County, Florida.

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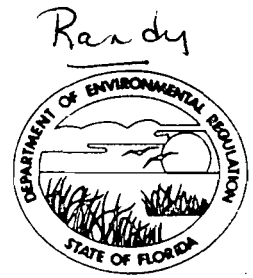
I recommend your approval.

HLR/aqm/bm

attachments

RECEIVED
MAR 11 1988

DIRECTOR - PROGRAMS



Interoffice Memorandum

For Routing To Other Than The Addressee

To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

TO: Dale Twachtmann

FROM: Howard L. Rhodes
Randy Armstrong

SUBJ: Approval of a Variance for Container Corporation
of America
OGC Case Number: VE-45-313

DATE: March 10, 1988

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We recommend your approval and signature.

HLR/aqm/bm

attachments

DEPARTMENT OF ENVIRONMENTAL REGULATION ADMINISTRATIVE HEARING

The Department of Environmental Regulation gives notice of its Intent to Issue a Variance (VE-45-313) to Container Corporation of America, Fernandina Beach, Nassau County, Florida.

Date: March 3, 1988

Time: 9:30 a.m.

Place: City of Fernandina Beach
Recreational Center Auditorium
2500 Atlantic Avenue
Fernandina Beach, Florida

Hearing Officer: Steve Smallwood, P.E.
Chief,
Bureau of Air Quality Management

-AGENDA-

9:30 a.m. Call to Order
BAQM Response to Petition Review
Container Corporation of America
Response to Petition Issues
Public Comments on Intent to Issue
Closing Statements
Adjourn

Container Corporation of America's Variance Public Hearing

March 3, 1988

"VE-45-313"

Attendee listing:

9:30 a.m.

Bruce Mitchell	DER/BAQ/CA/CPs	Tallahassee (904) 488-1344
Steve Smallwood	"	"
Betsy Pittman	DER/OGC	" (904) 488-9730
Mark Zilberberg	"	"
PAUL J MAGNELL	JSC/CCA	FERN Beh. 904-2615557
Roger P. Hagan	"	"
RONALD L CAFFO	JSC/CCA	FERN Beh "
Christine Hardy	"	"
Jacki Fernandez	DER/NEED	Jacksonville (904) 798-4200
Mort Benjamin	DER/NEED	"
Bill Stewart	"	"

Public Hearing Minutes

Container Corporation of America
Petition for Variance: OGC Case No. VE-45-313
Fernandina Beach's Recreation Center Auditorium
March 3, 1988
9:30 A.M.

Steve Smallwood:

Steve Smallwood, Chief of the DER's Bureau of Air Quality Management. This is a public meeting being held at the Recreation Center, Fernandina Beach, on March 3, 1988. The purpose of the meeting is to discuss and receive public input on a request from Container Corporation of America for a Variance to the Department's TRS Rule, which would allow the company some additional time to install new equipment at the plant in lieu of renovating existing facilities and the proposal would result in some delay in achieving the final emission limits, but the final emission limits for the new facility would be tighter than the existing source rules. The question on the Variance is whether the trade-off being proposed is appropriate. The Department's staff has reviewed it and believes that it is.

As part of the process for approving air variances, they have to be adopted by the Secretary of the Department and submitted to the Environmental Protection Agency (EPA) as a source specific provision to the State Implementation Plan (SIP). Federal rules, that govern the processing of State Implementation Plan revisions, require that, prior to submitting a SIP revision to EPA and prior to Agency taking final action to approve a SIP revision, that the full text of the proposed revision be made available for public review and comment in the area affected by the source and that there be a public meeting, at which interested citizens may learn of the proposal, ask questions, and provide any comments if they wish. A record is to be made of the public meeting. The comments are to be considered by the Agency in making its final decision on the Variance request or SIP revision, and a transcript of the public meeting is to be provided to the EPA along with the proposed change to the plan.

This public meeting was duly noticed. Notice has been in effect for 30 days, as of this time. The Department has received no written comments during the Public Notice period. The meeting was scheduled to begin today at 9:30(a.m.). It is now 10:10(a.m.) and no representatives of the general public have appeared to ask questions or to provide any comments. The people present at this public meeting, as reflected in the attendance roster, involve DER personnel from Tallahassee Headquarter's office, the District office, and representatives of Container Corporation, the company that has requested the Variance.

Public Hearing Minutes
Page Two

Therefore, there being no representatives of the public to ask questions or provide comments, I think it is probably appropriate to adjourn the meeting. Before doing so, I will see if anyone present has any comments.

With me is: Bruce Mitchell, who is project officer; Betsy Pittman, Mark Zilberberg - air attorneys.

Bruce, is there any additional information that we need to add to what I've just said to adequately describe what the company has requested, of the circumstances of the notice, or the people present? Bruce Mitchell's response: No.

Mark, is there any legal reason why this public meeting should not be adjourned?

Mark Zilberberg's response: No. More than the requisite time has passed for comment. This meeting is in excess of the 30-day period. There is no oral comment to be presented. It's my opinion that it's proper to adjourn at this time.

Steve Smallwood: Does anyone else present at this meeting desire to say anything for the record at this time? Mark Zilberberg: Let the record reflect that there's no comment.

Steve Smallwood: Okay. Therefore, I formally adjourn this public meeting. Thank you very much.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA, GEORGIA 30305

RECEIVED

4APT-APB

MAR 4 1988

FEB 26 1988

DER-BAQM

Mr. Steve Smallwood, P.E., Chief
Bureau of Air Quality Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399

Dear Mr. Smallwood:

This is in reference to your January 21, 1988, letter requesting comments on a variance petition for Container Corporation of America in Fernandina Beach. The variance will delay final compliance for three emission points (Kamyx digester system, No. 5 set of multiple effect evaporators and the batch digesters) from May 12, 1989, to June 1, 1990, to allow their emissions to be vented to a new lime kiln (No. 4) for incineration. We have reviewed the submittal and offer the following comments:

1. The addition of ductwork and other stated changes to the batch digesters, the Kamyx digester, and the No. 5 set of multiple effect evaporators will serve to bring these presently uncontrolled sources into compliance by venting the total reduced sulfur (TRS) emissions from these sources to the new lime kiln for incineration, and will not cause any increase of TRS emissions from these points given that the present emissions are uncontrolled. The effective emission limits for these points will be 0 ppm since the TRS emissions will all be vented to the lime kiln for incineration. If a method other than incineration is chosen as a means for coming into compliance the limit is 5 ppm and the final compliance date is May 12, 1989. The level of emissions should be verified before and after the modifications.
2. In the event that the addition of ductwork or other stated changes causes an increase of emissions from any of these emission points, the changes could then subject the emission point(s) to NSPS via the modification provisions in 40 CFR Part 60.
3. On Page 5: Item No. 2 provides that by November 12, 1990, an initial compliance test shall be performed on the proposed new No. 4 lime kiln with the Non-Condensable Gas (NCG) handling system and all associated NCG emission points connected to it. As stipulated in 40 CFR 60.8, the owner of the affected facility must conduct the initial performance test within 60 days after achieving the maximum production rate, but no later than 180 days after initial startup.

- 4. The approval of this variance request presently hinges on the final approval of the Florida TRS plan. The final notice approving the plan (minus bubble provisions) has been sent to Headquarters for approval.

If you have any questions regarding these comments, please contact me or Stuart Perry of my staff at (404) 347-2864.

Sincerely,

Bruce P. Miller

Bruce P. Miller, Chief
Air Programs Branch
Air, Pesticides and Toxics
Management Division

wait for rule out

Mo
Bull

3-8-88

~~CITF~~

Bruce

By call Stuart Perry

404 347-2864

Comments from EPA

on CCA Variance pks
(Intent to Issue). Steve
gave the letter to me.

Res on Cont ~~to~~ Corp

Born

Variance

BM

for the CCA

Variance

File

[Signature]

3-8-88

Wall

2-21-88

@ 9:40

Spoke @ S. Perry. Comments - actual emissions

are they NSPS? No
according to their

(with) response

TAS Rule to Headquarters on Monday

(22)



Interoffice Memorandum

TO: Bill Stewart
FROM: Steve Smallwood *SS*
DATE: January 21, 1988
SUBJ: Petition for Variance (VE-45-313)
Container Corporation of America

For Routing To Other Than The Addressee

To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

The Department of Environmental Regulation will hold a public hearing regarding a Petition for Variance for Container Corporation of America. The hearing will be held in the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida, on March 3, 1988, at 9:30 a.m. Copies of the Public Notice and the Intent to Issue are enclosed.

Pursuant to the requirements of 40 CFR 51.4, please maintain this document available for public inspection until the date of the hearing.

If you have any questions or comments on the proposal, please call Bruce Mitchell at SUNCOM 278-1344.

SS/BM/s

Enclosures

cc: W. Starnes
M. Zilberberg
B. Pittman
R. Weber
B. Mitchell

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR

DALE TWACHTMANN
SECRETARY

January 21, 1988

Mr. Bruce Miller, Chief
Air Programs Branch
U.S. EPA, Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

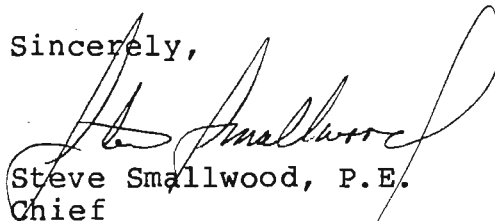
Dear Mr. Miller:

Re: Petition for Variance (VE-45-313)
Container Corporation of America

The Department of Environmental Regulation will hold a public hearing regarding a Petition for Variance for Container Corporation of America, located in Fernandina Beach, Nassau County, Florida. The hearing will be held in the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida, on March 3, 1988, at 9:30 a.m. A copy of the Public Notice and five copies of the Intent to Issue are enclosed. These documents are being submitted pursuant to 40 CFR 51.4 as the 30-day notification to the Administrator, through the Regional Office, of the hearing on this proposed revision to Florida's State Air Implementation Plan.

If you have any questions on this matter, please telephone me at (904)488-1344.

Sincerely,


Steve Smallwood, P.E.
Chief
Bureau of Air Quality
Management

SS/BM/s

Enclosures

cc: W. Starnes
M. Zilberberg
B. Pittman
R. Weber
B. Mitchell
M. Flores, NPS

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

January 21, 1988

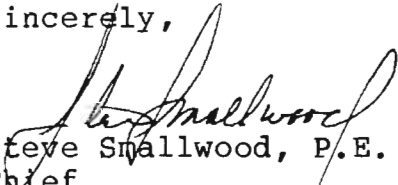
Mr. Robert H. Collum, Chief
Air Pollution Branch
Department of Natural Resources
270 Washington Street, S.W.
Atlanta, Georgia 30334

Dear Mr. Collum:

Enclosed for your information is a notice of public hearing regarding a Petition for Variance for Container Corporation of America, located in Fernandina Beach, Florida. The variance, if granted, would require a revision to the State Implementation Plan pursuant to 40 CFR 51. The hearing will be held at 9:30 a.m., on March 3, 1988, at the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Nassau County, Florida.

A copy of the Intent to Issue is also enclosed for your review. If you have any questions, please call Bruce Mitchell at (904)488-1344.

Sincerely,


Steve Smallwood, P.E.
Chief
Bureau of Air Quality
Management

SS/BM/s

Enclosures

cc: W. Starnes
M. Zilberberg
B. Pittman
R. Weber
B. Mitchell



Interoffice Memorandum

TO: Ed Middleswart
FROM: Steve Smallwood *JS*
DATE: January 21, 1988
SUBJ: Petition for Variance (VE-45-313)
Container Corporation of America

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

The Department of Environmental Regulation will hold a public hearing regarding a Petition for Variance for Container Corporation of America. The hearing will be held in the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida, on March 3, 1988, at 9:30 a.m. Copies of the Public Notice and the Intent to Issue are enclosed.

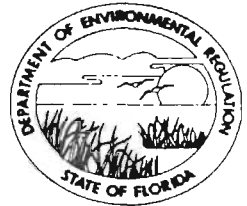
Pursuant to the requirements of 40 CFR 51.4, please maintain this document available for public inspection until the date of the hearing.

If you have any questions or comments on the proposal, please call Bruce Mitchell at SUNCOM 278-1344.

SS/BM/s

Enclosures

cc: W. Starnes
M. Zilberberg
B. Pittman
R. Weber
B. Mitchell



Interoffice Memorandum

TO: Khurshid Mehta
FROM: Steve Smallwood *SS*
DATE: January 21, 1988
SUBJ: Petition for Variance (VE-45-313)
Container Corporation of America

For Routing To Other Than The Addressee

To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

The Department of Environmental Regulation will hold a public hearing regarding a Petition for Variance for Container Corporation of America. The hearing will be held in the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida, on March 3, 1988, at 9:30 a.m. Copies of the Public Notice and the Intent to Issue are enclosed.

If you have any questions or comments on the proposal, please call Bruce Mitchell at SUNCOM 278-1344.

SS/BM/s

Enclosures

cc: W. Starnes
M. Zilberberg
B. Pittman
R. Weber
B. Mitchell

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

January 20, 1988

Ms. Liz Cloud
Office of Secretary of State
The Capitol, Suite 1802
Tallahassee, Florida 32301

RE: Notice of Proposed Agency Action

Dear Ms. Cloud:

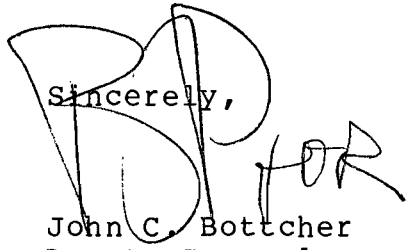
Please publish the attached Notice in the
January 29, 1988, issue of the Florida Administrative Weekly.

Please send the bill for publication of this item to:

Chief, Bureau of Accounting
and Budgeting
Department of Environmental
Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Thank you.

Sincerely,


John C. Bottcher
Deputy General Counsel

JCB/mdc
Attachment

FAW NOTICE COVER SHEET

Date to be filed: 01-21-88

PLFAWRUL # 174

- 1. Person originating Notice Bruce Mitchell
- 2. Subject of Notice Variance-Container Corporation of America
- 3. Type of Notice _____

- | | |
|--|------------|
| _____ Rulemaking §120.54, F.S. | RRC Review |
| _____ Rulemaking §403.8055, F.S. | N/A |
| _____ Workshop §17-102.300, F.A.C. | (Date) |
| _____ Meeting §286.011, F.S. | |
| <u>x</u> _____ Variance §17-103.110, F.A.C. | |
| _____ WQBEL Study §17-6.403, F.A.C. | |
| _____ Receipt of Rule Petition §28-3.013, F.A.C. | |
| _____ Declaratory Statement §120.565, F.S. | |
| _____ Other | |

4. Explain need, including Statute or Rule requiring the Notice.

Notice of Public Hearing as required by 17-103.100(4)

5. Notice is to be mailed:

- Department's rulemaking mailing list.
- A special mailing list, specify _____
- No mailing is required.

6. Comments: _____

APPROVALS:

Division Director: *Howard L. Choker*

OGC ATTORNEY: _____

Secretary: *Dale W. Matthews*

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

Initial

Date

2.

Initial

Date

3.

Initial

Date

4.

Initial

Date

REMARKS:

RECEIVED
JAN 11 1988

DIRECTOR - PROGRAMS

If any questions,
please call
Jane - 488-1344.

Note: Dates for
OCC & filing have
been changed.

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

Bruce Mitchell

DATE

1-11-88

PHONE

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION



Interoffice Memorandum

TO: Howard Rhodes
FROM: Steve Smallwood *SS*
DATE: January 7, 1988

FOR ROUTING TO OTHER THAN THE ADDRESSEE	
TO: _____	LOCTN: _____
TO: _____	LOCTN: _____
TO: _____	LOCTN: _____
FROM: _____	DATE: _____

SUBJ: Container Corporation of America Variance
Public Hearing Notice

The attached public hearing notice to be published in the Florida Administrative Weekly is being submitted for your approval prior to transmittal to the Office of General Counsel.

The notice must be received in the Office of General Counsel by noon January ~~12~~, 1988.

19,

RW:SS:jw

RECEIVED
JAN 13 1988

DIRECTOR - PROGRAMS

FAW NOTICE COVER SHEET

Date to be filed: 01-21-88 PLFAWRUL # 174

- 1. Person originating Notice Bruce Mitchell
- 2. Subject of Notice Variance-Container Corporation of America
- 3. Type of Notice _____

- | | |
|--|------------|
| _____ Rulemaking §120 54, F.S. | RRC Review |
| _____ Rulemaking §403.8055, F.S. | N/A |
| _____ Workshop §17-102.300, F.A.C. | (Date) |
| _____ Meeting §286.011, F.S. | |
| <input checked="" type="checkbox"/> Variance §17-103.110, F.A.C. | |
| _____ QBEL Study §17-6.403, F.A.C. | |
| _____ Receipt of Rule Petition §28-3.013, F.A.C. | |
| _____ Declaratory Statement §120.565, F.S. | |
| _____ Other | |

4. Explain need, including Statute or Rule requiring the Notice.

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- Department's rulemaking mailing list.
- A special mailing list, specify _____
- No mailing is required.

6. Comments: _____

APPROVALS:

Division Director: *Howard L. Choder*

OGC ATTORNEY: _____

Secretary: *Dale Matthews*

DOCUMENT SUMMARY

Library: PLFAWRUL
 Title: Notice/Container
 Document ID: 174
 Author: Bruce Mitchell
 Operator: Kim Sholar

Comments:

Number of Copies: 1
 From Page: 1 To Page: 2
 Starting Print Date/Time: 01/11/88 12:37

Notify U999 on System VS85A

STATISTICS

OPERATION	DATE	TIME	WORKTIME	KEYSTROKES
Created	12/04/87	8:47	:14	2145
Revised	01/08/88	15:17	:00	2
Last Retrieved	/ /	:	from:	
Last Archived	/ /	:	to: PLFAWRUL	
Total Pages:	2	Total Worktime:	1:27	
		Total Keystrokes:	3429	

NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Regulation gives notice of its receipt of application and of its intent to issue a variance (VE-45-313) with conditions pursuant to Section 403.201, Florida Statutes (F.S.), to Container Corporation of America, Fernandina Beach, Florida, for postponement of the final compliance date to June 1, 1990, as set forth in Florida Administrative Code (FAC) Rule 17-2.960, for 3 existing sources, the No. 5 Multiple Effect Evaporator (MEE) system, the batch digester system and the Kamyr digester system. A proposed new No. 4 Lime Kiln is designated as the facility's control device for combusting the total reduced sulfur (TRS) emissions collected and transported from the existing No. 5 MEE system, batch digester system and Kamyr digester system.

Any person who is substantially affected by the Department's proposed permitting decision may request a hearing in accordance with Section 120.57, F.S., and Chapters 17-1 and 28-5, FAC. The request for hearing must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, F.S.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009

Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to an administrative determination (hearing) under Section 120.57, F.S.

If granted, the variance would require a revision to the State Implementation Plan pursuant to 40 CFR Part 51. A hearing will be held on March 3, 1988 at the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida at 9:30 a.m. to hear public comment on the revision.

The petition for variance is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Regulation, Northeast District Office, 3426 Bills Road, Jacksonville, Florida 32207; Department of Environmental Regulation, Bureau of Air Quality Management Office, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

P 274 010 475

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1985-480-794
PS Form 3800, June 1985

Sent to Paul J. Magnell	
CGA and No.	
North 8th Street	
P.O. State and ZIP Code Fernandina Beach, FL 32034	
Postage	S
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	S
Postmark or Date 1/15/88 VE-45-313	

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

- Show to whom, date and address of delivery.
- Restricted Delivery.

3. Article Addressed to:
Paul J. Magnell
General Manager
Container Corporation of America
North 8th Street
Fernandina Beach, FL 32034

4. Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured <input type="checkbox"/> COD	Article Number P 274 010 475
---	--	--

Always obtain signature of addressee or agent and DATE DELIVERED.

- 5. Signature - Addressee**
X
- 6. Signature - Agent**
X *F. J. ...*
- 7. Date of Delivery**
1/19/88
- 8. Addressee's Address (ONLY if requested and fee paid)**

DOMESTIC RETURN RECEIPT

File Copy

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

January 15, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Paul J. Magnell
General Manager
Container Corporation of America
North 8th Street
Fernandina Beach, Florida 32034

Bruce

*Rec'd 1-19-88
BM*

Dear Mr. Magnell:

Re: Public Notice for Petition for Variance
VE-45-313

The Department needs you to publish the enclosed Public Notice in the local paper of general circulation. The notice must be placed in the paper no later than the week of January 25-29, 1988. A certified copy of the Public Notice is to be sent to the Department's Bureau of Air Quality Management.

If there are any questions, please call Bruce Mitchell at (904)488-1344.

Sincerely,
Bruce Mitchell
Bruce Mitchell
Bureau of Air Quality
Management

/bm

Enclosure

- cc: S. Smallwood
- C. Fancy
- W. Starnes
- B. Pittman
- B. Stewart
- B. Williams, JSC
- R. Hagan, CCA

Bruce ✓

Roy Weber ✓
Ready File } 1-15-88

NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Regulation gives notice of its receipt of application and of its intent to issue a variance (VE-45-313) with conditions pursuant to Section 403.201, Florida Statutes (F.S.), to Container Corporation of America, Fernandina Beach, Florida, for postponement of the final compliance date to June 1, 1990, as set forth in Florida Administrative Code (FAC) Rule 17-2.960, for 3 existing sources, the No. 5 Multiple Effect Evaporator (MEE) system, the batch digester system and the Kamyr digester system. A proposed new No. 4 Lime Kiln is designated as the facility's control device for combusting the total reduced sulfur (TRS) emissions collected and transported from the existing No. 5 MEE system, batch digester system and Kamyr digester system.

Any person who is substantially affected by the Department's proposed permitting decision may request a hearing in accordance with Section 120.57, F.S., and Chapters 17-1 and 28-5, FAC. The request for hearing must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, F.S.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009

BEST AVAILABLE COPY

Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to an administrative determination (hearing) under Section 120.57, F.S.

If granted, the variance would require a revision to the State Implementation Plan pursuant to 40 CFR Part 51. A hearing will be held on March 3, 1988 at the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida at 9:30 a.m. to hear public comment on the revision.

The petition for variance is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Regulation, Northeast District Office, 3426 Bills Road, Jacksonville, Florida 32207; Department of Environmental Regulation, Bureau of Air Quality Management Office, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION
INTEROFFICE MEMORANDUM

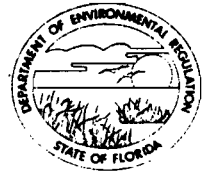
For Routing To District Offices And/Or To Other Than The Addressee		
To: _____	Loctn.: _____	
To: _____	Loctn.: _____	
To: _____	Loctn.: _____	
From: _____	Date: _____	
Reply Optional []	Reply Required []	Info. Only []
Date Due: _____	Date Due: _____	

TO: Dan Thompson
THRU: Howard Rhodes *HR*
FROM: Clair Fancy *CF*
DATE: January 14, 1988
SUBJ: Request for a Hearing Officer for Container Corporation
of America's Petition for Variance Administrative Hearing
in Fernandina Beach, Florida

The Bureau of Air Quality Management has scheduled an administrative hearing for Container Corporation of America's Petition for Variance. It is scheduled for March 3, 1988, which is a Thursday, and is to begin at 9:30 a.m. It will be held in the City of Fernandina Beach's Recreational Center auditorium. The auditorium will be available to the Department from 8:00 a.m. to 5:00 p.m.

Based on the above information, the Bureau needs to have a hearing officer assigned to chair the Petition for Variance proceedings. Will you please advise the Bureau when the hearing officer has been selected and who it will be.

If there are any questions, please call Bruce Mitchell or me at 488-1344. Thank you.



Interoffice Memorandum

TO: Howard Rhodes
FROM: Steve Smallwood *for*
DATE: January 7, 1988
SUBJ: Container Corporation of America Variance
Public Hearing Notice

FOR ROUTING TO OTHER THAN THE ADDRESSEE	
TO: <i>Steve Smallwood</i>	LOCN: _____
TO: <i>Pat - for meeting with Dale</i>	LOCN: _____
TO: _____	LOCN: _____
FROM: <i>HUR</i>	DATE: <i>1/8</i>

The attached public hearing notice to be published in the Florida Administrative Weekly is being submitted for your approval prior to transmittal to the Office of General Counsel.

The notice must be received in the Office of General Counsel by noon January 12, 1988.

RW:SS:jw

*Is this Jefferson
Smith or Container
Corporation?
Corporation Journal*

DER
JAN 8
BAQM

*This is CCA which
was recently acquired
by Jefferson Smith*

DER
FEB 8
BAQM

RECEIVED
JAN 7 1988

DIRECTOR - PROGRAMS

*In the company's most recent
submittals (within the last several weeks)
they still refer to themselves as
"Container Corp of America"
*for**

FAW NOTICE COVER SHEET

Date to be filed: 01-14-88 PLFAWRUL # 174

- 1. Person originating Notice Bruce Mitchell
- 2. Subject of Notice Variance-Container Corporation of America
- 3. Type of Notice _____

- _____ Rulemaking §120.54, F.S. RRC Review
- _____ Rulemaking §403.8055, F.S. N/A
- _____ Workshop §17-102.300, F.A.C. (Date)

- _____ Meeting §286.011, F.S.
- Variance §17-103.110, F.A.C.
- _____ WQBEL Study §17-6.403, F.A.C.
- _____ Receipt of Rule Petition §28-3.013, F.A.C.
- _____ Declaratory Statement §120.565, F.S.
- _____ Other

4. Explain need, including Statute or Rule requiring the Notice.

Notice of Public Hearing as required by 17-103.100(4)

5. Notice is to be mailed:

- () Department's rulemaking mailing list.
- () A special mailing list, specify _____
- (X) No mailing is required.

6. Comments: _____

APPROVALS:

Division Director: _____

OGC ATTORNEY: _____

Secretary: _____

DOCUMENT SUMMARY

Library:
Title: Notice/Container
Document ID:
Author: Bruce Mitchell
Operator: Kim Sholar

Comments:

Number of Copies: 1
From Page: 1 To Page: 2
Starting Print Date/Time: 01/07/88 3:29

Notify U999 on System VS85A

STATISTICS

OPERATION	DATE	TIME	WORKTIME	KEYSTROKES
Created	12/04/87	8:47	:14	2145
Revised	01/07/88	15:17	:49	1257
Last Retrieved	/ /	:	from:	
Last Archived	/ /	:	to:	
Total Pages:	2	Total Worktime:	1:09	
		Total Keystrokes:	3420	

NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Regulation gives notice of its receipt of application and of its intent to issue a variance (VE-45-313) with conditions pursuant to Section 403.201, Florida Statutes (F.S.), to Container Corporation of America, Fernandina Beach, Florida, for postponement of the final compliance date to June 1, 1990, as set forth in Florida Administrative Code (FAC) Rule 17-2.960, for 3 existing sources, the No. 5 Multiple Effect Evaporator (MEE) system, the batch digester system and the Kamyrdigester system. A proposed new No. 4 Lime Kiln is designated as the facility's control device for combusting the total reduced sulfur (TRS) emissions collected and transported from the existing No. 5 MEE system, batch digester system and Kamyrdigester system.

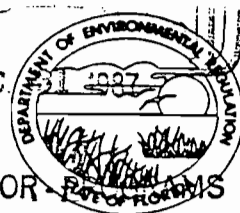
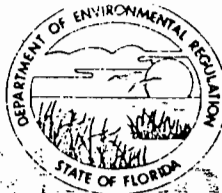
Any person who is substantially affected by the Department's proposed permitting decision may request a hearing in accordance with Section 120.57, F.S., and Chapters 17-1 and 28-5, FAC. The request for hearing must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, F.S.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009

Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to an administrative determination (hearing) under Section 120.57, F.S.

If granted, the variance would require a revision to the State Implementation Plan pursuant to 40 CFR Part 51. A hearing will be held on February 23, 1988 at the City of Fernandina Beach's Recreational Center Auditorium, 2500 Atlantic Avenue, Fernandina Beach, Florida at 9:30 a.m. to hear public comment on the revision.

The petition for variance is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Regulation, Northeast District Office, 3426 Bills Road, Jacksonville, Florida 32207; Department of Environmental Regulation, Bureau of Air Quality Management Office, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.



To Howard K,
From Dale Twachtmann
Date 30 Dec

Re: Jefferson Smurfitt

I'm not too anxious to do a one year's extension. We are having some other enforcement trouble with these people and I'm not anxious to give them any advantages. Perhaps a shorter extension should be negotiated.

RECEIVED
DEC 31 1987

DIRECTOR - PROGRAMS

State of Florida • Department of Environmental Regulation

Routing To Other Than The Addressee
Location: _____
Location: _____
Date: _____

Programs *mine*

RECEIVED
NOV 13 1987

Smurfitt
DIRECTOR - PROGRAMS

has substantially
Jefferson Smurfitt
lay compliance with the
missions from the
porators.

ons in a lime kiln.
a new kiln.
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that the variance be
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3 standard versus 20
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the substantial expense
existing kilns for one
y kiln is installed.
\$16 million. The TRS
st \$10 million.

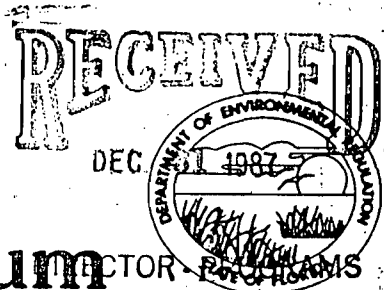
all from Ms. Carol
concern, and allegedly
the concerns of other local citizens, about granting a variance.
She was told that the Bureau is reviewing the variance request in

Howard

They need a one year extension if they are going to comply by replacing the existing lime kiln with a new one (which will have to meet tighter TRS smurfitt limit). A shorter time will help - they need that much time to do the whole extension is not granted they will have to spend there money on fixing up the existing one - and more money in any case to replace it (for pollution reasons).

Note
Q. Smurfitt bought the CCA plant this past year. I'm used to calling it the CCA plant.

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION



Interoffice Memorandum

For Routing To Other Than The Addressee	
To: <i>Howard Rhodes</i>	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

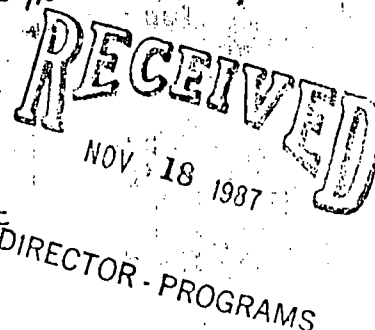
TO: Dale Twachtmann

THRU: Howard Rhodes *HR* Director Division of Programs *Mini*

FROM: Steve Smallwood *SS* P.E., Chief
Bureau of Air Quality Management

DATE: November 16, 1987

SUBJECT: TRS Variance Request from Jefferson Smurfitt



The Bureau of Air Quality Management (Bureau) has substantially completed a review of a variance request from Jefferson Smurfitt Pulp and Paper Mill, Fernandina Beach, to delay compliance with the TRS rule from May 1989 until May 1990 for emissions from the digester systems and the multiple effect evaporators.

The Company plans to incinerate those emissions in a lime kiln. Two existing lime kilns will be replaced with a new kiln. Construction of the new kiln won't be finished in time to meet the compliance date of May 12, 1989, as specified in the TRS rule.

After reviewing the request in accordance with the State's variance procedures, the Bureau intends to recommend that the variance be granted. Among other benefits, the one year's delay will result in a new kiln which must meet the 8 ppm NSPS TRS standard versus 20 ppm if emissions are incinerated in the existing kilns. It is not deemed reasonable for the facility to incur the substantial expense of installing a TRS ductwork system to the existing kilns for one year, then to remove that system when the new kiln is installed. The estimated cost for the new lime kiln is \$16 million. The TRS noncondensable gas system reportedly will cost \$10 million.

On November 9, 1987, the Bureau received a call from Ms. Carol Scarvey, Fernandina Beach, expressing her concern, and allegedly the concerns of other local citizens, about granting a variance. She was told that the Bureau is reviewing the variance request in accordance with existing requirements, and that the Bureau's recommendation will not be final until it has been made available to the public for thirty days and a public hearing has taken place. This is an EPA requirement since the variance, if approved, must be submitted as a SIP change. Subsequently, the proposal and the comments from the public would be presented to you for your review.

Dale Twachtmann
November 16, 1987
page two

Ms. Scarvey apparently understood the Bureau's reasons for recommending the variance and appeared to agree that the long term effect on the environment will outweigh any adverse impact during the one year's delay.

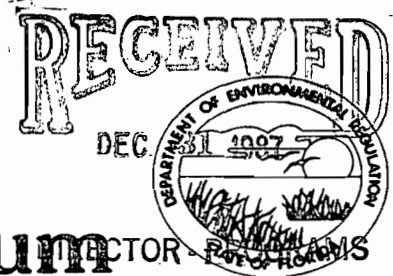
If you approve the variance, the public will have the additional opportunity to be heard by requesting a hearing pursuant to Section 120.57(2), Florida Statutes.

It is the purpose of this letter to inform you of the Bureau's actions, the public interest in this variance, and the Bureau's response to the public.

JB:ht

1/13

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION



Interoffice Memorandum

For Routing To Other Than The Addressee	
To: <i>Howard Rhodes</i>	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

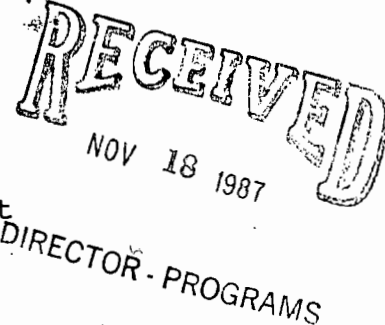
TO: Dale Twachtmann

THRU: Howard Rhodes, Director Division of Programs *mine*

FROM: Steve Smallwood, P.E., Chief
Bureau of Air Quality Management

DATE: November 16, 1987

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November 16, 1987
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JB:ht

1/13

From STEVE
Info to DT

To *Howard R.*
From Dale Twachtmann
Date *30 Dec*



by HUK
1/5

Re: *Jefferson Smurfitt*

*I'm not too anxious
to do a one year's extension.
We are having some other
enforcement trouble with these
people and I'm not anxious
to give them any advantages.*

*Perhaps a shorter extension
should be negotiated.*

RECEIVED

DEC 31 1987

DIRECTOR - PROGRAMS

State of Florida • Department of Environmental Regulation

(3)



Interoffice Memorandum

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

TO: Dale Twachtmann
THRU: Dan Thompson *AT*
THRU: Randy Armstrong *RA*
THRU: Howard Rhodes *HR*
FROM: *for* Steve Smallwood *SS*
DATE: December 18, 1987
SUBJ: Administrative Hearing on a Petition for Variance
(VE-45-313) for Container Corporation of America

*Jefferson Smitt
bought
Container
Corp.*

The Bureau staff has reviewed and coordinated the review of Container Corporation's variance petition with the NE Florida District Air Engineer, the Office of General Counsel and the Deputy Director of the Division of Permitting and have reached a consensus decision to recommend to you that the variance be granted. The Bureau staff has prepared an intent to issue and recommends that the Department begin the public notice requirements of 17-103.100 and the hearing requirements of 40 CFR 51.6. The latter is required because an air variance is a regulatory change on a major source and must become a State Implementation Plan revision as required by the E.P.A.

A copy of the variance petition and follow up correspondence and the proposed intent to issue is appended.

Upon your approval, we will proceed with the necessary public notices and will coordinate a hearing date, time, and location, if you intend to be the hearing officer. If you choose to designate someone else, we will coordinate the schedule with that person.

WES:jr

*22 Dec 87
OK / [Signature]*

RECEIVED

DEC 22 1987

Office of the Secretary

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

Steve Smallwood

Initial

Date

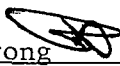
2.

Howard Rhodes

Initial

Date


3.

Randy Armstrong 

Initial

Date

4.

Dan Thompson 

Initial

Date

REMARKS:

Since the December 3, 1987 routing of the original intent to issue a variance, Container Corporation of America submitted additional information. This letter has been referred to in #7 on pages 3 and 6 and has been incorporated into the document as an attachment in #11 on page 7.

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

Bruce Mitchell (BAQM/CAPs)

DATE

12/17/87

PHONE

488-1344

6) CCA does not want to escalate the final compliance date of the proposed new No. 4 lime kiln to that of the existing sources, already identified for which a variance is sought, because of the time constraints associated with the design, engineering, delivery, construction, and initial compliance testing of the proposed new No. 4 lime kiln (estimated to take two years). Also, CCA wants to spread the total cost of the new No. 4 lime kiln and the TRS NCG system over a multi-year time period instead of a single year.

7) Over the last four years, CCA ^{asserts that it} has spent over \$100 million on upgrading and modernization, trying to make the mill more efficient and profitable. Besides the \$26 million committed to the proposed new No. 4 lime kiln and TRS NCG system, CCA intends to commit approximately \$2.7 million to upgrade and maintain the present mill in such a way as to minimize the facility's TRS emissions until final compliance is achieved (see Paul J. Magnell's letter dated November 12, ^{and December 11} 1987).

8) Nassau County has an estimated population of 41,000. CCA employs greater than 4% of the employed labor force. In 1986, CCA paid over \$2.8 million in property taxes, which is over 22% of the total property taxes collected by the County. CCA's wages are part of the reason that Nassau County is one of the top 4 counties in the State in per capita income.

9) The construction of the proposed new No. 4 lime kiln will result in the retirement of two existing lime kilns (Nos. 2 and 3). The proposed new No. 4 lime kiln will be subject to

program for minimizing TRS emissions that will be in effect prior to achieving final compliance.

- 5) After compliance has been demonstrated on the proposed new No. 4 lime kiln, CCA shall shut down the existing Nos. 2 and 3 lime kilns and surrender any active Departmental permits for these sources to the Department, but no later than November 12, 1990.
- 6) The TRS emissions from the No. 6 MEE system shall be diverted to the TRS NCG system by June 1, 1990.
- 7) CCA agreed to expend approximately \$2.7 million to minimize TRS emissions from the present facility during the interim period and prior to demonstrating final compliance on the sources for which this variance is sought, unless a greater amount is required to maintain the present facility and minimize TRS emissions during this period. ^(see Paul J. Magnell's letters dated November 12 and December 11, 1987) Documentation shall be required in the form of a Quarterly Report and the first report shall be due March 1, 1988.
- 8) The Quarterly Report shall be submitted to the Department's Northeast District office describing the status of the facility's progress in complying with the terms of this variance. The report shall also describe any equipment upgrades and interim maintenance procedures implemented, and their associated costs, to minimize TRS emissions from the present facility.

- 9) The Department shall be notified in writing prior to any deviation(s) from the terms contained in this variance.

- 10) This variance is null and void if CCA alters its strategy to comply with the TRS Rule(s) contained in Rule 17-2, FAC, by using an existing source to treat/combust the facility's TRS emissions instead of the proposed new No. 4 lime kiln. Consequently, the mill's existing sources, for which this variance is sought and subject to the TRS Rule, will have to be in final compliance in accordance with Rule 17-2.960, FAC, if the proposed new No. 4 lime kiln is not constructed to treat/combust the facility's TRS emissions as reflected by their application for this variance.

- 11) The following attachments are incorporated:
 1. Mr. Paul J. Magnell's letter dated January 30, 1987, and received February 12, 1987.
 2. Mr. C.H. Fancy's letter dated March 12, 1987.
 3. Mr. Paul J. Magnell's letter dated March 19, 1987, and received March 25, 1987.
 4. Mr. Steve Smallwood's letter dated July 21, 1987.
 5. Mr. Paul J. Magnell's letter dated August 19, 1987, and received August 25, 1987.
 6. Mr. Paul J. Magnell's letter dated October 13, 1987, and received October 21, 1987.
 7. Mr. Paul J. Magnell's letter dated November 12, 1987, and received November 16, 1987.
 8. Mr. Paul J. Magnell's letter dated December 11, 1987, and received December 11, 1987 (hand delivered).



Interoffice Memorandum

TO: Dale Twachtmann
THRU: Dan Thompson
THRU: Randy Armstrong
THRU: Howard Rhodes
FROM: Steve Smallwood
DATE: December 3, 1987
SUBJ: Administrative Hearing on a Petition for Variance
(VE-45-313) for Container Corporation of America

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

The Bureau staff has reviewed and coordinated the review of Container Corporation's variance petition with the NE Florida District Air Engineer, the Office of General Counsel and the Deputy Director of the Division of Permitting and have reached a consensus decision to recommend to you that the variance be granted. The Bureau staff has prepared an intent to issue and recommends that the Department begin the public notice requirements of 17-103.100 and the hearing requirements of 40 CFR 51.6. The latter is required because an air variance is a regulatory change on a major source and must become a State Implementation Plan revision as required by the E.P.A.

A copy of the variance petition and follow up correspondence and the proposed intent to issue is appended.

Upon your approval, we will proceed with the necessary public notices and will coordinate a hearing date, time, and location, if you intend to be the hearing officer. If you choose to designate someone else, we will coordinate the schedule with them.

WES:jw

22 Dec 87
OK/OUT

CERTIFIED MAIL P ### ### ###
RETURN RECEIPT REQUESTED

Intent to Issue

Mr. Paul J. Magnell
General Manager
Container Corporation of America
Post Office Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

Container Corporation of America
Petition for Variance
File No. VE-45-313
Nassau County

On March 19, 1987, the Department received the above referenced Petition for Variance pursuant to Rule 17-2.960(1)(g)1., Florida Administrative Code (FAC), and Section 403.201, Florida Statutes (FS). Container Corporation of America requested a variance to June 1, 1990, at which time final compliance will have to be demonstrated for the existing No. 5 multiple effect evaporator (MEE) system, batch digester system and Kamyr digester system.

The Department has reviewed the Petition for Variance and hereby gives notice of its intent to issue to Container Corporation of America (CCA) a variance based on the following findings:

- 1) Part of CCA's current modernization program and proposed "TRS Conceptual Compliance Plan" is the installation of a new No. 4 lime kiln, replacing the existing Nos. 2 and 3 lime kilns.
- 2) Another part of the proposed "TRS Conceptual Compliance Plan" is the installation of a TRS noncondensable gas (NCG) handling system for capturing and transporting TRS emissions from the existing No. 5 MEE system, batch digester system and Kamyr digester system, to a combustion source. Without a variance, final compliance for these existing sources will

have to be demonstrated by May 12, 1989, pursuant to Rule 17-2.960(1)(d), FAC.

- 3) The combustion source selected by CCA to treat/combust the TRS emissions collected by the NCG system is the proposed new No. 4 lime kiln. The proposed new No. 4 lime kiln cannot be constructed and in compliance by May 12, 1989 - the final compliance date for the existing No. 5 MEE system, batch digester system and Kamyr digester system; therefore, the company has requested a variance for the existing No. 5 MEE system, batch digester system and Kamyr digester system, to June 1, 1990, to allow for completion of the construction and start-up of the proposed new No. 4 lime kiln (which is required to be in final compliance by November 12, 1990, pursuant to Rule 17-2.960(1)(d)3.b., FAC).

- 4) Container Corporation of America, therefore, applied to the Department for a variance under Chapter 403.201(1)(b), FS, pursuant to Rule 17-2.960(1)(g)1., FAC. Following a completeness review, supplemental information was requested and received, thus completing the variance application package.

- 5) In order to avoid redundancy and improve cost-effectiveness, CCA does not propose to install and operate a temporary or secondary TRS NCG control system for the existing No. 5 MEE system, batch digester system and Kamyr digester system, because it would be disconnected and dismantled after the proposed new No. 4 lime kiln and TRS NCG system are connected (by June 1, 1990).

- 6) CCA does not want to escalate the final compliance date of the proposed new No. 4 lime kiln to that of the existing sources, already identified for which a variance is sought, because of the time constraints associated with the design, engineering, delivery, construction, and initial compliance testing of the proposed new No. 4 lime kiln (estimated to take two years). Also, CCA wants to spread the total cost of the new No. 4 lime kiln and the TRS NCG system over a multi-year time period instead of a single year.

- 7) Over the last four years, CCA asserts that it has spent over \$100 million on upgrading and modernization, trying to make the mill more efficient and profitable. Besides the \$26 million committed to the proposed new No. 4 lime kiln and TRS NCG system, CCA intends to commit approximately \$2.7 million to upgrade and maintain the present mill in such a way as to minimize the facility's TRS emissions until final compliance is achieved (see Paul J. Magnell's letters dated November 12 and December 11, 1987).

- 8) Nassau County has an estimated population of 41,000. CCA employs greater than 4% of the employed labor force. In 1986, CCA paid over \$2.8 million in property taxes, which is over 22% of the total property taxes collected by the County. CCA's wages are part of the reason that Nassau County is one of the top 4 counties in the State in per capita income.

- 9) The construction of the proposed new No. 4 lime kiln will result in the retirement of two existing lime kilns (Nos. 2 and 3). The proposed new No. 4 lime kiln will be subject to

the emission limiting standards of the federal New Source Performance Standards (NSPS), 40 CFR 60, Subpart BB, adopted by reference in Rule 17-2.660, FAC. Consequently, the proposed new No. 4 lime kiln, as opposed to the two existing lime kilns, will be a more efficient and reliable combustion source for handling the facility's TRS emissions. Also, the particulate matter emissions limiting standard(s) for the proposed new No. 4 lime kiln will be more stringent than the current standard(s) for the existing Nos. 2 and 3 lime kilns.

- 10) The control system for the proposed new No. 4 lime kiln is an electrostatic precipitator, which is an excellent control device for particulate matter. By eliminating the existing wet scrubber systems on the existing lime kilns, which use contaminated condensate for their scrubbing medium, an additional reduction in TRS emissions will be effected (past test results show a large range of TRS emissions from both systems). Therefore, eliminating two existing air pollution sources for a tightly regulated, more efficient source is more desirable from an environmental and regulatory perspective.
- 11) Pursuant to Rule 17-2.960(1)(e), FAC, a mill is allowed up to two years extension under a variance. CCA requested from May 12, 1989 to June 1, 1990, under the Petition for Variance, for additional time to demonstrate final compliance for the existing No. 5 MEE system, batch digester system and Kamyrdigester system. Approval of the Petition for Variance will result in requiring final compliance of these sources to be demonstrated by June 1, 1990.

The Department hereby gives notice of its intent to issue a variance (VE-45-313) to Container Corporation of America for the No. 5 MEE system, batch digester system and Kamyr digester system, subject to the following conditions:

- 1) The existing No. 5 MEE system, batch digester system and Kamyr digester system, shall be in final compliance with Rule 17-2, FAC, by June 1, 1990.
- 2) By November 12, 1990, an initial compliance test in accordance with 40 CFR 60.8, Subpart A, shall be performed on the proposed new No. 4 lime kiln with the TRS NCG system connected to it and with all of the TRS NCG emission sources, which is to include the No. 6 MEE system, in operation (90-100% of permitted capacities).
- 3) A construction permit application with the appropriate fee shall be submitted by CCA to the Department by May 12, 1988, for the proposed new No. 4 lime kiln pursuant to Rule 17-2.960(1)(d)3.b., FAC.
- 4) CCA shall upgrade, where cost effective and practical, and maintain the present facility in such a manner as to minimize interim TRS emissions. Pursuant to Rule 17-2.600(4)(c)1.c., FAC, a maintenance and malfunction contingency plan shall be submitted to the Department's Northeast District office and the Bureau of Air Quality Management office within ninety days after the effective date of this variance, outlining the interim maintenance

program for minimizing TRS emissions that will be in effect prior to achieving final compliance.

- 5) After compliance has been demonstrated on the proposed new No. 4 lime kiln, CCA shall shut down the existing Nos. 2 and 3 lime kilns and surrender any active Departmental permits for these sources to the Department, but no later than November 12, 1990.
- 6) The TRS emissions from the No. 6 MEE system shall be diverted to the TRS NCG system by June 1, 1990.
- 7) CCA agreed to expend approximately \$2.7 million to minimize TRS emissions from the present facility during the interim period and prior to demonstrating final compliance on the sources for which this variance is sought, unless a greater amount is required to maintain the present facility and minimize TRS emissions during this period (see Paul J. Magnell's letters dated November 12 and December 11, 1987). Documentation shall be required in the form of a Quarterly Report and the first report shall be due March 1, 1988.
- 8) The Quarterly Report shall be submitted to the Department's Northeast District office describing the status of the facility's progress in complying with the terms of this variance. The report shall also describe any equipment upgrades and interim maintenance procedures implemented, and their associated costs, to minimize TRS emissions from the present facility.

- 9) The Department shall be notified in writing prior to any deviation(s) from the terms contained in this variance.

- 10) This variance is null and void if CCA alters its strategy to comply with the TRS Rule(s) contained in Rule 17-2, FAC, by using an existing source to treat/combust the facility's TRS emissions instead of the proposed new No. 4 lime kiln. Consequently, the mill's existing sources, for which this variance is sought and subject to the TRS Rule, will have to be in final compliance in accordance with Rule 17-2.960, FAC, if the proposed new No. 4 lime kiln is not constructed to treat/combust the facility's TRS emissions as reflected by their application for this variance.

- 11) The following attachments are incorporated:
 1. Mr. Paul J. Magnell's letter dated January 30, 1987, and received February 12, 1987.
 2. Mr. C.H. Fancy's letter dated March 12, 1987.
 3. Mr. Paul J. Magnell's letter dated March 19, 1987, and received March 25, 1987.
 4. Mr. Steve Smallwood's letter dated July 21, 1987.
 5. Mr. Paul J. Magnell's letter dated August 19, 1987, and received August 25, 1987.
 6. Mr. Paul J. Magnell's letter dated October 13, 1987, and received October 21, 1987.
 7. Mr. Paul J. Magnell's letter dated November 12, 1987, and received November 16, 1987.
 8. Mr. Paul J. Magnell's letter dated December 11, 1987, and received December 11, 1987 (hand delivered).

Any administrative relief approved by the Department must also be approved by the Regional Administrator of Region IV, United States Environmental Protection Agency (EPA). The Department will coordinate with the Atlanta office of the EPA in this regard to the maximum extent possible.

Pursuant to Rules 17-103.100 and 17-103.150, FAC, the petitioner shall publish at his expense one time only the attached legal notice in a newspaper of general circulation in the area affected by the proposed project. Proof of publication shall be in the form of an affidavit of publication submitted to the Office of the Director of the Division of Environmental Permitting, Department of Environmental Regulation. The Department will place the public notice in the Florida Administrative Weekly.

This Intent to Issue shall be placed before the Secretary for final action, unless an appropriate petition for a hearing pursuant to the provision of Section 120.57, FS, is filed within fourteen (14) days of publication of the public notice (copy attached) required pursuant to Rule 17-103.150, FAC. Should anyone wish to dispute a material fact or object to a condition of this proposed intent, a petition for a formal hearing shall be filed in accordance with the provisions of Section 120.57(1), FS. The petition must comply with the requirements of Rules 17-103.155 and 28-5.201, FAC (copies attached), and be filed pursuant to Rule 17-103.155(1), FAC, in the Office of General Counsel of the Department of Environmental Regulation at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to file a petition within fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, FS.

In the event a formal hearing is conducted pursuant to Section 120.57(1), FS, all parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination of witnesses and submit rebuttal evidence, to submit proposed findings of facts and orders, to file exceptions to any order of the hearing officer's recommended order, and to be represented by counsel. If an informal hearing is requested, pursuant to Section 120.57(2), FS, the agency, in accordance with its rules of procedure, will provide affected persons or parties or their counsel an opportunity at a convenient time and place, to present to the agency or hearing officer, written or oral evidence in opposition to the agency's action or refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction.

The administrative hearing process is designed to formulate agency action. Accordingly, if a petition is filed, the Department's final action may be different from the proposed agency action. Therefore, persons who may not wish to file a petition, may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, FS.

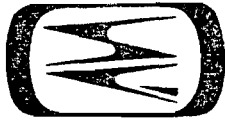
If the Department does not receive a petition for hearing within the time allowed by this letter and does receive proof of public notice from the petitioner, a final order will be issued.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

<hr/>	<hr/>
Dale Twachtmann	Date
Secretary	
2600 Blair Stone Road	
Twin Towers Office Building	
Tallahassee, Florida	
32399-2400	

Copies furnished to:

- S. Smallwood, DER
- H. Rhodes, DER
- R. Armstrong, DER
- E. Frey, DER
- C. Fancy, DER
- J. Brown, DER
- M. Zilberberg, Esq., DER
- B. Pittman, Esq., DER
- B. Miller, EPA
- M. Flores, NPS
- B. Williams, JSC
- R. Hagan, CCA



JSC/CCA

23 Dec. 1987
Fernandina Beach, FL
CM: P 093 976 925

JEFFERSON SMURFIT CORPORATION & CONTAINER CORPORATION OF AMERICA

CERTIFIED MAIL

December 17, 1987

Mill Division

NORTH 8TH STREET

P.O. BOX 2000

FERNANDINA BEACH, FL 32034

TELEPHONE: 904/261-5551

DER

DEC 24 1987

BAQM

Mr. C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality Management
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Completeness Review for Applications to Construct
AC 45-141871, -141872, -141873, -141874, -141875, -141877, -141878

Dear Mr. Fancy:

We received the above-referenced completeness review in reference to the construction permit applications listed. The following will represent our response to the questions raised in that review. The responses are referenced to the question number as listed in your December 10 letter.

1. We have noted the assigned permit numbers and sources.
2. We understand that the final compliance dates of the affected sources are not approvable until the Petition for Variance has been acted upon. We would, however, like to restate that our present planning and scheduling of this project is based upon the Department taking favorable action on this Petition in the very near future. Further delays in granting the variance will only serve to make the task of completing the necessary design, construction, and start-up functions in a timely manner much more difficult and may cause a delay in the actual start-up dates which we have proposed.
3. Since the new No. 4 lime kiln will be an NSPS source, we have included in its application package an analysis which shows that there will be no PSD significant net emissions increase in any pollutant as a result of its construction and start-up. This includes three TRS sources which will be collected and incinerated in that kiln. Since the only other affected TRS sources in the mill will be controlled via scrubbing, it is clear that facility-wide, there will be no PSD significant net emissions increase as a result of the TRS control projects.
4. We intend to submit a permit amendment request for the No. 6 MEE system to reflect changing its incineration device to the new No. 4 kiln. However, since that particular change will not be done until 1990, and since it will not require a construction permit, we have not intended to file that request until sometime in 1989. Please advise if there is some reason that this would be required earlier than we had planned.

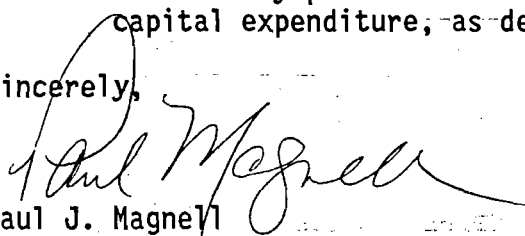
5. The mill's commitment to proceed with the permitting and construction of the new kiln and causticizing system is independent of the Petition for Variance. The replacement of the existing kilns and causticizing equipment is necessary in order to bring that area into compliance with the TRS Rule.
6. In a letter dated October 26, 1987, CCA requested that the tall oil plant interim operating permit maximum operating rate be amended to show the peak maximum operating rate, as advised by Steve Smallwood. This rate was determined to be 8.5 tons/hr of crude tall oil. That amendment was accepted by the Department in a letter dated November 12, 1987. Since the TRS potential and allowable emissions are calculated solely on the basis of CTO produced, and since only the crude tall oil production rate is listed as a specific condition on the interim operating permit, the process input rates were not adjusted at that time.
7. The permit processing fees submitted were determined in accordance with FAC 17-4.05(4)(a), which sets construction permit fees based upon "potential emissions" from the source. Potential emissions as defined in 17-2.100(124) include the maximum capacity of a source to emit a pollutant under its physical and operational design. That design includes "Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment...". Since the emissions from the digester systems and evaporator will be collected and incinerated in the new No. 4 lime kiln, the potential emissions from those sources is less than 25 tpy and the appropriate fee is \$100 each. In the case of the No. 4 smelt dissolving tank, we do not feel that a \$1000 processing fee is appropriate since the potential emissions of TRS amount to less than 25 tpy. While that source does emit more than 100 tpy of particulate, it is already permitted for that emission. As shown in the application, we intend to install a scrubber in place of the existing demister as the control for both PM and TRS. As such, we are not required to submit a construction permit to replace the control device for PM, and are only required by the TRS rule to make that submission. Therefore, we feel that only the potential TRS emissions are applicable and the appropriate fee is again \$100.
- 8, 9. Based upon Mr. David Buff's (KBN Engineering) conversation with Mr. Bruce Mitchell of your staff, the information regarding the contemporaneous emission reductions from the existing lime kiln, lime slakers and lime bins presented in Attachment C of the No. 4 Lime Kiln permit application appears to provide the requested information. This information presents the basis for the estimated actual annual emissions from the existing sources which will be

shutdown. Annual emissions were quantified because the significant emission rates for PSD new source review are expressed in terms of tons per year. Therefore, we saw no reason to present maximum hourly or daily rates. However, Mr. Mitchell also expressed a concern that our requested contemporaneous reductions for the lime slakers and lime bins not exceed the allowable emissions for which the existing system is permitted. All of the emission reductions from these sources were based upon the actual amount of lime processed in 1986 (149,968 TPY). The total amount of lime processed in 1986 includes 14,641 TPY of purchased lime. Thus, the two kilns produced 135,327 TPY of lime. In comparison, the existing No. 1 and No. 2 Kilns are permitted for a process input rate of 26,000 lb/hr and 32,000 lb/hr, respectively, or a total of 58,000 lb/hr. This equates to a total lime production rate of approximately 34,800 lb/yr, or 17.4 TPH. There are no restrictions upon operating hours, so that the total permitted capacity of the two kilns is 152,424 TPY. In addition, there are no restrictions upon the amount of purchased lime which can be handled by the lime slakers and lime bins.

This comparison shows that in no event do the documented contemporaneous reductions exceed the maximum rate and emissions for which the system is designed or permitted.


10. In regard to the existing sources for which applications have been submitted, there have been no physical changes or changes in the method of operation since September 24, 1976, except those excluded under the definition of "modification" under federal New Source Performance Standards, 40 CFR Part 60.14. Routine maintenance, repair, and replacement of component parts has occurred, as well as year-to-year variations in hours of operation and in production rates. Any production rate increases were accomplished without a capital expenditure, as defined in 40 CFR Part 60.

Sincerely,


Paul J. Magne
General Manager

PJM/ma

Copied: Bruce Mitchell
Pradeep Raval
OFF/ST
B. Stewart - NE Dist
B. Pittman - Eng.

} 12.29.87 

PM
12-14-87
Fernandine Beach, FL

File Copy



JSC/CCA

JEFFERSON SMURFIT CORPORATION & CONTAINER CORPORATION OF AMERICA

Mill Division
NORTH 8TH STREET
P.O. BOX 2000
FERNANDINA BEACH, FL 32034
TELEPHONE: 904/261-5551

December 11, 1987

DER

DEC 16 1987

BAQM

Mr. Bruce Mitchell
FLORIDA DEPARTMENT OF ENVIRONMENTAL
REGULATION
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Mitchell:

The Department has requested some additional information pertaining to our request for a variance on the TRS compliance schedule. The information attached consists of a further breakdown of the estimated costs of the various parts of the TRS compliance project. The estimated equipment costs are from actual vendor proposals for the equipment required, as compiled by the design engineering firm of Reynolds, Smith and Hill, Inc. The estimates for piping, mechanical, structural/civil, electrical, instrumentation, and indirect costs were also supplied by R.S. & H. from their own detailed design engineering of the systems. You will note that the estimates have changed somewhat from the preliminary numbers submitted with the compliance plan. This is a result of further engineering and refinement of the cost estimates. The current total estimated cost of each part of the project is reasonably close to the original estimates, except the cost of the lime kiln and causticizing equipment installation which has increased dramatically. The estimated overall cost of the project has also increased to \$29 million.


You had also requested a further breakdown of the estimate of \$2.7 million for maintenance of the existing systems in good operating condition during the 12 months duration of the variance. As explained in my letter of November 12, 1987, this figure was derived from historical maintenance figures for the systems involved. Specifically, year-to-date expenditures for 1987 were totalled for the stock side (batch and kamyrdigester systems) and liquor side (2 evaporators and 2 recovery boilers) of the pulp mill. The liquor side number was factored by 25% to estimate the expenditures for No. 5 MEE alone. This was added to the stock side total and annualized. That explains the derivation of the \$2.7 million figure. As also mentioned in the November 12 letter, this figure compares well to our maintenance budget for those areas for the coming year. The various types of maintenance which we expect this figure to include are also listed in the previous letter.

Mr. Bruce Mitchell
December 11, 1987
Page -2-

The Department also requested a further breakdown of the previous expenditures on mill modernization as mentioned in our variance. We stated that well over \$100 million had been spent in recent years to try to make this facility profitable once again. The majority of this money was spent on a series of modernization projects collectively known as the Fernandina Mill Optimization Project (FMOP). FMOP was begun in 1984 and is being completed in two phases. Phase I included complete rebuilds of two paper machines and the shut down of the third machine, along with installation of distributed computer control systems throughout the pulp mill and paper mill. There were many other parts of Phase I which included improvements in virtually every part of the mill. Total expenditures on FMOP Phase I to date are \$76 million. Phase II of FMOP is the construction of a complete new wood handling facility at the mill including a log flume, new barking drums, chippers, bark handling system and chip stacker/reclaimer facilities. To date expenditures on Phase II are \$25 million. Thus in these two phases alone, over \$100 million has been spent. In addition, many other projects have been completed at the mill during this same time frame. These include such things as the construction of a new electro-static precipitator for our No. 5 Power Boiler, which enables us to burn more wood waste with a drastic reduction in particulate emissions. This project, completed in 1986, cost another \$7 million.

From the above explanation, I hope it is clear that the cost estimates and expenditure figures submitted by CCA in support of our variance request are certainly valid and are very conservative. I trust this information will serve to clear up any concerns the Department has over the validity of our request and the genuine need on our part for the DER to grant the variance in a timely manner.

Sincerely,


for Paul J. Magnell
General Manager

PJM/mcp

COST SUMMARY BY DEPARTMENT

	<u>KAMYR</u>	<u>BATCH</u>	<u>#5 MEE</u>	<u>#4 REC +SDT</u>	<u>TALL OIL</u>	<u>#4 KILN</u>
EQUIPMENT	1,069,300	1,242,400	258,400	101,300	67,600	8,490,000
PIPING	916,915	928,454	217,605	106,044	82,057	1,760,000
MECHANICAL	-----	211,179	-----	135,063	-----	379,000
STRUCTURAL/CIVIL	119,080	347,025	1,315	18,980	25,550	5,780,000
ELECTRICAL	160,545	147,245	4,125	57,174	37,931	2,024,000
INSTRUMENTATION	180,470	249,416	71,164	27,088	31,624	720,000
<u>TOTAL DIRECTS</u>	<u>2,446,310</u>	<u>3,125,719</u>	<u>552,609</u>	<u>445,649</u>	<u>244,762</u>	<u>19,153,000</u>
INDIRECTS*(15%)	366,690	468,881	82,891	66,851	36,738	2,500,000
TOTAL	2,813,000	3,594,600	635,500	512,500	279,500	21,653,000

*INDIRECTS: Engineering, Spare Parts, Construction Management, Start-Up, Owner Administrative, Escalation and Contingency

12/11/87



JSC/CCA

Bruce,
I left one at
front desk to be stamped
in. If you have
questions on this let me
know.
Terry Cole

JEFFERSON SMURFIT CORPORATION & CONTAINER CORPORATION OF AMERICA

Mill Division
NORTH 8TH STREET
P.O. BOX 2000
FERNANDINA BEACH, FL 32034
TELEPHONE: 904/261-5551

December 11, 1987

DER

DEC 11 1987

BAQM

Mr. Bruce Mitchell
FLORIDA DEPARTMENT OF ENVIRONMENTAL
REGULATION
2600 Blair Stone Road
Tallahassee, FL 32399-2400

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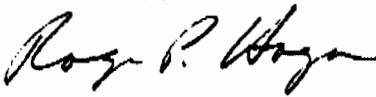
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Mr. Bruce Mitchell
December 11, 1987
Page -2-

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Sincerely,


for Paul J. Magnell
General Manager

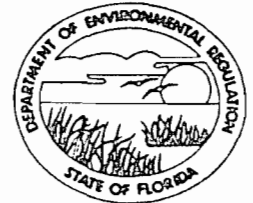
PJM/mcp

COST SUMMARY BY DEPARTMENT

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*INDIRECTS: Engineering, Spare Parts, Construction Management, Start-Up, Owner Administrative, Escalation and Contingency

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION



Interoffice Memorandum

For Routing To Other Than The Addressee	
To: <i>John Brown</i>	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

TO: Dale Twachtmann

THRU: Howard Rhodes, Director Division of Programs *HR*

FROM: Steve Smallwood, P.E., Chief
Bureau of Air Quality Management

DATE: November 16, 1987

SUBJECT: TRS Variance Request from Jefferson Smurfitt

The Bureau of Air Quality Management (Bureau) has substantially completed a review of a variance request from Jefferson Smurfitt Pulp and Paper Mill, Fernandina Beach, to delay compliance with the TRS rule from May 1989 until May 1990 for emissions from the digester systems and the multiple effect evaporators.

The Company plans to incinerate those emissions in a lime kiln. Two existing lime kilns will be replaced with a new kiln. Construction of the new kiln won't be finished in time to meet the compliance date of May 12, 1989, as specified in the TRS rule.

After reviewing the request in accordance with the State's variance procedures, the Bureau intends to recommend that the variance be granted. Among other benefits, the one year's delay will result in a new kiln which must meet the 8 ppm NSPS TRS standard versus 20 ppm if emissions are incinerated in the existing kilns. It is not deemed reasonable for the facility to incur the substantial expense of installing a TRS ductwork system to the existing kilns for one year, then to remove that system when the new kiln is installed. The estimated cost for the new lime kiln is \$16 million. The TRS noncondensable gas system reportedly will cost \$10 million.

On November 9, 1987, the Bureau received a call from Ms. Carol Scarvey, Fernandina Beach, expressing her concern, and allegedly the concerns of other local citizens, about granting a variance. She was told that the Bureau is reviewing the variance request in accordance with existing requirements, and that the Bureau's recommendation will not be final until it has been made available to the public for thirty days and a public hearing has taken place. This is an EPA requirement since the variance, if approved, must be submitted as a SIP change. Subsequently, the proposal and the comments from the public would be presented to you for your review.

Dale Twachtmann
November 16, 1987
page two

Ms. Scarvey apparently understood the Bureau's reasons for recommending the variance and appeared to agree that the long term effect on the environment will outweigh any adverse impact during the one year's delay.

If you approve the variance, the public will have the additional opportunity to be heard by requesting a hearing pursuant to Section 120.57(2), Florida Statutes.

It is the purpose of this letter to inform you of the Bureau's actions, the public interest in this variance, and the Bureau's response to the public.

JB:ht
/b

File Copy



AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

November 12, 1987

DER

NOV 16 1987

BAQM

PM
13 Nov. 1987
Fernandina Beach, FL

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Fancy:

In a letter dated August 19, 1987 to Mr. Steve Smallwood, Container Corporation of America stated that maintenance of the existing systems in good operating condition during the 12 months duration of the variance request was budgeted to cost approximately \$2.7 million. Mr. Bruce Mitchell of your Department has recently requested a further breakdown of that figure in order to facilitate issuance of the variance. The overall figure of \$2.7 million was developed from recent historical data on typical maintenance expenditures for the continuous digesters, batch digesters, and No. 5 MEE systems. These figures were also compared with the maintenance budget for the mill overall and the specific departments involved and were found to be in good agreement.

It is intended that these expenditures will be made to keep the systems in good operating condition so as to minimize TRS emissions. Typical maintenance which would be performed to accomplish this would include the following measures:

Maintenance of digester vessels, blow lines, blow tanks, turpentine collection systems, liquor conveyance lines, and vapor lines so as to minimize leakage of black liquor and cooking vapors to atmosphere.

Repair and replacement as required of pump packing and gaskets associated with the liquor and vapor handling systems involved.

Regular cleaning and maintenance of separators and screens associated with the digester and evaporator turpentine collection systems, so as to prevent excessive venting of digester gases to atmosphere due to plugging.

Regular cleaning and maintenance of evaporator and concentrator elements to provide adequate vapor flow paths to prevent excessive venting of vapors.

Maintenance of control systems to prevent excessive TRS emissions due to simultaneous digester blows to the same blow tank, and to maintain good operating procedures.

Please let us know if there are any further questions or comments on this, and please keep us advised on the status of our variance request.

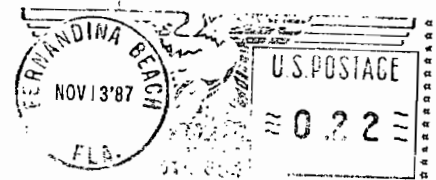
cc'd:
CHF/BT
Variance Review Committee } 11-18-87 RBN

PJM/js

Sincerely,

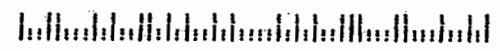
Paul J. Magnell
Paul J. Magnell
General Manager

19



North Eighth Street
Fernandina Beach, Florida 32034

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400





AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division
DER

North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

OCT 21 1987

October 13, 1987

BAQM

Mr. Steve Smallwood, Chief
Bureau of Air Quality Management
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32301

DER

OCT 20 1987

Re: TRS Construction Permit Applications

BAQM

Dear Mr. Smallwood:

We appreciated the opportunity to meet with members of your staff on October 8, 1987 to discuss Container Corporation of America's (CCA) plans to comply with the TRS Rule. We sincerely regret that you were unable to attend. The review of CCA plans developed a good exchange of information which will be valuable to us in filing construction permit applications. An understanding of the details of the plan should be equally valuable to your staff in processing the applications.

The meeting began with a review of the elements of the plan applicable to specific sources. Next the discussion moved to final compliance dates and the status of the request for a variance. Very quickly it became apparent that the dates originally requested do not provide adequate time for start-up, stable operation, compliance testing and certification of the continuous emission monitors (CEMS).

CCA will maintain the permit application and construction schedule as stipulated in the compliance plan. The sources listed are also intended to be on-line and "in compliance" with the applicable TRS limits on the "final compliance" dates listed in the compliance plan. However, time for start-up and stable operation, compliance testing and CEMS certification must be provided subsequent to the dates shown for completion of construction. We realize that the Department has considered this in applying the dates for "final compliance" to the TRS sources as listed in 17.2-600.

As we discussed with your staff, we feel that the final compliance dates for the affected sources under the variance should be adjusted to reflect this. These sources and the respective dates are:

No. 5 MEE, Kamyrdigester, Batch Digester - construction permit equipment order, initial construction and complete construction dates remain the same. Final compliance date becomes November 1, 1990.

Mr. Steve Smallwood
Page 2
October 13, 1987

In order to meet these final compliance dates, including compliance testing and CEMS certification, CCA will still maintain the permitting, construction and start-up schedules provided in the original compliance plan. The information included in this letter was discussed with your staff at the meeting. We all agreed that considerable time was required for testing, certification of CEMS, and application for an operating permit. Accordingly we request that the variance allow time for that purpose, although we emphasize our commitment to the original construction schedule.

Again, we would like to express our appreciation for you and your staff's assistance.

Sincerely,

Paul J. Magne
Paul J. Magne
General Manager

PJM/js

cc: E. E. Frey - FDER

Roger Hagan
904 261-5551

Clair - Fdi
~~*B.H.H.*~~
Bruce
July
10-27

(904) 261-5551
ext. 375

David James
for
Roger Hagan

@ CCA
105,86 ->

3 BLS in MEK
3 me H in Dissolving Tanks

To: Bruce Mitchell
From Terry Cole
Rob
4110
10-21-87

10-8-87 Meeting @ Container Corporation of America @ BAQM

R. Bruce Mitchell DER/BAQM/CAPs (904) 488-1344

Pradeep Raval " " " "

Mike Harley " " " "

Betsy Pittman DER/CAF 904-488-9730

JOHN MILLICAN ENV. SERVICES 904/584-5137

Bill Thomas DER/BAQM 488-1344

BOB WILLIAMS JSC/CCA 904-353-3611

Terry Cole " 877 0099

Ron Caffo Jsc/CCA 904 261-5551

ROGER HAGAN CCA 904 261-5551

David Buff KBN 904-375-8000

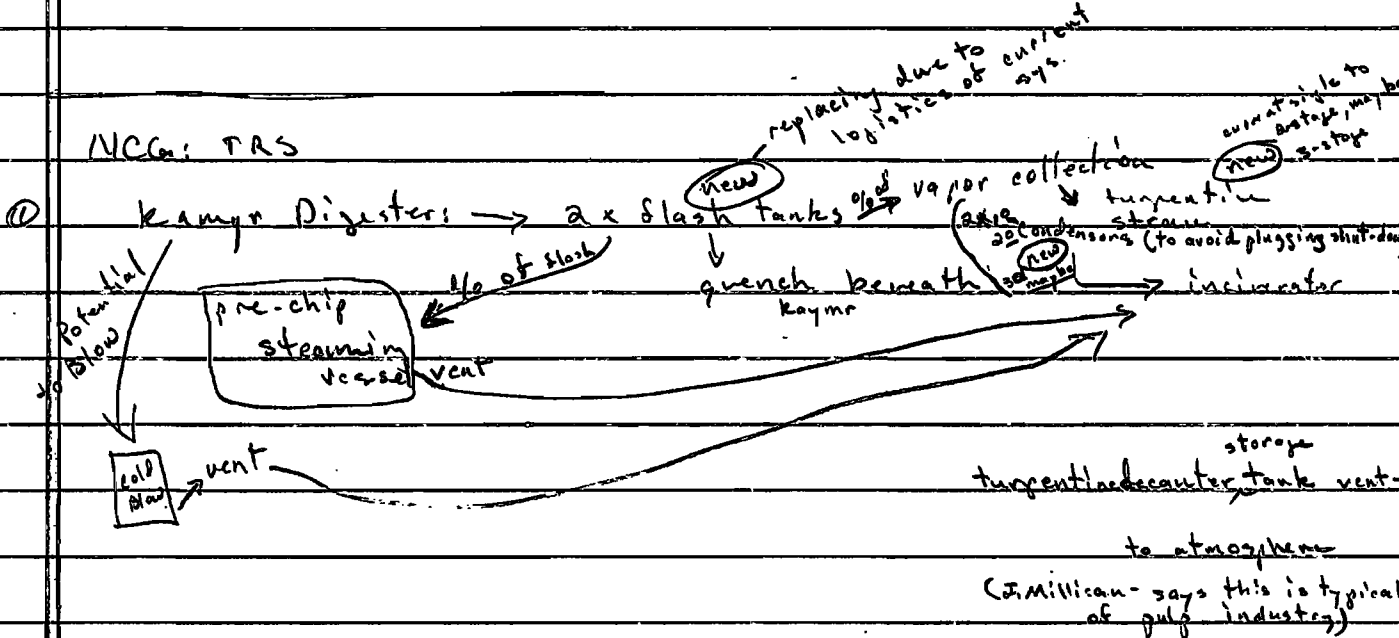
10-11-97
 meeting
 @ CCA
 @ the show

logistics of incineration
 ①
 logistics of incineration
 ②

#4 SAT → **venturi scrubber** ① weak wash (lime mud wash) : disc app. in Nov. 92, 97
 Batch
Tall Oil → **caustic scrubber** → asbidular (rin vessels) / lignin dissolving tank } anticipate 99% of TRS due to G-P Cogs. tests
 why new kiln?
 not thru the heart of the mill due to

- ① logistics
- ② explosiveness

NCC: TRS



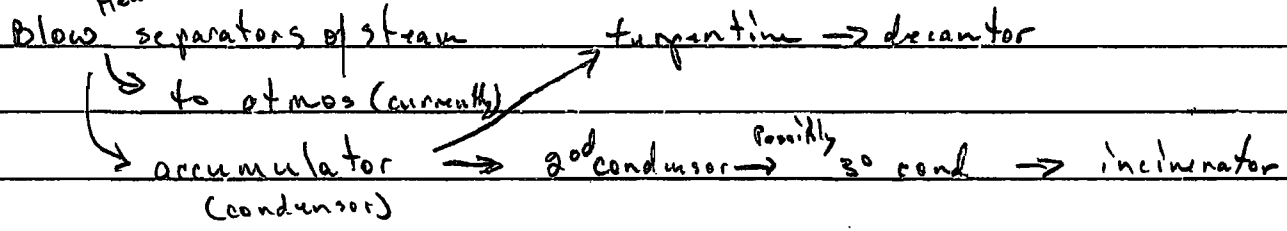
② Batch Digester

2 Batch D's & 2 Blow Tanks

relief gases to fiber separators → condensate steam & turpentine → decanter

to avoid plugging & stopping production
 2x 1° & 2° Primary Cond
 Possibly 3°

③ Heat Recovery



+ generally a lot of hot H₂O (problem of where to use)

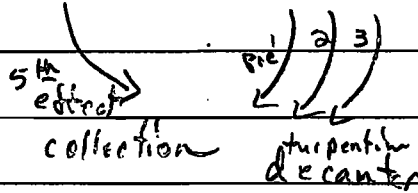
#6 set of
condensers
also

#6 MEE

also uses

④ #5 MEE

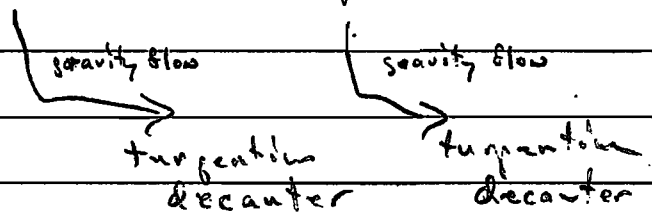
5 effect. 2 3 concentrators

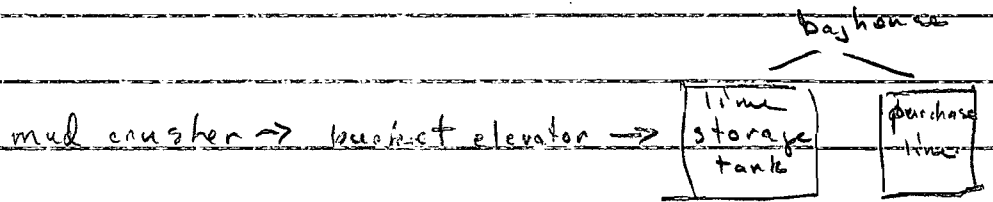
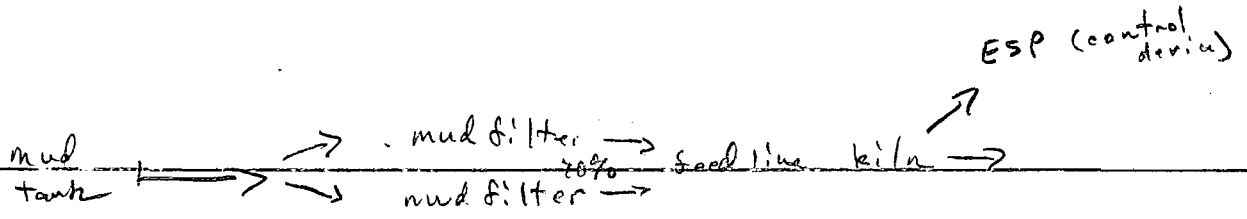


Will the connection of the #6 MEE set into the #5 existing concentrator set

⑤ Existing NSPS #6 MEE
hot wells

⑥ @ the kiln - at least 1 is not a turpentine demister





3 causticizing lines

2 new stakers

3 causticizing lines

14" ϕ and ~ 400' in length

It will have a mixing tank next to the input

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

1. Submittal of construction permit applications
2. Submittal of certification of equipment orders.
3. Certification of initial construction.
4. Certification of completion of construction.
5. Certification of final compliance.

In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
Kamyr Digester	This continuous digester system includes a digester vessel, turpentine recovery system, steaming vessel, 2 liquor flash tanks, and a surge tank (blow tank).
Batch Digesters	This system consists of 7 digester vessels, 2 turpentine recovery systems, and 2 blow tanks.
No. 2 Lime Kiln	This system has an operating scrubber which is the only source of TRS emissions.
No. 3 Lime Kiln	Similar to No. 2 kiln.

- No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.
- No. 4 SDT This is a smelt dissolving tank currently operating with a demister pad unit for particulate control.
- Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
Batch Digesters	The turpentine condensing systems will be replaced and a blow heat recovery system will be installed on the existing blow tanks. The non-condensable gases from both the turpentine and blow heat recovery systems will be collected and transported to the No. 4 kiln for incineration.	3660

No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : :	16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : :	
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.		75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.		350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.		250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90 5/12/89
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90 5/12/89
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.
*

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.

CCA

AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

August 19, 1987

DER

AUG 25 1987

BAQM

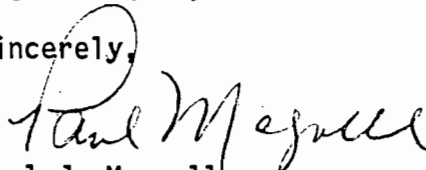
Mr. Steve Smallwood, P.E.
Chief, Bureau of Air Quality Management
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Smallwood:

This is in response to your letter of July 21, 1987 regarding our request for a variance from the TRS regulations. The attached paragraphs should cover the information requested in your letter.

If there are any further questions or comments on this, please contact Roger Hagan at (904) 261-5551.

Sincerely,


Paul J. Magnell
General Manager

Bruce-
Thanks for
handling this.

Clm

PJM/js
Attachments

JSC/CCA
Fernandina Mill

- (1) The social, economic and environmental impact on the applicant, residents of the area and the State if the variance is granted.

The Container Corporation of America mill is located in Fernandina Beach, an incorporated town of 9,000 population. It draws its work force mainly from the surrounding Nassau County which has a population of 41,000. In 1986, CCA paid over \$2.8 million in property taxes to the County, which amounts to over 22% of the total taxes paid county wide. With a total employment within the County of 830, CCA directly employs over 4% of the employed labor force in Nassau County, and is the second largest employer in the County behind the Nassau County School Board. Wages for CCA employees are generally considerably higher than average, and are the principle reason that Nassau County is among the four Florida counties having the highest average wages. *

From the figures above, it is readily apparent that Container Corporation of America is the principle economic factor in Nassau County. However, this mill has not been profitable over the past ten years. In fact, during that time the mill has shown a net operating loss well in excess of \$150 million. In addition, CCA's parent companies (Mobil Corp., and Jefferson Smurfit Corp. since October 1986) have spent well over \$100 million in capital improvements at the Fernandina Beach Mill over the past four years in an effort to make the mill profitable.

The unprofitability of the mill in recent times has impacted the community and the County both socially and economically. This is evidenced readily by strikes undertaken by the unionized work force in 1983 and 1986 in response to the company's need to curtail rising wages and control costs. Easing of the economic burden on the mill by granting of the variance sought will serve to reduce the likelihood of further negative social and economic impact on the surrounding community. The economic impact on this mill of relieving the financial burden represented by the current TRS complinace schedule, in light of its recent economic performance and heavy capital expenditures, is self-evident.

To achieve TRS compliance, the mill is undertaking a program that will cost over \$25 million. This is a substantial economic burden for an already heavily capital-laden mill. It is therefore imperative that the mill be given sufficient time to achieve the necessary planning, coordination and engineering for the project and to spread the cost over a multi year period.

The environmental impact on the mill itself should the variance be granted is negligible, as would be the impact on the State. The impact on the residents in the area is more difficult to assess. Since TRS is a non-criteria pollutant, there are no ambient air standards against which the area can be judged. TRS emissions are considered to be a nuisance to the residents of the immediate area and are not considered

* Data taken from the Fact Book 1987, published by the News-Leader 2/19/87.

JSC/CCA
Fernandina Mill

harmful. In addition, since all of the sources for which a variance is sought are currently operating, the granting of the variance will mean no additional TRS emissions over those that are now present. In fact, since other sources in the mill will be following the TRS compliance schedule, the overall emissions from the mill will be declining throughout the 12 month period for which the variance is sought. As a result of the above, the environmental impact of granting the variance on the residents of the area will be minimal. In addition, CCA would fulfill its commitment to maintain all the existing equipment in proper operating condition, and to operate it within the parameters stated in the interim operating permits so as to minimize TRS emissions from the effected sources during the period up to and throughout the variance until final compliance is attained.

- (2) The social, economic and environmental impact on the applicant, residents of the area and the State if the variance is denied.

As shown above, denial of the variance would increase the economic burden on the mill and would be expected to lead to negative social and economic impact on the community such as it has experienced in the past. There would be a significant economic impact on the mill itself should the variance be denied. This would arise out of a subsequent shortage of funds which could otherwise be used to continue the effort to make the mill a profitable entity and ensure its continued contributions to the community.

TRS is a non-criteria pollutant. Even if it were practicable to complete the new lime kiln earlier than the scheduled completion date in the variance application, the only favorable environmental impact might be the reduction of odor on some days. However, assuming such an accelerated schedule were practicable, the economic burden on the mill represented by denial of the variance would very likely mean that funding for other projects with favorable environmental and economic impacts would be curtailed for a considerable length of time. Areas which would likely be affected include wastewater treatment, solid waste removal, and other aspects of the air quality program. Thus, denial of the variance would have little favorable environmental impact from a TRS standpoint, and it would likely lead indirectly to a negative impact by curtailing or postponing of projects that would improve other aspects of environmental control in the mill.

- (3) The specific sub-paragraph (a), (b), or (c) of 403.201, Florida Statutes under which your variance is requested and justification for requesting a variance under that sub-paragraph.

Container Corporation of America is requesting a variance under 403.201 (b), which states that a variance may be granted if "Compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time." Following is a summary of the reasons for requesting a variance under that sub-paragraph.

JSC/CCA
Fernandina Mill

- a) As a result of engineering, economic, and safety considerations, it is Container Corporation of America's intent to control TRS emissions from the two digester systems and No. 5 MEE by collection of non-condensable gases and incineration in a new No. 4 lime kiln.
 - b) The No. 4 lime kiln will be constructed to replace the Nos. 2 and 3 kilns in order to bring them into compliance with the TRS regulations.
 - c) The construction of the new kiln is the most costly aspect of the TRS compliance project in the mill. It is also the most extensive from both an engineering and construction standpoint. Preliminary engineering has estimated that the kiln will require at least 24 months from beginning of detail engineering to completion and start-up, at a total cost of approximately \$16 million.
 - d) The remainder of the TRS compliance project for this mill is estimated to cost an additional \$10 million.
 - e) In order for the three sources for which a variance is being sought to be in compliance according to the TRS rule compliance schedule, the new kiln would have to be completed and started up by April, 1989. In addition, the remainder of the TRS project would also have to be completed by that date.
 - f) This would require compression of the kiln project which may not be achievable, due to engineering, equipment delivery and construction schedules. It certainly would result in a significantly higher cost than would be incurred if the kiln were to follow the TRS rule compliance schedule. In addition, early completion of the kiln would require that all of the capital funding for the TRS project be spent in one year (1988). This represents an unreasonable economic burden on the mill, the relief for which is the granting of the requested variance.
 - g) The proposed schedule for compliance with the TRS rule should the variance be granted was attached to the original request for a variance. Adoption of this schedule will allow timely completion of all of the TRS compliance project and will ease the economic burden on the mill by allowing capital expenditures to be spread over a two year period.
- (4) Documentation to indicate why the lime kiln cannot be completed in time to meet the required TRS compliance date of May 12, 1989.

The TRS rule compliance schedule requires that a new kiln which is replacing existing kilns in order to bring the existing kilns into compliance must be in operation by November 12, 1990. That is why the variance is not required for the new kiln. In fact, as stated in the original letter requesting the variance, our preliminary engineering has indicated that we would bring the kiln on-line and into compliance by May 1, 1990, without representing additional cost or engineering requirements.

JSC/CCA
Fernandina Mill

The variance is being sought in order to facilitate timely completion of the project without incurring additional expenses and construction problems associated with compression of the lime kiln schedule, and to allow for spreading of the necessary capital expenditures over a two year period.

- (5) As part of the description of the environmental impact on the residents of the area, describe what reasonable mitigating measures, if any, can be taken to minimize emissions between May 12, 1989 and June 1, 1990 if the variance is granted, and the costs of such measures.

As stated in item 1 above, CCA will fulfill its commitment to maintain the existing equipment in good operating condition, and to operate it in a manner commensurate with the parameters outlined in the interim operating permits. Such maintenance in good operating condition over the 12 month period in question is budgeted to cost approximately \$2.7 million for these three systems.

- (6) Where will the new lime kiln be located in relationship to the existing kilns?

Attached is a preliminary site drawing showing a proposed layout of the new kiln installation.

TRAILER JUMPER

AUG 20 22

BARK RECLAIM CONV.
BARK CONV. TOWER
UNHOGGED BARK TO
GROUND CONV.
HOGGED BARK CONV.

BARK BIN STR.

WATER BLDG.

PINE CHIP RECLAIMER

HARDWOOD CHIP RECLAIMER

ICE HAMPER

PRIMARY CLARIFIER

NEW COOLING TOWER

COOLING TOWER PUMPS
N 11-20
COOLING TOWER
FIRE SUPPLY COMPARTMENTS
S 15-12-6
SUPPLY PUMPS
M.C.C.

COOLING TOWER

COOLING TOWER

ELECTRICAL

WOOD ROOM
#1 PRESS
#2 PRESS
#3 PRESS
#4 PRESS
#5 PRESS
#6 PRESS
#7 PRESS
#8 PRESS
#9 PRESS
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TURBINE ROOM

WASHER

WASHERS

RECOVERY BOILER

G.L. STORAGE

G.L. CLARIF.

L. CLARIF.

W.L. CLARIF.

W.L. CLARIF.

L.M. WASHER

WASHER

ACID NEUTRALIZATION

Washing & Sweeping

WASHER

CAUSTIC

Proposed New #4 Kiln

AUG 70

24



Interoffice Memorandum

TO: Margaret Elligett
THRU: Bill Thomas *BT*
FROM: Bruce Mitchell *BM*
DATE: July 24, 1987
SUBJ: Completeness Review Questions:
CCA Variance Request (VE-45-313)

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

Per your request dated July 16, 1987, received July 17, 1987, and due on July 24, 1987, I am offering the following:

1. Submit supporting language and documentation pursuant to Florida Administrative Code Rule 17-103.100(1)(f).
2. Submit supporting language and documentation pursuant to Florida Administrative Code Rule 17-103.100(1)(g).
3. Submit an analysis, including engineering, costs, calculations and assumptions, of changing from the scrubbing medium presently being used in the existing wet scrubbers associated with the existing lime kilns to clean water, caustic, or white liquor.

Note: I recommend that a copy of FAC Rule 17-103.100 be attached to any request(s) that is sent to CCA.

BM/ks

cc: Steve Smallwood

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO
 ACTION DUE DATE
 7-24

1. TO: (NAME, OFFICE, LOCATION)	Initial
	Date
2.	Initial
	Date
3.	Initial
	Date
4.	Initial
	Date

REMARKS:

Please submit a list of questions you would like me to send to CCA. The questions should be identified by the section in the rule from which they pertain [17-103.100]

INFORMATION

- Review & Return
- Review & File
- Initial & Forward

DISPOSITION

- Review & Respond
- Prepare Response
- For My Signature
- For Your Signature
- Let's Discuss
- Set Up Meeting
- Investigate & Report
- Initial & Forward
- Distribute
- Concurrence
- For Processing
- Initial & Return

FROM:

Margaret Elligett

DATE 7-16
 PHONE

DER
 JUL 17 1987
 BAQM

DER1985 RULES OF ADMINISTRATIVE PROCEDURE - NON-RULEMAKING 17-103

CHAPTER 17-103

RULES OF ADMINISTRATIVE PROCEDURE - FINAL AGENCY ACTION

(NON-RULEMAKING) AND APPEAL

- PART I
DECISIONS (ADJUDICATORY)
DETERMINING SUBSTANTIAL
INTERESTS OF AFFECTED PERSONS
- 17-103.010 General.
 - 17-103.020 Who May Appear: Criteria for Authorized Representation.
 - 17-103.030 Staff Personnel.
 - 17-103.040 Form.
 - 17-103.050 Filing and Service.
 - 17-103.060 Signature, Verification and Certificate of Service.
 - 17-103.070 Extension of Time for Filing.
 - 17-103.080 Computation of Time.
 - 17-103.090 Informal Conference.
 - 17-103.100 Petitions or Applications for Variances.
 - 17-103.110 Administrative Enforcement Actions.
 - 17-103.120 Department Approval of Testing and Research Programs for Air Pollution Sources.
 - 17-103.130 Burden of Proof; Order of Presentation.
 - 17-103.140 Relationship with Other Rules.
 - 17-103.150 Public Notice of Application and Proposed Agency Action.
 - 17-103.155 Petition for Administrative Hearing; Waiver of Right to Administrative Proceeding.
 - 17-103.160 Uniformity in Approval and Denial of Applications for Department Permits and Certifications.

- 17-103.170 Designation, Preparation and Transmittal of Record for Administrative Appeals.
- 17-103.180 Videotaped Depositions.
- 17-103.190 Suspension and Revocation of Department Permits, Certifications or Certificates.
- 17-103.200 Agency Action on Recommended Orders.
- 17-103.201 Final Orders.
- 17-103.202 Certificate of Mailing or Hand Delivery; Permitting.
- 17-103.205 Official Record of Hearing.
- 17-103.210 Designation of Official Reporter; Subject Matter Index.

- PART II
APPEALS TO THE GOVERNOR
AND CABINET ON COASTAL
CONSISTENCY
- 17-103.300 General.
 - 17-103.310 Final Agency Action.
 - 17-103.320 Parties to Appeals; Amicus Curiae; Intervenors.
 - 17-103.330 Initiation of Appeal; Request for Record; Contents of Notice; Compliance and Enforcement; Public Notice.
 - 17-103.340 Initiation of Cross-Appeals.
 - 17-103.350 Briefs.
 - 17-103.360 Oral Argument.
 - 17-103.370 Proposed Orders.
 - 17-103.380 Record.
 - 17-103.390 Scope of Review.
 - 17-103.400 Decisions.
 - 17-103.410 Ex Parte Communications.
 - 17-103.420 Settlement.

DER1985 RULES OF ADMINISTRATIVE PROCEDURE - NON-RULEMAKING 17-103

- 17-103.430 Certificates of Service.
- 17-103.440 Copies.
- 17-103.450 Motions.
- 17-103.460 Orders.
- 17-103.470 Meetings; Notice; Presiding Officer; Quorum Agendas; Distribution of Agendas; Recording of Proceedings; Minutes; Order of Procedure; Agency Action; Voting; Amendment to Rules; Parliamentary Matters.

PART III

DECLARATORY STATEMENT

- 17-103.500 Purpose and Use of Declaratory Statement.
- 17-103.510 Petition.
- 17-103.520 Department Disposition.

PART I

**DECISIONS (ADJUDICATORY)
DETERMINING SUBSTANTIAL
INTERESTS OF AFFECTED PERSONS**

17-103.010 General. Proceedings determining the substantial interests of a person, except rulemaking proceedings, under statutes which the Department is required to implement, shall be pursuant to Section 120.57, Florida Statutes, Chapter 17-103 and Chapter 28-5, FAC, as amended, except for proceedings for which another specific rule has been promulgated.

Specific Authority: 120.53(1), F.S.
Law Implemented: 120.53(1), F.S.
History: Revised 10-20-73, Amended 2-6-78, Formerly 17-1.10, Transferred from 17-1.19 and Amended 6-1-84.

**17-103.020 Who May Appear:
Criteria for Authorized Representation.**

(1) A party may be represented

by an attorney or other qualified representative or may appear on his own behalf.

(2) If a party is not represented by an attorney, or does not appear on his own behalf, the presiding officer, as early as possible in the proceedings, but prior to the final hearing, shall make diligent inquiry of the representative under oath, to assure that the representative is qualified to appear in the agency proceeding and capable of preserving the rights of the party. This inquiry shall include consideration of the nature of the legal skills, knowledge and experience of the representative, including the representative's ability to apply concepts relating to the rules of evidence and hearsay, the ability of the representative to apply and interpret Chapter 120, Florida Statutes, including Section 120.57, Florida Statutes, and Titles 17 and 28, FAC, the representative's ability to identify the issues in the proceeding, the representative's knowledge of and experience with the statutes and rules at issue in the proceeding, the nature and complexity of the factual and legal issues present in the proceeding, and the representative's experience in dealing with these issues, the representative's interest in the proceeding, whether the party is aware of the nature and extent of the representation which the representative can provide, whether the party is aware of the right to be represented by an attorney, and any other matter deemed relevant by the presiding officer. The presiding officer shall authorize the representative to appear in the proceeding if the presiding officer is reasonably assured that the representative is capable of providing

17-103.010 -- 17-103.020(2)

DER1985 RULES OF ADMINISTRATIVE PROCEDURE - NON-RULEMAKING 17-103

exceptions may be served or filed, or the time within which any act is required to be performed, as provided by any rule or order of the Department, shall be computed in accordance with the Florida Rules of Civil Procedure.

Specific Authority: 120.53, F.S.

Law Implemented: 120.53, F.S.

History: Revised 10-20-73, Amended 2-6-78, 4-28-81, Formerly 17-1.16, Transferred from 17-1.32 and Amended 6-1-84.

17-103.090 Informal Conference.

(1) If the Department deems it advisable in reaching a prompt resolution of a controversy or dispute with a party or parties, it may arrange an informal conference between the party or parties and the Department. Unless otherwise specified, an informal conference shall be requested within ten (10) days of service of the initial pleading. An attempt shall be made to resolve the controversy or dispute in an amicable manner.

(2) A respondent's rights will not be adjudicated at such a conference, and the right to request a public hearing on the alleged violations or the orders for corrective action subsequently issued will not be affected by requesting and participating in an informal conference. The Department staff members participating in such informal conference shall file with the Department a report concerning matters covered in the informal conference. Unless otherwise specified, in writing, by the Department, a responsive pleading or demand for hearing shall be filed within ten (10) days from the completion of the informal conference, unless a longer time is provided by Rule 17-103.110, FAC,

or Chapter 403, Florida Statutes. Failure to file responsive pleading or demand for hearing within that time period shall be deemed a waiver thereof.

Specific Authority: 120.53(1), F.S.

Law Implemented: 120.53(1), F.S.

History: Revised 10-20-73, Amended 2-6-78, Formerly 17-1.44, Transferred from 17-1.53 and Amended 6-1-84.

17-103.100 Petitions or Applications for Variances.

(1) A petition or application for a variance, pursuant to Section 403.201, Florida Statutes, of the Florida Air and Water Pollution Control Act, shall be in accordance with these rules. The petitioner or applicant shall address the factors listed in paragraphs (a) through (g) in the request. The Department shall review the petition within a reasonable period of time to determine if the petition is complete. If the Department determines the petition to be incomplete, the petitioner shall be afforded an opportunity to supply additional information before the Department evaluates the merits of the request.

(a) The statute or rule from which a variance is sought.

(b) The facts which show that a variance should be granted because of one of the reasons set forth in Section 403.201, Florida Statutes.

(c) The period of time for which the variance is sought, including the reasons and facts in support of the time period.

(d) The requirements which the petitioner can meet, including the date or time when the requirements will be met.

(e) The steps or measures the petitioner is taking to meet the

requirement from which the variance is sought. If the request is pursuant to Section 403.201(1)(b), F.S., the petitioner shall include a schedule when compliance will be achieved.

(f) The social, economic and environmental impacts on the applicant, residents of the area and of the state if the variance is granted.

(g) The social, economic and environmental impacts on the applicant, residents of the area and of the state if the variance is denied.

(2) Renewals of variances, pursuant to Section 403.201, Florida Statutes, shall be applied for in the same manner as for the initial variance.

(3) Variances shall be denied or granted at the discretion of the Secretary of the Department, except for variances submitted under the Florida Electrical Power Plant Siting Act, the Florida Transmission Line Siting Act or the Florida Industrial Siting Act, which shall be granted or denied at the discretion of the Governor and the Cabinet.

(4) The Department shall publish notice of intent in the Florida Administrative Weekly. The petitioner shall publish such notice in a newspaper of general circulation in the area affected by the proposed variance. Notice shall be in accordance with Rule 17-103.150, FAC, and shall read substantially as set forth in Rule 17-103.150(3), FAC.

(5) An application for a variance or exemption, pursuant to Section 403.854, Florida Statutes, of the Florida Safe Drinking Water Act, shall be in accordance with Section 17-22.09, Florida Administrative Code. The variance provisions of

Section 403.201, Florida Statutes, do not apply to the Florida Safe Drinking Water Act or rules promulgated thereunder.

(6) Relief from Department rules may also be granted pursuant to other specific rules, such as, but not limited to, rules 17-3.031, 17-4.243, and 17-4.245, FAC. Specific Authority: 120.53(1), F.S. Law Implemented: 120.53(1), F.S. History: New 2-6-78, Amended 7-8-82, Transferred from 17-1.57, and Amended 6-1-84.

17-103.110 Administrative Enforcement Actions.

(1) Notice of Violation.

(a) A notice of violation is an appropriate initial administrative pleading which may be issued by the Department when, after investigation, it has reason to believe that a person has, or is presently engaged in an activity in violation of the provisions of Chapters 403, 373, 376 or 253, Florida Statutes, or Department rules. Such notice shall be served on the respondent(s) by actual delivery to; service of process on, in accordance with Florida Rules of Civil Procedure; or by certified mail, return receipt requested; and shall identify the provision of law, rule, or Department permit alleged to have been violated, and shall include a brief statement of the facts constituting such alleged violation.

(b) A notice of violation shall be issued by the Secretary, Assistant Secretary or District Manager. Unless a responsive pleading and request for a Section 120.57 administrative hearing is filed within twenty (20) days after service of the notice, or as otherwise provided by Rule 17-103.090, FAC (Informal

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION



Interoffice Memorandum

FOR ROUTING TO OTHER THAN THE ADDRESSEE	
To: _____	Letter _____
To: _____	Letter _____
To: _____	Letter _____
Phone: _____	Code _____

NORTHEAST DISTRICT - JACKSONVILLE

DER

JUN 29 1987

BAQM

TO: John Brown
Bureau of Air Quality Management, Tallahassee

THROUGH: Michael J. Fitzsimmons MF / Gary Shaffer JS
DER, Northeast District

FROM: Juanita P. Williams
DER, Northeast District

DATE: June 26, 1987

SUBJECT: Container Corporation of America
Nassau County - Air Pollution Enforcement

We have been informed that Container Corporation of America (CCA), located in Fernandina Beach (Nassau County) Florida, has submitted a variance request for portions of their current TRS-CEM's compliance schedule.

This office is of the opinion that the granting of CCA's variance request, would prolong the existing problems within areas near the facility. This office received twenty (20) notarized affidavits from citizens of Nassau County in the month of April alone, complaining of fallout and odor problems which they all attribute to CCA.

Your consideration of this information will be greatly appreciated.

JPW:cb



Interoffice Memorandum

To: Margaret Elligett
From: John Brown *JB*
Date: June 3, 1987
Subject: TRS Variance Request
from Container Corporation of America

FOR ROUTING TO OTHER THAN THE ADDRESSEE

To: _____	Loc: _____
To: _____	Loc: _____
To: _____	Loc: _____
From: _____	Date: _____

After the meeting with Mark Zilberberg and you on June 2, the variance application from EPA seems to be incomplete. In addition to the legal issues which Mark will address, it is recommended that you pose the following questions regarding exploration of alternatives which would allow compliance within the time frame prescribed by the rule.

What type of control of TRS emissions from the digestors and multiple effect evaporators is planned as a contingency during periods when the lime kiln is not operational? Why not effect those controls as primary control while the new lime kiln is being built? What is the cost of doing so? Document clearly all of the above.

Have you considered control in accordance with the 17-2, FAC, compliance requirements by incinerating TRS emissions in the existing lime kilns? What costs and operational limitations would result? Document clearly.

What is the earliest date that the new kiln can be completed? Provide milestones and document why it can't be done prior to May, 12, 1989.

You should also ask the owner to clarify the incompleteness issues presented by Wayne Tutt and Bill Stewart in their comments to you.

Please advise if you have further questions.

JB:ht

cc: Jim Pennington
Walt Starnes
Mark Zilberberg

draft me/jk permitting: me/052287.3 06-12-87

May 8, 1987

Mr. Paul J. Magnell
General Manager
Container Corporation of America
P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

Application for Variance
Container Corporation of America
File No. VE-45-313

Your variance application for relief from the provisions of Florida Administrative Code Rule 17-2.960(1)(d), regarding compliance schedule has been reviewed by the department and found to be incomplete. Additional information is needed before a final determination can be made.

A copy of Section 403.201(1), Florida Statutes, Chapter 17-103.100, Florida Administrative Code, and Chapter 17-2.960(1)(d), FAC, have been enclosed for your information.

The following additional information is required according to the rules established in 17-103.100, FAC.

DER
JUN 15 1987
BAQM

BEST AVAILABLE COPY
DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP	ACTION NO
	ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION) <i>Bruce Mitchell</i>	Initial
	Date
2.	Initial
	Date
3.	Initial
	Date
4.	Initial
	Date

REMARKS:

*Please review
's comment by
June 16.*

DER

JUN 15 1987

BAQM

INFORMATION	
	Review & Return
	Review & File
	Initial & Forward
DISPOSITION	
	Review & Respond
	Prepare Response
	For My Signature
	For Your Signature
	Let's Discuss
	Set Up Meeting
	Investigate & Report
	Initial & Forward
	Distribute
	Concurrence
	For Processing
	Initial & Return

FROM: <i>Elligett</i>	DATE <i>6-12</i>
	PHONE

- (1) What type of control for TRS emissions from the digestors and multiple effect evaporators is planned as a contingency during periods when the lime kiln is down after it is constructed and operational? Why not use those controls as primary control while the new lime kiln is being built? What is the cost of doing so?

- (2) Have you considered control in accordance with the 17-2, FAC, compliance requirements by incinerating TRS emissions in the existing lime kilns? What costs and operational limitations would result?

- (3) What is the earliest date that the new kiln can be completed? Document the specific reasons why it can't be done prior to May 12, 1989.

- (4) Where will the new lime kiln be located in relationship to the existing kilns?
- (5) What are the advantages and disadvantages to residents and the environment in the affected area resulting from the Department's requiring compliance or granting a variance?

When you submit the additional information requested above (please send four copies to the letterhead address), the Department will proceed to assess your variance request, and based upon that analysis, will grant or deny your request in a timely manner.

If you have any questions please contact me at (904)488-0130.

Sincerely,

Margaret Elligett
Environmental Specialist
Division of Environmental
Permitting and Program
Coordination

AME/jk

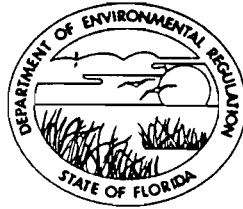
Enclosure

cc: Steve Smallwood
Bill Stewart
Wayne Tutt
Walt Starnes
Bruce Mitchell
Mark Zilberberg
John Brown
Roy Weber

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Rec'd via Terry Cole
on 8-21-87
RRM

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

July 21, 1987

See: Bob Williams
Roy Cobb

Mr. Paul J. Magnell
General Manager
Container Corporation of America
Post Office Box 2000
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

The Bureau of Air Quality Management has reviewed your request for a TRS variance for the number 5 multiple effect evaporator, the batch digester system and the Kamyr digester system.

The statutory and rule requirements for obtaining a variance require that the Department obtain additional information.

All of the items of information listed in Rule 17-103.100, Petitions or Applications for Variances, must be addressed (See attached). Items (f) and (g) are incomplete in that they were not addressed in your application. In addition to addressing items (f) and (g), other questions need to be answered to provide additional information needed to evaluate the merits of your request, and to adequately answer any inquiries by third parties.

Please provide the following information and/or answer the following questions:

- (1) The social, economic and environmental impact on the applicant, residents of the area and the State if the variance is granted.
- (2) The social, economic and environmental impacts on the applicant, residents of the area and the State if the variance is denied.
- (3) The specific sub-paragraph (a), (b), or (c) of 403.201, Florida Statutes, under which your variance is requested and justification for requesting a variance under that sub-paragraph.

RECEIVED

JUL 24 1987

Protecting Florida and Your Quality of Life

FERNANDINA MILL

Mr. Paul J. Magnell
July 21, 1987
Page Two

- (4) Documentation to indicate why the lime kiln cannot be completed in time to meet the required TRS compliance date of May 12, 1989.
- (5) As part of the description of the environmental impact on the residents of the area describe what reasonable mitigating measures, if any, can be taken to minimize emissions between May 12, 1989 and June 1, 1990 if the variance is granted, and the costs of such measures.
- (6) Where will the new lime kiln be located in relationship to the existing kilns?

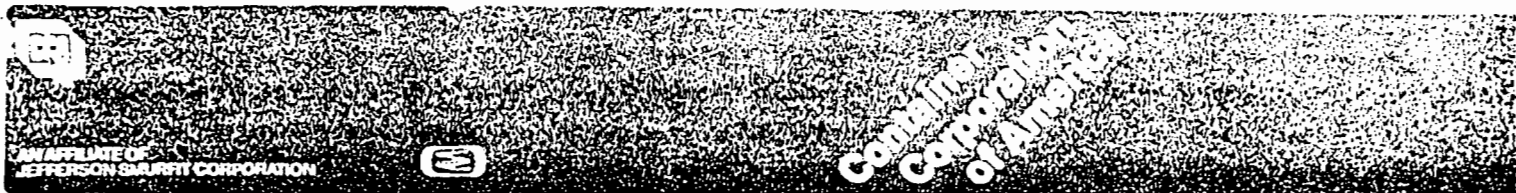
Upon receipt of the above information the Bureau will promptly review the complete application and make a recommendation to the Secretary. Please contact Walter Starnes or me at (904) 488-1344 if you have any questions.

Sincerely,

fw *John Brown*
Steve Smallwood, P.E.
Chief
Bureau of Air Quality
Management

SS:jw

cc: Margaret Elligett
Walter Starnes



Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

R. Nagan

March 19, 1987

Mr. Steve Smallwood
Manager, Bureau of Air Quality
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Smallwood:

This letter is for the purpose of requesting variances for three sources affected by FAC 17-2.600(4)(c) Total Reduced Sulfur, in regard to the compliance schedule for these sources as provided in FAC 17-2.960(1)(d).

The sources are listed below along with their respective Operating Permit numbers:

- Number 5 multiple effect evaporator (MEE) - A045-115844
- Batch digester system - A045-115842
- Kamyr digester system - A045-115840.

The above-named sources are affected by FAC 17-2.960(1)(d)1.b. to the extent that final compliance is required no later than thirty-six months after May 12, 1986, or by May 12, 1989. The variance hereby requested is to extend the date for final compliance of these sources to June 1, 1990.

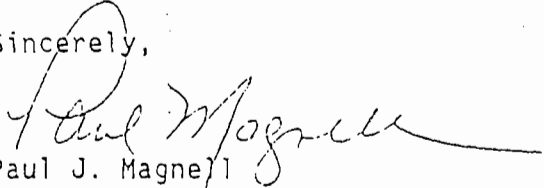
The reason for this request is outlined in the attached letter and TRS Compliance Plan, previously submitted to Mr. Clair Fancy of your Department. As shown by these documents, attainment of final TRS compliance by May 12, 1989 is not feasible in that our plan is to control the emissions from these sources by incineration in a new No. 4 lime kiln. This kiln will replace the existing Nos. 2 and 3 kilns for the purpose of bringing these sources into compliance. However, as recognized in FAC 17-2.960(1)(d)3.b., replacement of a lime kiln is a significantly more involved process than other aspects of TRS control, and the final compliance date for this new source is not later than 54 months after May 12, 1986, or by November 12, 1990. As explained in the attached letter, we have determined that the lime kiln could be brought on line and

Mr. Steve Smallwood
March 19, 1987
Page 2.

into compliance (with NSPS requirements) by May 1, 1990 at which time the Nos. 2 and 3 kilns would be shut down. The three sources being controlled by this new kiln could then be certified in compliance by June 1, 1990.

We appreciate your consideration of this request for a variance for these three sources. If you or your department have any questions regarding this request, please contact Roger Hagan, Technical Director, at (904) 261-5551.

Sincerely,


Paul J. Magne
General Manager

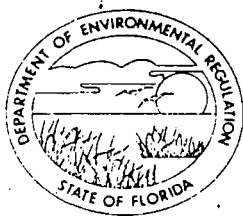
PJM/ma

Attachments

cc: E. E. Frey - FDER Northeast Regional Manager

bcc: R. D. Quina - JAX GENERAL
B. Williams "
R. C. Cobb - CHICAGO
E. Burr - JAX GENERAL

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

BOB MARTINEZ
GOVERNOR

DALE TWACHTMANN
SECRETARY

March 12, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Paul J. Magnell
General Manager
Container Corporation of America
North Eighth Street
P. O. Box 2000
Fernandina Beach, Florida 32034

cc: M. Quina - Jax
R. Cobb - Alton
R. Hagan

From P. Magnell
3/13/87

Dear Mr. Magnell:

Re: TRS Conceptual Compliance Plan Review

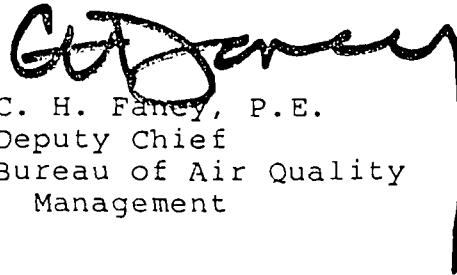
The department is in receipt of the above referenced plan dated January 30, 1987, and received February 12, 1987. Based on a review of the proposal, the following comments are offered:

- 1) The proposed plan is unacceptable due to the fact that the MEE#5, the batch digesters and the Kamyg digester will not timely achieve final compliance pursuant to Florida Administrative Code (FAC) Rule 17-2.960.
- 2) For the sources listed in #1 above, the company should pursue an extension of time so that final compliance will coincide with the date of final compliance for the proposed new No. 4 Lime Kiln. The mechanism for obtaining an extension of the final compliance dates is provided in FAC Rule 17-2.960(1)(g)1., which would require you to apply for variances from the department in accordance with Chapter 403.201, Florida Statutes (a copy of which is enclosed).
- 3) Except for those parts of the proposed plan pertaining to the sources identified in #1 above, the remainder of the proposed plan is acceptable.

Mr. Paul J. Magnell
Page Two
March 12, 1987

If there are any questions, please contact Julia Cobb Costas,
with the Office of General Counsel at (904)488-9730, Bruce Mitchell,
with the Bureau of Air Quality Management at (904)488-1344, or
Johnny Cole, with the NE District office at (904)396-6959.

Sincerely,

A handwritten signature in black ink, appearing to read "C. H. Fancy", with a long vertical line extending downwards from the end of the signature.

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/BM/s

cc: E. Frey
B. Thomas
J. Brown
J. Costas, Esquire

trol measures generally equivalent to those installed and used by other similar industrial plants pursuant to the requirements of the department.

History.—s. 20, ch. 67-436, ss. 26, 35, ch. 69-106

403.201 Variances.—

(1) Upon application the department in its discretion may grant a variance from the provisions of this act or the rules and regulations adopted pursuant hereto. Variances and renewals thereof may be granted for any one of the following reasons:

(a) There is no practicable means known or available for the adequate control of the pollution involved.

(b) Compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time. A variance granted for this reason shall prescribe a timetable for the taking of the measures required.

(c) To relieve or prevent hardship of a kind other than those provided for in paragraphs (a) and (b). Variances and renewals thereof granted under authority of this paragraph shall each be limited to a period of 24 months except that variances granted pursuant to part II may extend for the life of the permit or certification.

(2) The department shall hold a hearing on each application for a variance.

(3) The department may prescribe such time limits and other conditions to the granting of a variance as it shall deem appropriate.

History.—s. 21, ch. 67-436, ss. 26, 35, ch. 69-106, s. 1, ch. 74-170, s. 14, ch. 78-95

403.221 Pending proceedings.—No legal proceedings shall be abated because of any transfers made in this section, but the appropriate party exercising like authority or performing like duties or functions shall be substituted in said proceedings.

History.—s. 23, ch. 67-436

403.231 Department of Legal Affairs to represent the state.—The Department of Legal Affairs shall represent the state and its agencies as legal advisor in carrying out the provisions of this act.

History.—s. 24, ch. 67-436, ss. 11, 35, ch. 69-106.

403.251 Safety clause.—The Legislature hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health and safety.

History.—s. 27, ch. 67-436.

403.261 Provisions specifying jurisdiction repealed.—All rulemaking jurisdiction over air and water pollution matters held by other agencies within the state on September 1, 1967, is hereby repealed including, but without limitation, such jurisdiction held by the Florida State Board of Health, the Game and Fresh Water Fish Commission, the State Board of Conservation and the several water management districts within the state.

History.—s. 1, ch. 67-436.

403.271 Aquatic plants; permits; penalties.—

(1) No person shall import into the state any aquatic plant or seeds thereof of a species not native to the state without having first obtained a permit from the Department of Natural Resources.

(2) No person shall knowingly transport or transfer aquatic plants, whether indigenous or a species not native to the state, between bodies of water within the state without having first obtained a permit from the Department of Natural Resources.

(3) No person shall place or cause to be placed in the waters of the state or to cultivate or cause to propagate in the waters of the state any aquatic plant without first having obtained a permit from the Department of Natural Resources.

(4) The Department of Natural Resources is authorized to issue such permits only after the following conditions have been met:

(a) The Department of Agriculture and Consumer Services and the Game and Fresh Water Fish Commission issue prior approval of such permit.

(b) An appropriate agency, such as an aquatic vegetation laboratory, issues a memorandum certifying that the importation, transportation, or cultivation of such species poses no danger to the waters, fish, reptiles, or ecology of the state.

(5) The Department of Natural Resources, the Department of Agriculture and Consumer Services, and the Game and Fresh Water Fish Commission shall conduct investigations of such species prior to issuance or denial of a permit for importation, transport, or transfer of such species in the waters of the state. Such investigations and the issuance of such permits shall be subject to the criteria established by the Department of Natural Resources.

(6) The Department of Natural Resources shall publicize the provisions of this section on road signs throughout the state.

(7)(a) Any person violating the provisions of this section is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) All law enforcement officers of the state and its agencies with power to make arrests for violations of state law shall enforce the provisions of this section.

History.—s. 1, ch. 69-153, ss. 14, 26, 35, ch. 69-106; s. 4, ch. 70-203, s. 1, ch. 70-439, s. 350, ch. 71-136; s. 2, ch. 71-137; s. 140, ch. 77-104; s. 1, ch. 77-174, s. 23, ch. 78-95

403.281 Definitions; Weather Modification Law.—As used in this chapter relating to weather modification:

(1) "Department" means the Department of Environmental Regulation.

(2) "Person" includes any public or private corporation.

History.—s. 1, ch. 57-123, ss. 26, 35, ch. 69-106; s. 2, ch. 71-137, s. 156, ch. 71-377; s. 80, ch. 79-65

Note.—Former s. 373.261.

403.291 Purpose of weather modification law.—The purpose of this law is to promote the public safety and welfare by providing for the licensing, regulation and control of interference by artificial means with the natural precipitation of rain, snow,



AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

January 30, 1987

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blainstone Road
Tallahassee, FL 32301-8241

Dear Mr. Fancy:

Attached is the TRS compliance plan required by FAC 17-2.960 for Container Corporation of America, Fernandina Beach. The information required by the TRS rule is included in the plan.

We would like to draw your attention in particular to the plan and schedule of compliance dates for the No. 5 MEE, batch digesters, and Kamyr digester. The compliance plans for these three sources all include collection of the non-condensable gasses and incineration in a new, No. 4 lime kiln. This kiln will be constructed as a replacement for the existing Nos. 2 and 3 kilns, in order to bring these sources into compliance.

We are requesting by this letter and compliance plan that the dates for final compliance of the No. 5 MEE, batch digesters, and Kamyr digester be extended as shown in the plan schedule to accommodate the completion of the replacement kiln.

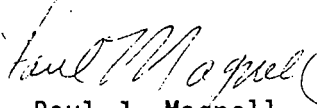
The TRS rule recognizes that the scope and expense of such a replacement of existing kilns will require more time to attain final compliance than other, less-comprehensive, measures might. We feel that economic and engineering factors dictate that the kiln replacement will require nearly all the time allotted for such a project in the rule. However, the final compliance of the three sources from which the gasses will be collected and incinerated in the new kiln is directly dependent upon the completion of the kiln project. Therefore, the compliance schedule for those three sources must be similarly dependent on the compliance schedule of the replacement kiln. In constructing the schedule, we have determined that the new kiln could be brought on-line and into compliance six months prior to the date in the rule for final compliance. We intend to bring that source, along with the kiln-dependent sources into compliance in that time frame. Sources which are not directly dependent on the new kiln for incineration are scheduled to be in compliance on or before the dates stated in the rule.

Mr. Clair Fancy
January 30, 1987
Page 2.

The dates shown in the compliance schedule are intended as the best dates, as determined by the present available information, at which the sources could be brought into compliance with the rule. All the projects will be completed as expeditiously as is feasible; however, variable factors including equipment delivery, engineering availability, construction details including weather and labor factors, and economic conditions will affect the actual construction completion dates and the ultimate compliance schedule for every source.

Please contact Roger Hagan at (904) 261-5551 if there are any questions or comments on this compliance plan and schedule.

Sincerely,



Paul J. Magnell
General Manager

PJM/ma

cc: E. E. Frey - DER, Jacksonville

bcc: H. H. Elder
R. L. Park
W. R. Campbell
M. H. Holden
R. L. Caffo
R. P. Hagan
D. R. James
R. C. Cobb - MAIN OFFICE CHICAGO
R. D. Quina - JAX GENERAL
E. R. Burr - JAX GENERAL
B. Williams - JAX GENERAL

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

1. Submittal of construction permit applications
2. Submittal of certification of equipment orders.
3. Certification of initial construction.
4. Certification of completion of construction.
5. Certification of final compliance.

In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
Kamyr Digester	This continuous digester system includes a digester vessel, turpentine recovery system, steaming vessel, 2 liquor flash tanks, and a surge tank (blow tank).
Batch Digesters	This system consists of 7 digester vessels, 2 turpentine recovery systems, and 2 blow tanks.
No. 2 Lime Kiln	This system has an operating scrubber which is the only source of TRS emissions.
No. 3 Lime Kiln	Similar to No. 2 kiln.

- No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.
- No. 4 SDT This is a smelt dissolving tank currently operating with a demister pad unit for particulate control.
- Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
Batch Digesters	The turpentine condensing systems will be replaced and a blow heat recovery system will be installed on the existing blow tanks. The non-condensable gases from both the turpentine and blow heat recovery systems will be collected and transported to the No. 4 kiln for incineration.	3660

No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	:	
		:	
		:	16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	:	
		:	
		:	
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.		75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.		350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.		250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.



State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

Interoffice Memorandum

FOR ROUTING TO OTHER THAN THE ADDRESSEE	
TO: _____	LOCTN: _____
TO: _____	LOCTN: _____
TO: _____	LOCTN: _____
FROM: _____	DATE: _____

APPLICATION FOR VARIANCE
EXPEDITE ROUTING AND REVIEW

DER
APR 16 1987
BAQM

TO: Robert V. Kriegel
Don Bayly

FROM: Randall L. Arms *RLA*

DATE: April 15, 1987

SUBJECT: Request for variance
File No. VE-45-313
Container Corporation of America

Attached is the subject application for variance submitted by Container Corporation of America. The variance, which is sought would allow relief from the provisions of Section 403.201, Florida Statutes.

Margaret Elligett is the contact person and will be coordinating the processing of the application.

Please review this application for completeness in accordance with Section 3.3.1.4 of IMM 3.3.1. Return your comments to Margaret by May 8, 1987, along with notification of the staff member in your office who will be responsible for this variance.

If you have any questions please call Margaret at 488-0130 (SunCom 278-0130). Also, if you feel the application is complete, please submit your evaluation and recommendation for issuance or denial of the variance.

RLA/AME/jk

Attachments

cc: Walter Starnes
Bruce Mitchell ✓
Mark Zilberberg



AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

March 19, 1987

DER

MAR 25 1987

BAQM

Mr. Steve Smallwood
Manager, Bureau of Air Quality
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED
MAR 23 1987

DIVISION OF
ENVIRONMENTAL PERMITTING

Dear Mr. Smallwood:

This letter is for the purpose of requesting variances for three sources affected by FAC 17-2.600(4)(c) Total Reduced Sulfur, in regard to the compliance schedule for these sources as provided in FAC 17-2.960(1)(d).

The sources are listed below along with their respective Operating Permit numbers:

- Number 5 multiple effect evaporator (MEE) - A045-115844
- Batch digester system - A045-115842
- Kamyr digester system - A045-115840.

} 5/12/89

The above-named sources are affected by FAC 17-2.960(1)(d)1.b. to the extent that final compliance is required no later than thirty-six months after May 12, 1986, or by May 12, 1989. The variance hereby requested is to extend the date for final compliance of these sources to June 1, 1990.

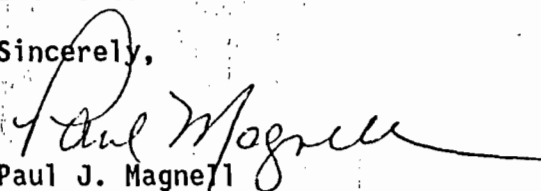
The reason for this request is outlined in the attached letter and TRS Compliance Plan, previously submitted to Mr. Clair Fancy of your Department. As shown by these documents, attainment of final TRS compliance by May 12, 1989 is not feasible in that our plan is to control the emissions from these sources by incineration in a new No. 4 lime kiln. This kiln will replace the existing Nos. 2 and 3 kilns for the purpose of bringing those sources into compliance. However, as recognized in FAC 17-2.960(1)(d)3.b., replacement of a lime kiln is a significantly more involved process than other aspects of TRS control, and the final compliance date for this new source is not later than 54 months after May 12, 1986, or by November 12, 1990. As explained in the attached letter, we have determined that the lime kiln could be brought on line and

Mr. Steve Smallwood
March 19, 1987
Page 2.

into compliance (with NSPS requirements) by May 1, 1990 at which time the Nos. 2 and 3 kilns would be shut down. The three sources being controlled by this new kiln could then be certified in compliance by June 1, 1990.

We appreciate your consideration of this request for a variance for these three sources. If you or your department have any questions regarding this request, please contact Roger Hagan, Technical Director, at (904) 261-5551.

Sincerely,



Paul J. Magner
General Manager

PJM/ma

Attachments

cc: E. E. Frey - FDER Northeast Regional Manager



AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

January 30, 1987

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blainstone Road
Tallahassee, FL 32301-8241

Dear Mr. Fancy:

Attached is the TRS compliance plan required by FAC 17-2.960 for Container Corporation of America, Fernandina Beach. The information required by the TRS rule is included in the plan.

We would like to draw your attention in particular to the plan and schedule of compliance dates for the No. 5 MEE, batch digesters, and Kamyrd digester. The compliance plans for these three sources all include collection of the non-condensable gasses and incineration in a new, No. 4 lime kiln. This kiln will be constructed as a replacement for the existing Nos. 2 and 3 kilns, in order to bring these sources into compliance.

We are requesting by this letter and compliance plan that the dates for final compliance of the No. 5 MEE, batch digesters, and Kamyrd digester be extended as shown in the plan schedule to accommodate the completion of the replacement kiln.

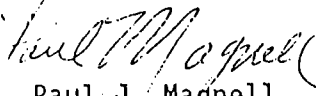
The TRS rule recognizes that the scope and expense of such a replacement of existing kilns will require more time to attain final compliance than other, less-comprehensive, measures might. We feel that economic and engineering factors dictate that the kiln replacement will require nearly all the time allotted for such a project in the rule. However, the final compliance of the three sources from which the gasses will be collected and incinerated in the new kiln is directly dependent upon the completion of the kiln project. Therefore, the compliance schedule for those three sources must be similarly dependent on the compliance schedule of the replacement kiln. In constructing the schedule, we have determined that the new kiln could be brought on-line and into compliance six months prior to the date in the rule for final compliance. We intend to bring that source, along with the kiln-dependent sources into compliance in that time frame. Sources which are not directly dependent on the new kiln for incineration are scheduled to be in compliance on or before the dates stated in the rule.

Mr. Clair Fancy
January 30, 1987
Page 2.

The dates shown in the compliance schedule are intended as the best dates, as determined by the present available information, at which the sources could be brought into compliance with the rule. All the projects will be completed as expeditiously as is feasible; however, variable factors including equipment delivery, engineering availability, construction details including weather and labor factors, and economic conditions will affect the actual construction completion dates and the ultimate compliance schedule for every source.

Please contact Roger Hagan at (904) 261-5551 if there are any questions or comments on this compliance plan and schedule.

Sincerely,



Paul J. Magnell
General Manager

PJM/ma

cc: E. E. Frey - DER, Jacksonville

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

1. Submittal of construction permit applications
2. Submittal of certification of equipment orders.
3. Certification of initial construction.
4. Certification of completion of construction.
5. Certification of final compliance.

In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
Kamyr Digester	This continuous digester system includes a digester vessel, turpentine recovery system, steaming vessel, 2 liquor flash tanks, and a surge tank (blow tank).
Batch Digesters	This system consists of 7 digester vessels, 2 turpentine recovery systems, and 2 blow tanks.
No. 2 Lime Kiln	This system has an operating scrubber which is the only source of TRS emissions.
No. 3 Lime Kiln	Similar to No. 2 kiln.

- No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.
- No. 4 SDT This is a smelt dissolving tank currently operating with a demister pad unit for particulate control.
- Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
Batch Digesters	The turpentine condensing systems will be replaced and a blow heat recovery system will be installed on the existing blow tanks. The non-condensable gases from both the turpentine and blow heat recovery systems will be collected and transported to the No. 4 kiln for incineration.	3660

No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : : 16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : :
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.	75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.	350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.	250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

Bruce Mitchell BAQM ³¹⁰

Initial

Date

2.

Initial

Date

3.

Initial

Date

4.

Initial

Date

REMARKS:

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

DATE

PHONE



AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

March 19, 1987

DER

MAR 25 1987

BAQM

Mr. Steve Smallwood
Manager, Bureau of Air Quality
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Smallwood:

This letter is for the purpose of requesting variances for three sources affected by FAC 17-2.600(4)(c) Total Reduced Sulfur, in regard to the compliance schedule for these sources as provided in FAC 17-2.960(1)(d).

The sources are listed below along with their respective Operating Permit numbers:

Number 5 multiple effect evaporator (MEE) - A045-115844
Batch digester system - A045-115842
Kamyr digester system - A045-115840.

The above-named sources are affected by FAC 17-2.960(1)(d)1.b. to the extent that final compliance is required no later than thirty-six months after May 12, 1986, or by May 12, 1989. The variance hereby requested is to extend the date for final compliance of these sources to June 1, 1990.

The reason for this request is outlined in the attached letter and TRS Compliance Plan, previously submitted to Mr. Clair Fancy of your Department. As shown by these documents, attainment of final TRS compliance by May 12, 1989 is not feasible in that our plan is to control the emissions from these sources by incineration in a new No. 4 lime kiln. This kiln will replace the existing Nos. 2 and 3 kilns for the purpose of bringing those sources into compliance. However, as recognized in FAC 17-2.960(1)(d)3.b., replacement of a lime kiln is a significantly more involved process than other aspects of TRS control, and the final compliance date for this new source is not later than 54 months after May 12, 1986, or by November 12, 1990. As explained in the attached letter, we have determined that the lime kiln could be brought on line and

Mr. Steve Smallwood
March 19, 1987
Page 2.

into compliance (with NSPS requirements) by May 1, 1990 at which time the Nos. 2 and 3 kilns would be shut down. The three sources being controlled by this new kiln could then be certified in compliance by June 1, 1990.

We appreciate your consideration of this request for a variance for these three sources. If you or your department have any questions regarding this request, please contact Roger Hagan, Technical Director, at (904) 261-5551.

Sincerely,



Paul J. Magner
General Manager

PJM/ma

Attachments

cc: E. E. Frey - FDER Northeast Regional Manager



AN AFFILIATE OF
WALTON INVESTMENT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

January 30, 1987

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blainstone Road
Tallahassee, FL 32301-8241

Dear Mr. Fancy:

Attached is the TRS compliance plan required by FAC 17-2.960 for Container Corporation of America, Fernandina Beach. The information required by the TRS rule is included in the plan.

We would like to draw your attention in particular to the plan and schedule of compliance dates for the No. 5 MEE, batch digesters, and Kamyr digester. The compliance plans for these three sources all include collection of the non-condensable gasses and incineration in a new, No. 4 lime kiln. This kiln will be constructed as a replacement for the existing Nos. 2 and 3 kilns, in order to bring these sources into compliance.

We are requesting by this letter and compliance plan that the dates for final compliance of the No. 5 MEE, batch digesters, and Kamyr digester be extended as shown in the plan schedule to accommodate the completion of the replacement kiln.

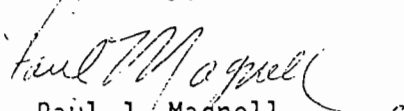
The TRS rule recognizes that the scope and expense of such a replacement of existing kilns will require more time to attain final compliance than other, less-comprehensive, measures might. We feel that economic and engineering factors dictate that the kiln replacement will require nearly all the time allotted for such a project in the rule. However, the final compliance of the three sources from which the gasses will be collected and incinerated in the new kiln is directly dependent upon the completion of the kiln project. Therefore, the compliance schedule for those three sources must be similarly dependent on the compliance schedule of the replacement kiln. In constructing the schedule, we have determined that the new kiln could be brought on-line and into compliance six months prior to the date in the rule for final compliance. We intend to bring that source, along with the kiln-dependent sources into compliance in that time frame. Sources which are not directly dependent on the new kiln for incineration are scheduled to be in compliance on or before the dates stated in the rule.

Mr. Clair Fancy
January 30, 1987
Page 2.

The dates shown in the compliance schedule are intended as the best dates, as determined by the present available information, at which the sources could be brought into compliance with the rule. All the projects will be completed as expeditiously as is feasible; however, variable factors including equipment delivery, engineering availability, construction details including weather and labor factors, and economic conditions will affect the actual construction completion dates and the ultimate compliance schedule for every source.

Please contact Roger Hagan at (904) 261-5551 if there are any questions or comments on this compliance plan and schedule.

Sincerely,


Paul J. Magnell
General Manager

PJM/ma

cc: E. E. Frey - DER, Jacksonville

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

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In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
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No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.

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Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment⁺/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
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No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : : 16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : :
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.	75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.	350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.	250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.
*

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.

TO: Walt Starves DATE DUE: _____
FROM: Clair Fancy DATE COMPLETED: _____
DATE: 4/9
SUBJ: CCA request for variance for TRS

Please accomplish the following job assignment by the date due.

please start processing. Bruce is CAPs contact

CC: Steve Smallwood

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION) *RA 4-13-87*

Initial

Date

Bruce Mitchell X

2.

Initial

Date

Allen [unclear]

3.

Initial

Date

4/13 - good turnaround

Clara

4.

Initial

Date

Bill

REMARKS:

INFORMATION

Review & Return

Review & File

Initial & Forward

Back to me & Bruce

I've sent attached orig to Margaret E. - she will write memos requesting comments -

Variance Request -

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

Walt

DATE

Apr 13 87

PHONE

have to be demonstrated by May 12, 1989, pursuant to Rule 17-2.960(1)(d), FAC.

- 3) The combustion source selected by CCA to treat/combust the TRS emissions collected by the NCG system is the proposed new No. 4 lime kiln. The proposed new No. 4 lime kiln cannot be constructed and in compliance by May 12, 1989 - the final compliance date for the existing No. 5 MEE system, batch digester system and Kamyrdigester system; therefore, the company has requested a variance for the existing No. 5 MEE system, batch digester system and Kamyrdigester system, to June 1, 1990, to allow for completion of the construction and start-up of the proposed new No. 4 lime kiln (which is required to be in final compliance by November 12, 1990, pursuant to Rule 17-2.960(1)(d)3.b., FAC).
- 4) Container Corporation of America, therefore, applied to the Department for a variance under Chapter 403.201(1)(b), FS, pursuant to Rule 17-2.960(1)(g)1., FAC. Following a completeness review, supplemental information was requested and received, thus completing the variance application package.
- 5) In order to avoid redundancy and improve cost-effectiveness, CCA does not propose to install and operate a temporary or secondary TRS NCG control system for the existing No. 5 MEE system, batch digester system and Kamyrdigester system, because it would be disconnected and dismantled after the proposed new No. 4 lime kiln and TRS NCG system are connected (by June 1, 1990).

- 6) CCA does not want to escalate the final compliance date of the proposed new No. 4 lime kiln to that of the existing sources, already identified for which a variance is sought, because of the time constraints associated with the design, engineering, delivery, construction, and initial compliance testing of the proposed new No. 4 lime kiln (estimated to take two years). Also, CCA wants to spread the total cost of the new No. 4 lime kiln and the TRS NCG system over a multi-year time period instead of a single year.

- 7) Over the last four years, CCA asserts that it has spent over \$100 million on upgrading and modernization, trying to make the mill more efficient and profitable. Besides the \$26 million committed to the proposed new No. 4 lime kiln and TRS NCG system, CCA intends to commit approximately \$2.7 million to upgrade and maintain the present mill in such a way as to minimize the facility's TRS emissions until final compliance is achieved (see Paul J. Magnell's letters dated November 12 and December 11, 1987).

- 8) Nassau County has an estimated population of 41,000. CCA employs greater than 4% of the employed labor force. In 1986, CCA paid over \$2.8 million in property taxes, which is over 22% of the total property taxes collected by the County. CCA's wages are part of the reason that Nassau County is one of the top 4 counties in the State in per capita income.

- 9) The construction of the proposed new No. 4 lime kiln will result in the retirement of two existing lime kilns (Nos. 2 and 3). The proposed new No. 4 lime kiln will be subject to

the emission limiting standards of the federal New Source Performance Standards (NSPS), 40 CFR 60, Subpart BB, adopted by reference in Rule 17-2.660, FAC. Consequently, the proposed new No. 4 lime kiln, as opposed to the two existing lime kilns, will be a more efficient and reliable combustion source for handling the facility's TRS emissions. Also, the particulate matter emissions limiting standard(s) for the proposed new No. 4 lime kiln will be more stringent than the current standard(s) for the existing Nos. 2 and 3 lime kilns.

- 10) The control system for the proposed new No. 4 lime kiln is an electrostatic precipitator, which is an excellent control device for particulate matter. By eliminating the existing wet scrubber systems on the existing lime kilns, which use contaminated condensate for their scrubbing medium, an additional reduction in TRS emissions will be effected (past test results show a large range of TRS emissions from both systems). Therefore, eliminating two existing air pollution sources for a tightly regulated, more efficient source is more desirable from an environmental and regulatory perspective.

- 11) Pursuant to Rule 17-2.960(1)(e), FAC, a mill is allowed up to two years extension under a variance. CCA requested from May 12, 1989 to June 1, 1990, under the Petition for Variance, for additional time to demonstrate final compliance for the existing No. 5 MEE system, batch digester system and Kamyrdigester system. Approval of the Petition for Variance will result in requiring final compliance of these sources to be demonstrated by June 1, 1990.

The Department hereby gives notice of its intent to issue a variance (VE-45-313) to Container Corporation of America for the No. 5 MEE system, batch digester system and Kamyrdigester system, subject to the following conditions:

- 1) The existing No. 5 MEE system, batch digester system and Kamyrdigester system, shall be in final compliance with Rule 17-2, FAC, by June 1, 1990.
- 2) By November 12, 1990, an initial compliance test in accordance with 40 CFR 60.8, Subpart A, shall be performed on the proposed new No. 4 lime kiln with the TRS NCG system connected to it and with all of the TRS NCG emission sources, which is to include the No. 6 MEE system, in operation (90-100% of permitted capacities).
- 3) A construction permit application with the appropriate fee shall be submitted by CCA to the Department by May 12, 1988, for the proposed new No. 4 lime kiln pursuant to Rule 17-2.960(1)(d)3.b., FAC.
- 4) CCA shall upgrade, where cost effective and practical, and maintain the present facility in such a manner as to minimize interim TRS emissions. Pursuant to Rule 17-2.600(4)(c)1.c., FAC, a maintenance and malfunction contingency plan shall be submitted to the Department's Northeast District office and the Bureau of Air Quality Management office within ninety days after the effective date of this variance, outlining the interim maintenance

program for minimizing TRS emissions that will be in effect prior to achieving final compliance.

- 5) After compliance has been demonstrated on the proposed new No. 4 lime kiln, CCA shall shut down the existing Nos. 2 and 3 lime kilns and surrender any active Departmental permits for these sources to the Department, but no later than November 12, 1990.
- 6) The TRS emissions from the No. 6 MEE system shall be diverted to the TRS NCG system by June 1, 1990.
- 7) CCA agreed to expend approximately \$2.7 million to minimize TRS emissions from the present facility during the interim period and prior to demonstrating final compliance on the sources for which this variance is sought, unless a greater amount is required to maintain the present facility and minimize TRS emissions during this period (see Paul J. Magnell's letters dated November 12 and December 11, 1987). Documentation shall be required in the form of a Quarterly Report and the first report shall be due March 1, 1988.
- 8) The Quarterly Report shall be submitted to the Department's Northeast District office describing the status of the facility's progress in complying with the terms of this variance. The report shall also describe any equipment upgrades and interim maintenance procedures implemented, and their associated costs, to minimize TRS emissions from the present facility.

- 9) The Department shall be notified in writing prior to any deviation(s) from the terms contained in this variance.

- 10) This variance is null and void if CCA alters its strategy to comply with the TRS Rule(s) contained in Rule 17-2, FAC, by using an existing source to treat/combust the facility's TRS emissions instead of the proposed new No. 4 lime kiln. Consequently, the mill's existing sources, for which this variance is sought and subject to the TRS Rule, will have to be in final compliance in accordance with Rule 17-2.960, FAC, if the proposed new No. 4 lime kiln is not constructed to treat/combust the facility's TRS emissions as reflected by their application for this variance.

- 11) The following attachments are incorporated:
 1. Mr. Paul J. Magnell's letter dated January 30, 1987, and received February 12, 1987.
 2. Mr. C.H. Fancy's letter dated March 12, 1987.
 3. Mr. Paul J. Magnell's letter dated March 19, 1987, and received March 25, 1987.
 4. Mr. Steve Smallwood's letter dated July 21, 1987.
 5. Mr. Paul J. Magnell's letter dated August 19, 1987, and received August 25, 1987.
 6. Mr. Paul J. Magnell's letter dated October 13, 1987, and received October 21, 1987.
 7. Mr. Paul J. Magnell's letter dated November 12, 1987, and received November 16, 1987.
 8. Mr. Paul J. Magnell's letter dated December 11, 1987, and received December 11, 1987 (hand delivered).

Any administrative relief approved by the Department must also be approved by the Regional Administrator of Region IV, United States Environmental Protection Agency (EPA). The Department will coordinate with the Atlanta office of the EPA in this regard to the maximum extent possible.

Pursuant to Rules 17-103.100 and 17-103.150, FAC, the petitioner shall publish at his expense one time only the attached legal notice in a newspaper of general circulation in the area affected by the proposed project. Proof of publication shall be in the form of an affidavit of publication submitted to the Office of the Director of the Division of Environmental Permitting, Department of Environmental Regulation. The Department will place the public notice in the Florida Administrative Weekly.

This Intent to Issue shall be placed before the Secretary for final action, unless an appropriate petition for a hearing pursuant to the provision of Section 120.57, FS, is filed within fourteen (14) days of publication of the public notice (copy attached) required pursuant to Rule 17-103.150, FAC. Should anyone wish to dispute a material fact or object to a condition of this proposed intent, a petition for a formal hearing shall be filed in accordance with the provisions of Section 120.57(1), FS. The petition must comply with the requirements of Rules 17-103.155 and 28-5.201, FAC (copies attached), and be filed pursuant to Rule 17-103.155(1), FAC, in the Office of General Counsel of the Department of Environmental Regulation at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to file a petition within fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, FS.

In the event a formal hearing is conducted pursuant to Section 120.57(1), FS, all parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination of witnesses and submit rebuttal evidence, to submit proposed findings of facts and orders, to file exceptions to any order of the hearing officer's recommended order, and to be represented by counsel. If an informal hearing is requested, pursuant to Section 120.57(2), FS, the agency, in accordance with its rules of procedure, will provide affected persons or parties or their counsel an opportunity at a convenient time and place, to present to the agency or hearing officer, written or oral evidence in opposition to the agency's action or refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction.

The administrative hearing process is designed to formulate agency action. Accordingly, if a petition is filed, the Department's final action may be different from the proposed agency action. Therefore, persons who may not wish to file a petition, may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, FAC, at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, FS.

If the Department does not receive a petition for hearing within the time allowed by this letter and does receive proof of public notice from the petitioner, a final order will be issued.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Dale Twachtmann	Date
Secretary	
2600 Blair Stone Road	
Twin Towers Office Building	
Tallahassee, Florida	
32399-2400	

Copies furnished to:

S. Smallwood, DER
H. Rhodes, DER
R. Armstrong, DER
E. Frey, DER
C. Fancy, DER
J. Brown, DER
M. Zilberberg, Esq., DER
B. Pittman, Esq., DER
B. Miller, EPA
M. Flores, NPS
B. Williams, JSC
R. Hagan, CCA

ATTACHMENT 1

CCA

AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

DER

January 30, 1987 FEB 12 1987

BAQM

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blairstone Road
Tallahassee, FL 32301-8241

Dear Mr. Fancy:

Attached is the TRS compliance plan required by FAC 17-2.960 for Container Corporation of America, Fernandina Beach. The information required by the TRS rule is included in the plan.

We would like to draw your attention in particular to the plan and schedule of compliance dates for the No. 5 MEE, batch digesters, and Kamyr digester. The compliance plans for these three sources all include collection of the non-condensable gasses and incineration in a new, No. 4 lime kiln. This kiln will be constructed as a replacement for the existing Nos. 2 and 3 kilns, in order to bring these sources into compliance.

We are requesting by this letter and compliance plan that the dates for final compliance of the No. 5 MEE, batch digesters, and Kamyr digester be extended as shown in the plan schedule to accommodate the completion of the replacement kiln.

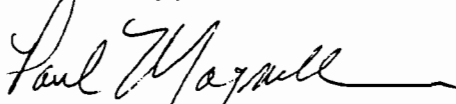
The TRS rule recognizes that the scope and expense of such a replacement of existing kilns will require more time to attain final compliance than other, less-comprehensive, measures might. We feel that economic and engineering factors dictate that the kiln replacement will require nearly all the time allotted for such a project in the rule. However, the final compliance of the three sources from which the gasses will be collected and incinerated in the new kiln is directly dependent upon the completion of the kiln project. Therefore, the compliance schedule for those three sources must be similarly dependent on the compliance schedule of the replacement kiln. In constructing the schedule, we have determined that the new kiln could be brought on-line and into compliance six months prior to the date in the rule for final compliance. We intend to bring that source, along with the kiln-dependent sources into compliance in that time frame. Sources which are not directly dependent on the new kiln for incineration are scheduled to be in compliance on or before the dates stated in the rule.

Mr. Clair Fancy
January 30, 1987
Page 2.

The dates shown in the compliance schedule are intended as the best dates, as determined by the present available information, at which the sources could be brought into compliance with the rule. All the projects will be completed as expeditiously as is feasible; however, variable factors including equipment delivery, engineering availability, construction details including weather and labor factors, and economic conditions will affect the actual construction completion dates and the ultimate compliance schedule for every source.

Please contact Roger Hagan at (904) 261-5551 if there are any questions or comments on this compliance plan and schedule.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul J. Magnell", with a horizontal line extending to the right.

Paul J. Magnell
General Manager

PJM/ma

cc: E. E. Frey - DER, Jacksonville

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

1. Submittal of construction permit applications
2. Submittal of certification of equipment orders.
3. Certification of initial construction.
4. Certification of completion of construction.
5. Certification of final compliance.

In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
Kamyr Digester	This continuous digester system includes a digester vessel, turpentine recovery system, steaming vessel, 2 liquor flash tanks, and a surge tank (blow tank).
Batch Digesters	This system consists of 7 digester vessels, 2 turpentine recovery systems, and 2 blow tanks.
No. 2 Lime Kiln	This system has an operating scrubber which is the only source of TRS emissions.
No. 3 Lime Kiln	Similar to No. 2 kiln.

*Scrubber is control device
not source*

- No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.
- No. 4 SDT This is a smelt dissolving tank currently operating with a demister pad unit for particulate control.
- Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
Batch Digesters	The turpentine condensing systems will be replaced and a blow heat recovery system will be installed on the existing blow tanks. The non-condensable gases from both the turpentine and blow heat recovery systems will be collected and transported to the No. 4 kiln for incineration.	3660

No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : : 16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : :
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.	75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.	350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.	250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.

ATTACHMENT 2

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

March 12, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Paul J. Magnell
General Manager
Container Corporation of America
North Eighth Street
P. O. Box 2000
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

Re: TRS Conceptual Compliance Plan Review

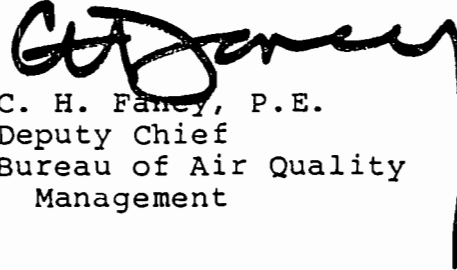
The department is in receipt of the above referenced plan dated January 30, 1987, and received February 12, 1987. Based on a review of the proposal, the following comments are offered:

- 1) The proposed plan is unacceptable due to the fact that the MEE#5, the batch digesters and the Kamyrd digester will not timely achieve final compliance pursuant to Florida Administrative Code (FAC) Rule 17-2.960.
- 2) For the sources listed in #1 above, the company should pursue an extension of time so that final compliance will coincide with the date of final compliance for the proposed new No. 4 Lime Kiln. The mechanism for obtaining an extension of the final compliance dates is provided in FAC Rule 17-2.960(1)(g)1., which would require you to apply for variances from the department in accordance with Chapter 403.201, Florida Statutes (a copy of which is enclosed).
- 3) Except for those parts of the proposed plan pertaining to the sources identified in #1 above, the remainder of the proposed plan is acceptable.

Mr. Paul J. Magnell
Page Two
March 12, 1987

If there are any questions, please contact Julia Cobb Costas,
with the Office of General Counsel at (904)488-9730, Bruce Mitchell,
with the Bureau of Air Quality Management at (904)488-1344, or
Johnny Cole, with the NE District office at (904)396-6959.

Sincerely,

A handwritten signature in black ink, appearing to read "C. H. Fancy". The signature is stylized and written in a cursive-like font. It is positioned above the typed name and title of the signatory.

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/BM/s

cc: E. Frey
B. Thomas
J. Brown
J. Costas, Esquire

ATTACHMENT 3



Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

March 19, 1987

DER

MAR 25 1987

BAQM

Mr. Steve Smallwood
Manager, Bureau of Air Quality
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Smallwood:

This letter is for the purpose of requesting variances for three sources affected by FAC 17-2.600(4)(c) Total Reduced Sulfur, in regard to the compliance schedule for these sources as provided in FAC 17-2.960(1)(d).

The sources are listed below along with their respective Operating Permit numbers:

Number 5 multiple effect evaporator (MEE) - A045-115844
Batch digester system - A045-115842
Kamyr digester system - A045-115840.

The above-named sources are affected by FAC 17-2.960(1)(d)1.b. to the extent that final compliance is required no later than thirty-six months after May 12, 1986, or by May 12, 1989. The variance hereby requested is to extend the date for final compliance of these sources to June 1, 1990.


The reason for this request is outlined in the attached letter and TRS Compliance Plan, previously submitted to Mr. Clair Fancy of your Department. As shown by these documents, attainment of final TRS compliance by May 12, 1989 is not feasible in that our plan is to control the emissions from these sources by incineration in a new No. 4 lime kiln. This kiln will replace the existing Nos. 2 and 3 kilns for the purpose of bringing those sources into compliance. However, as recognized in FAC 17-2.960(1)(d)3.b., replacement of a lime kiln is a significantly more involved process than other aspects of TRS control, and the final compliance date for this new source is not later than 54 months after May 12, 1986, or by November 12, 1990. As explained in the attached letter, we have determined that the lime kiln could be brought on line and

Mr. Steve Smallwood
March 19, 1987
Page 2.

into compliance (with NSPS requirements) by May 1, 1990 at which time the Nos. 2 and 3 kilns would be shut down. The three sources being controlled by this new kiln could then be certified in compliance by June 1, 1990.

We appreciate your consideration of this request for a variance for these three sources. If you or your department have any questions regarding this request, please contact Roger Hagan, Technical Director, at (904) 261-5551.

Sincerely,

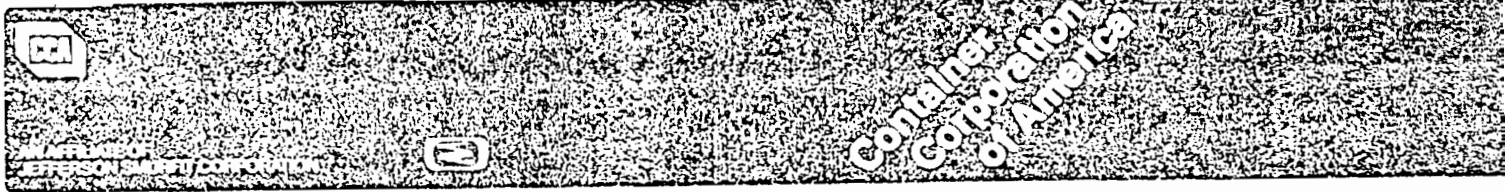


Paul J. Magne
General Manager

PJM/ma

Attachments

cc: E. E. Frey - FDER Northeast Regional Manager



Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone 904 261-8551

January 30, 1987

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blairstone Road
Tallahassee, FL 32301-8241

Dear Mr. Fancy:

Attached is the TRS compliance plan required by FAC 17-2.960 for Container Corporation of America, Fernandina Beach. The information required by the TRS rule is included in the plan.

We would like to draw your attention in particular to the plan and schedule of compliance dates for the No. 5 MEE, batch digesters, and Kamyrd digester. The compliance plans for these three sources all include collection of the non-condensable gasses and incineration in a new, No. 4 lime kiln. This kiln will be constructed as a replacement for the existing Nos. 2 and 3 kilns, in order to bring these sources into compliance.

We are requesting by this letter and compliance plan that the dates for final compliance of the No. 5 MEE, batch digesters, and Kamyrd digester be extended as shown in the plan schedule to accommodate the completion of the replacement kiln.

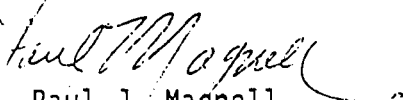
The TRS rule recognizes that the scope and expense of such a replacement of existing kilns will require more time to attain final compliance than other, less-comprehensive, measures might. We feel that economic and engineering factors dictate that the kiln replacement will require nearly all the time allotted for such a project in the rule. However, the final compliance of the three sources from which the gasses will be collected and incinerated in the new kiln is directly dependent upon the completion of the kiln project. Therefore, the compliance schedule for those three sources must be similarly dependent on the compliance schedule of the replacement kiln. In constructing the schedule, we have determined that the new kiln could be brought on-line and into compliance six months prior to the date in the rule for final compliance. We intend to bring that source, along with the kiln-dependent sources into compliance in that time frame. Sources which are not directly dependent on the new kiln for incineration are scheduled to be in compliance on or before the dates stated in the rule.

Mr. Clair Fancy
January 30, 1987
Page 2.

The dates shown in the compliance schedule are intended as the best dates, as determined by the present available information, at which the sources could be brought into compliance with the rule. All the projects will be completed as expeditiously as is feasible; however, variable factors including equipment delivery, engineering availability, construction details including weather and labor factors, and economic conditions will affect the actual construction completion dates and the ultimate compliance schedule for every source.

Please contact Roger Hagan at (904) 261-5551 if there are any questions or comments on this compliance plan and schedule.

Sincerely,


Paul J. Magnell
General Manager

PJM/ma

cc: E. E. Frey - DER, Jacksonville

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

1. Submittal of construction permit applications
2. Submittal of certification of equipment orders.
3. Certification of initial construction.
4. Certification of completion of construction.
5. Certification of final compliance.

In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
Kamyr Digester	This continuous digester system includes a digester vessel, turpentine recovery system, steaming vessel, 2 liquor flash tanks, and a surge tank (blow tank).
Batch Digesters	This system consists of 7 digester vessels, 2 turpentine recovery systems, and 2 blow tanks.
No. 2 Lime Kiln	This system has an operating scrubber which is the only source of TRS emissions.
No. 3 Lime Kiln	Similar to No. 2 kiln.

No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.

No. 4 SDT This is a smelt dissolving tank currently operating with a demister pad unit for particulate control.

Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
Batch Digesters	The turpentine condensing systems will be replaced and a blow heat recovery system will be installed on the existing blow tanks. The non-condensable gases from both the turpentine and blow heat recovery systems will be collected and transported to the No. 4 kiln for incineration.	3660

No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : : 16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : :
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.	75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.	350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.	250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.

TO: Walt Starnes
DATE DUE: _____
FROM: Clair Fancy
DATE COMPLETED: _____
DATE: 4/9
SUBJ: CCA request for variance for TRS

Please accomplish the following job assignment by the date due.

please start processing. Bruce is CAPs contact

cc: Steve Smallwood

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)	<i>RA 4-13-87</i>	Initial
<i>Bruce Mitchell X</i>		Date
2.		Initial
<i>Allen Walker</i>		Date
3.		Initial
<i>Clair</i>		Date
4.		Initial
<i>Bill</i>		Date

REMARKS:

I've sent attached orig to Margaret E. - she will write memo requesting comments -

Vacuum Request -

INFORMATION

- Review & Return
- Review & File
- Initial & Forward

Back to me: Bruce

DISPOSITION

- Review & Respond
- Prepare Response
- For My Signature
- For Your Signature
- Let's Discuss
- Set Up Meeting
- Investigate & Report
- Initial & Forward
- Distribute
- Concurrence
- For Processing
- Initial & Return

FROM:

Walt

DATE

PHONE

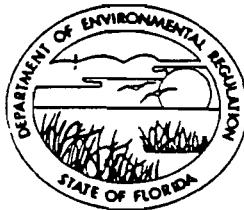
Apr 13 87

ATTACHMENT 4

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

*Rec'd via Terry Col
on 8-21-87
RPM*

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

July 21, 1987

*See: Bob Williams
Roy Cobb*

Mr. Paul J. Magnell
General Manager
Container Corporation of America
Post Office Box 2000
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

The Bureau of Air Quality Management has reviewed your request for a TRS variance for the number 5 multiple effect evaporator, the batch digester system and the Kamyrdigester system.

The statutory and rule requirements for obtaining a variance require that the Department obtain additional information.

All of the items of information listed in Rule 17-103.100, Petitions or Applications for Variances, must be addressed (See attached). Items (f) and (g) are incomplete in that they were not addressed in your application. In addition to addressing items (f) and (g), other questions need to be answered to provide additional information needed to evaluate the merits of your request, and to adequately answer any inquiries by third parties.

Please provide the following information and/or answer the following questions:

- (1) The social, economic and environmental impact on the applicant, residents of the area and the State if the variance is granted.
- (2) The social, economic and environmental impacts on the applicant, residents of the area and the State if the variance is denied.
- (3) The specific sub-paragraph (a), (b), or (c) of 403.201, Florida Statutes, under which your variance is requested and justification for requesting a variance under that sub-paragraph.

RECEIVED

JUL 24 1987

Mr. Paul J. Magnell
July 21, 1987
Page Two

- (4) Documentation to indicate why the lime kiln cannot be completed in time to meet the required TRS compliance date of May 12, 1989.
- (5) As part of the description of the environmental impact on the residents of the area describe what reasonable mitigating measures, if any, can be taken to minimize emissions between May 12, 1989 and June 1, 1990 if the variance is granted, and the costs of such measures.
- (6) Where will the new lime kiln be located in relationship to the existing kilns?

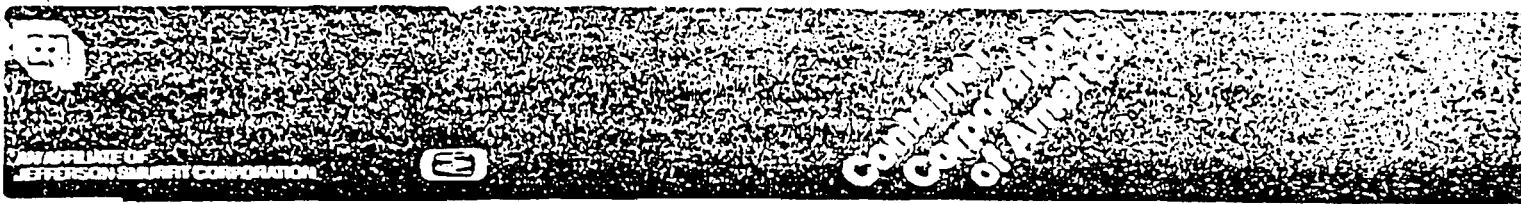
Upon receipt of the above information the Bureau will promptly review the complete application and make a recommendation to the Secretary. Please contact Walter Starnes or me at (904) 488-1344 if you have any questions.

Sincerely,

for John Brown
Steve Smallwood, P.E.
Chief
Bureau of Air Quality
Management

SS:jw

cc: Margaret Elligett
Walter Starnes



Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

R. Nagan

March 19, 1987

Mr. Steve Smallwood
Manager, Bureau of Air Quality
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Smallwood:

This letter is for the purpose of requesting variances for three sources affected by FAC 17-2.600(4)(c) Total Reduced Sulfur, in regard to the compliance schedule for these sources as provided in FAC 17-2.960(1)(d).

The sources are listed below along with their respective Operating Permit numbers:

Number 5 multiple effect evaporator (MEE) - A045-115844
Batch digester system - A045-115842
Kamyr digester system - A045-115840.

The above-named sources are affected by FAC 17-2.960(1)(d)1.b. to the extent that final compliance is required no later than thirty-six months after May 12, 1986, or by May 12, 1989. The variance hereby requested is to extend the date for final compliance of these sources to June 1, 1990.

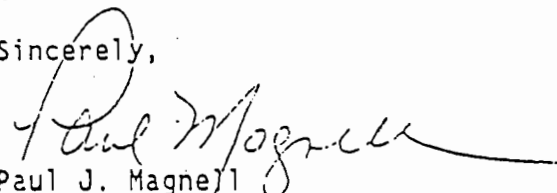
The reason for this request is outlined in the attached letter and TRS Compliance Plan, previously submitted to Mr. Clair Fancy of your Department. As shown by these documents, attainment of final TRS compliance by May 12, 1989 is not feasible in that our plan is to control the emissions from these sources by incineration in a new No. 4 lime kiln. This kiln will replace the existing Nos. 2 and 3 kilns for the purpose of bringing these sources into compliance. However, as recognized in FAC 17-2.960(1)(d)3.b., replacement of a lime kiln is a significantly more involved process than other aspects of TRS control, and the final compliance date for this new source is not later than 54 months after May 12, 1986, or by November 12, 1990. As explained in the attached letter, we have determined that the lime kiln could be brought on line and

Mr. Steve Smallwood
March 19, 1987
Page 2.

into compliance (with NSPS requirements) by May 1, 1990 at which time the Nos. 2 and 3 kilns would be shut down. The three sources being controlled by this new kiln could then be certified in compliance by June 1, 1990.

We appreciate your consideration of this request for a variance for these three sources. If you or your department have any questions regarding this request, please contact Roger Hagan, Technical Director, at (904) 261-5551.

Sincerely,



Paul J. Magne
General Manager

PJM/ma

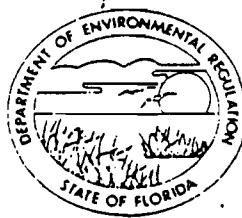
Attachments

cc: E. E. Frey - FDER Northeast Regional Manager

bcc: R. D. Quina - JAX GENERAL
B. Williams - "
R. C. Cobb - CHICAGO
E. Burr - JAX GENERAL

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR

DALE TWACHTMANN
SECRETARY

March 12, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Paul J. Magnell
General Manager
Container Corporation of America
North Eighth Street
P. O. Box 2000
Fernandina Beach, Florida 32034

cc: M. Quina - Jax
R. Cobb - Alton
R. Hagan

From P. Magnell
3/13/87

Dear Mr. Magnell:

Re: TRS Conceptual Compliance Plan Review

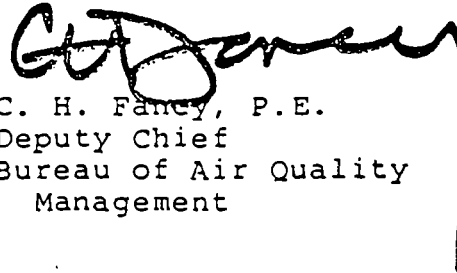
The department is in receipt of the above referenced plan dated January 30, 1987, and received February 12, 1987. Based on a review of the proposal, the following comments are offered:

- 1) The proposed plan is unacceptable due to the fact that the MEE#5, the batch digesters and the Kamyrd digester will not timely achieve final compliance pursuant to Florida Administrative Code (FAC) Rule 17-2.960.
- 2) For the sources listed in #1 above, the company should pursue an extension of time so that final compliance will coincide with the date of final compliance for the proposed new No. 4 Lime Kiln. The mechanism for obtaining an extension of the final compliance dates is provided in FAC Rule 17-2.960(1)(g)1., which would require you to apply for variances from the department in accordance with Chapter 403.201, Florida Statutes (a copy of which is enclosed).
- 3) Except for those parts of the proposed plan pertaining to the sources identified in #1 above, the remainder of the proposed plan is acceptable.

Mr. Paul J. Magnell
Page Two
March 12, 1987

If there are any questions, please contact Julia Cobb Costas,
with the Office of General Counsel at (904)488-9730, Bruce Mitchell,
with the Bureau of Air Quality Management at (904)488-1344, or
Johnny Cole, with the NE District office at (904)396-6959.

Sincerely,

A handwritten signature in black ink, appearing to read "C. H. Fancy", written over the typed name and title.

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/BM/s

cc: E. Frey
B. Thomas
J. Brown
J. Costas, Esquire

control measures generally equivalent to those installed and used by other similar industrial plants pursuant to the requirements of the department. ;

History.—s. 20, ch. 67-436, ss. 26, 35, ch. 69-106

403.201 Variances.—

(1) Upon application the department in its discretion may grant a variance from the provisions of this act or the rules and regulations adopted pursuant hereto. Variances and renewals thereof may be granted for any one of the following reasons:

(a) There is no practicable means known or available for the adequate control of the pollution involved.

(b) Compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time. A variance granted for this reason shall prescribe a timetable for the taking of the measures required.

(c) To relieve or prevent hardship of a kind other than those provided for in paragraphs (a) and (b). Variances and renewals thereof granted under authority of this paragraph shall each be limited to a period of 24 months except that variances granted pursuant to part II may extend for the life of the permit or certification.

(2) The department shall hold a hearing on each application for a variance.

(3) The department may prescribe such time limits and other conditions to the granting of a variance as it shall deem appropriate.

History.—s. 21, ch. 67-436, ss. 26, 35, ch. 69-106, s. 1, ch. 74-170, s. 14, ch. 78-95

403.221 Pending proceedings.—No legal proceedings shall be abated because of any transfers made in this section, but the appropriate party exercising like authority or performing like duties or functions shall be substituted in said proceedings.

History.—s. 23, ch. 67-436

403.231 Department of Legal Affairs to represent the state.—The Department of Legal Affairs shall represent the state and its agencies as legal advisor in carrying out the provisions of this act.

History.—s. 24, ch. 67-436, ss. 11, 35, ch. 69-106.

403.251 Safety clause.—The Legislature hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health and safety.

History.—s. 27, ch. 67-436.

403.261 Provisions specifying jurisdiction repealed.—All rulemaking jurisdiction over air and water pollution matters held by other agencies within the state on September 1, 1967, is hereby repealed including, but without limitation, such jurisdiction held by the Florida State Board of Health, the Game and Fresh Water Fish Commission, the State Board of Conservation and the several water management districts within the state.

History.—s. 1, ch. 67-436.

403.271 Aquatic plants; permits; penalties.—

(1) No person shall import into the state any aquatic plant or seeds thereof of a species not native to the state without having first obtained a permit from the Department of Natural Resources.

(2) No person shall knowingly transport or transfer aquatic plants, whether indigenous or a species not native to the state, between bodies of water within the state without having first obtained a permit from the Department of Natural Resources.

(3) No person shall place or cause to be placed in the waters of the state or to cultivate or cause to propagate in the waters of the state any aquatic plant without first having obtained a permit from the Department of Natural Resources.

(4) The Department of Natural Resources is authorized to issue such permits only after the following conditions have been met:

(a) The Department of Agriculture and Consumer Services and the Game and Fresh Water Fish Commission issue prior approval of such permit.

(b) An appropriate agency, such as an aquatic vegetation laboratory, issues a memorandum certifying that the importation, transportation, or cultivation of such species poses no danger to the waters, fish, reptiles, or ecology of the state.

(5) The Department of Natural Resources, the Department of Agriculture and Consumer Services, and the Game and Fresh Water Fish Commission shall conduct investigations of such species prior to issuance or denial of a permit for importation, transport, or transfer of such species in the waters of the state. Such investigations and the issuance of such permits shall be subject to the criteria established by the Department of Natural Resources.

(6) The Department of Natural Resources shall publicize the provisions of this section on road signs throughout the state.

(7)(a) Any person violating the provisions of this section is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) All law enforcement officers of the state and its agencies with power to make arrests for violations of state law shall enforce the provisions of this section.

History.—s. 1, ch. 69-106, ss. 14, 26, 35, ch. 69-106; s. 4, ch. 70-203, s. 1, ch. 70-439; s. 350, ch. 71-136, s. 2, ch. 71-137; s. 140, ch. 77-104; s. 1, ch. 77-174, s. 23, ch. 78-95

403.281 Definitions; Weather Modification Law.—As used in this chapter relating to weather modification:

(1) "Department" means the Department of Environmental Regulation.

(2) "Person" includes any public or private corporation.

History.—s. 1, ch. 67-123, ss. 26, 35, ch. 69-106; s. 2, ch. 71-137, s. 159, ch. 71-377; s. 80, ch. 79-65

Note.—Former s. 373.261.

403.291 Purpose of weather modification law.—The purpose of this law is to promote the public safety and welfare by providing for the licensing, regulation and control of interference by artificial means with the natural precipitation of rain, snow,



AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

January 30, 1987

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blairstone Road
Tallahassee, FL 32301-8241

Dear Mr. Fancy:

Attached is the TRS compliance plan required by FAC 17-2.960 for Container Corporation of America, Fernandina Beach. The information required by the TRS rule is included in the plan.

We would like to draw your attention in particular to the plan and schedule of compliance dates for the No. 5 MEE, batch digesters, and Kamyrd digester. The compliance plans for these three sources all include collection of the non-condensable gasses and incineration in a new, No. 4 lime kiln. This kiln will be constructed as a replacement for the existing Nos. 2 and 3 kilns, in order to bring these sources into compliance.

We are requesting by this letter and compliance plan that the dates for final compliance of the No. 5 MEE, batch digesters, and Kamyrd digester be extended as shown in the plan schedule to accommodate the completion of the replacement kiln.

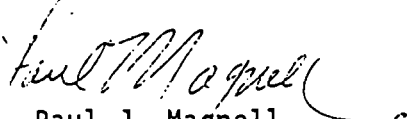
The TRS rule recognizes that the scope and expense of such a replacement of existing kilns will require more time to attain final compliance than other, less-comprehensive, measures might. We feel that economic and engineering factors dictate that the kiln replacement will require nearly all the time allotted for such a project in the rule. However, the final compliance of the three sources from which the gasses will be collected and incinerated in the new kiln is directly dependent upon the completion of the kiln project. Therefore, the compliance schedule for those three sources must be similarly dependent on the compliance schedule of the replacement kiln. In constructing the schedule, we have determined that the new kiln could be brought on-line and into compliance six months prior to the date in the rule for final compliance. We intend to bring that source, along with the kiln-dependent sources into compliance in that time frame. Sources which are not directly dependent on the new kiln for incineration are scheduled to be in compliance on or before the dates stated in the rule.

Mr. Clair Fancy
January 30, 1987
Page 2.

The dates shown in the compliance schedule are intended as the best dates, as determined by the present available information, at which the sources could be brought into compliance with the rule. All the projects will be completed as expeditiously as is feasible; however, variable factors including equipment delivery, engineering availability, construction details including weather and labor factors, and economic conditions will affect the actual construction completion dates and the ultimate compliance schedule for every source.

Please contact Roger Hagan at (904) 261-5551 if there are any questions or comments on this compliance plan and schedule.

Sincerely,



Paul J. Magnell
General Manager

PJM/ma

cc: E. E. Frey - DER, Jacksonville

bcc: H. H. Elder
R. L. Park
W. R. Campbell
M. H. Holden
R. L. Caffo
R. P. Hagan
D. R. James
R. C. Cobb - MAIN OFFICE CHICAGO
R. D. Quina - JAX GENERAL
E. R. Burr - JAX GENERAL
B. Williams - JAX GENERAL

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

1. Submittal of construction permit applications
2. Submittal of certification of equipment orders.
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In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
Kamyr Digester	This continuous digester system includes a digester vessel, turpentine recovery system, steaming vessel, 2 liquor flash tanks, and a surge tank (blow tank).
Batch Digesters	This system consists of 7 digester vessels, 2 turpentine recovery systems, and 2 blow tanks.
No. 2 Lime Kiln	This system has an operating scrubber which is the only source of TRS emissions.
No. 3 Lime Kiln	Similar to No. 2 kiln.

- No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.
- No. 4 SDT This is a smelt dissolving tank currently operating with a demister pad unit for particulate control.
- Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
Batch Digesters	The turpentine condensing systems will be replaced and a blow heat recovery system will be installed on the existing blow tanks. The non-condensable gases from both the turpentine and blow heat recovery systems will be collected and transported to the No. 4 kiln for incineration.	3660

No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : :	16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : :	
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.		75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.		350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.		250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.

ATTACHMENT 5

CCA

AN AFFILIATE OF
JEFFERSON-SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

August 19, 1987

DER

AUG 25 1987

BAQM

Mr. Steve Smallwood, P.E.
Chief, Bureau of Air Quality Management
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Smallwood:

This is in response to your letter of July 21, 1987 regarding our request for a variance from the TRS regulations. The attached paragraphs should cover the information requested in your letter.

If there are any further questions or comments on this, please contact Roger Hagan at (904) 261-5551.

Sincerely,

Paul J. Magnell
General Manager

PJM/js
Attachments

JSC/CCA
Fernandina Mill

- (1) The social, economic and environmental impact on the applicant, residents of the area and the State if the variance is granted.

The Container Corporation of America mill is located in Fernandina Beach, an incorporated town of 9,000 population. It draws its work force mainly from the surrounding Nassau County which has a population of 41,000. In 1986, CCA paid over \$2.8 million in property taxes to the County, which amounts to over 22% of the total taxes paid county wide. With a total employment within the County of 830, CCA directly employs over 4% of the employed labor force in Nassau County, and is the second largest employer in the County behind the Nassau County School Board. Wages for CCA employees are generally considerably higher than average, and are the principle reason that Nassau County is among the four Florida counties having the highest average wages. *

From the figures above, it is readily apparent that Container Corporation of America is the principle economic factor in Nassau County. However, this mill has not been profitable over the past ten years. In fact, during that time the mill has shown a net operating loss well in excess of \$150 million. In addition, CCA's parent companies (Mobil Corp., and Jefferson Smurfit Corp. since October 1986) have spent well over \$100 million in capital improvements at the Fernandina Beach Mill over the past four years in an effort to make the mill profitable.

The unprofitability of the mill in recent times has impacted the community and the County both socially and economically. This is evidenced readily by strikes undertaken by the unionized work force in 1983 and 1986 in response to the company's need to curtail rising wages and control costs. Easing of the economic burden on the mill by granting of the variance sought will serve to reduce the likelihood of further negative social and economic impact on the surrounding community. The economic impact on this mill of relieving the financial burden represented by the current TRS complinace schedule, in light of its recent economic performance and heavy capital expenditures, is self-evident.

To achieve TRS compliance, the mill is undertaking a program that will cost over \$25 million. This is a substantial economic burden for an already heavily capital-laden mill. It is therefore imperative that the mill be given sufficient time to achieve the necessary planning, coordination and engineering for the project and to spread the cost over a multi year period.

The environmental impact on the mill itself should the variance be granted is negligible, as would be the impact on the State. The impact on the residents in the area is more difficult to assess. Since TRS is a non-criteria pollutant, there are no ambient air standards against which the area can be judged. TRS emissions are considered to be a nuisance to the residents of the immediate area and are not considered

* Data taken from the Fact Book 1987, published by the News-Leader 2/19/87.

JSC/CCA
Fernandina Mill

harmful. In addition, since all of the sources for which a variance is sought are currently operating, the granting of the variance will mean no additional TRS emissions over those that are now present. In fact, since other sources in the mill will be following the TRS compliance schedule, the overall emissions from the mill will be declining throughout the 12 month period for which the variance is sought. As a result of the above, the environmental impact of granting the variance on the residents of the area will be minimal. In addition, CCA would fulfill its commitment to maintain all the existing equipment in proper operating condition, and to operate it within the parameters stated in the interim operating permits so as to minimize TRS emissions from the effected sources during the period up to and throughout the variance until final compliance is attained.

- (2) The social, economic and environmental impact on the applicant, residents of the area and the State if the variance is denied.

As shown above, denial of the variance would increase the economic burden on the mill and would be expected to lead to negative social and economic impact on the community such as it has experienced in the past. There would be a significant economic impact on the mill itself should the variance be denied. This would arise out of a subsequent shortage of funds which could otherwise be used to continue the effort to make the mill a profitable entity and ensure its continued contributions to the community.

TRS is a non-criteria pollutant. Even if it were practicable to complete the new lime kiln earlier than the scheduled completion date in the variance application, the only favorable environmental impact might be the reduction of odor on some days. However, assuming such an accelerated schedule were practicable, the economic burden on the mill represented by denial of the variance would very likely mean that funding for other projects with favorable environmental and economic impacts would be curtailed for a considerable length of time. Areas which would likely be affected include wastewater treatment, solid waste removal, and other aspects of the air quality program. Thus, denial of the variance would have little favorable environmental impact from a TRS standpoint, and it would likely lead indirectly to a negative impact by curtailing or postponing of projects that would improve other aspects of environmental control in the mill.

- (3) The specific sub-paragraph (a), (b), or (c) of 403.201, Florida Statutes under which your variance is requested and justification for requesting a variance under that sub-paragraph.

Container Corporation of America is requesting a variance under 403.201 (b), which states that a variance may be granted if "Compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time." Following is a summary of the reasons for requesting a variance under that sub-paragraph.

JSC/CCA
Fernandina Mill

- a) As a result of engineering, economic, and safety considerations, it is Container Corporation of America's intent to control TRS emissions from the two digester systems and No. 5 MEE by collection of non-condensable gases and incineration in a new No. 4 lime kiln.
 - b) The No. 4 lime kiln will be constructed to replace the Nos. 2 and 3 kilns in order to bring them into compliance with the TRS regulations.
 - c) The construction of the new kiln is the most costly aspect of the TRS compliance project in the mill. It is also the most extensive from both an engineering and construction standpoint. Preliminary engineering has estimated that the kiln will require at least 24 months from beginning of detail engineering to completion and start-up, at a total cost of approximately \$16 million.
 - d) The remainder of the TRS compliance project for this mill is estimated to cost an additional \$10 million.
 - e) In order for the three sources for which a variance is being sought to be in compliance according to the TRS rule compliance schedule, the new kiln would have to be completed and started up by April, 1989. In addition, the remainder of the TRS project would also have to be completed by that date.
 - f) This would require compression of the kiln project which may not be achievable, due to engineering, equipment delivery and construction schedules. It certainly would result in a significantly higher cost than would be incurred if the kiln were to follow the TRS rule compliance schedule. In addition, early completion of the kiln would require that all of the capital funding for the TRS project be spent in one year (1988). This represents an unreasonable economic burden on the mill, the relief for which is the granting of the requested variance.
 - g) The proposed schedule for compliance with the TRS rule should the variance be granted was attached to the original request for a variance. Adoption of this schedule will allow timely completion of all of the TRS compliance project and will ease the economic burden on the mill by allowing capital expenditures to be spread over a two year period.
- (4) Documentation to indicate why the lime kiln cannot be completed in time to meet the required TRS compliance date of May 12, 1989.

The TRS rule compliance schedule requires that a new kiln which is replacing existing kilns in order to bring the existing kilns into compliance must be in operation by November 12, 1990. That is why the variance is not required for the new kiln. In fact, as stated in the original letter requesting the variance, our preliminary engineering has indicated that we would bring the kiln on-line and into compliance by May 1, 1990, without representing additional cost or engineering requirements.

JSC/CCA
Fernandina Mill

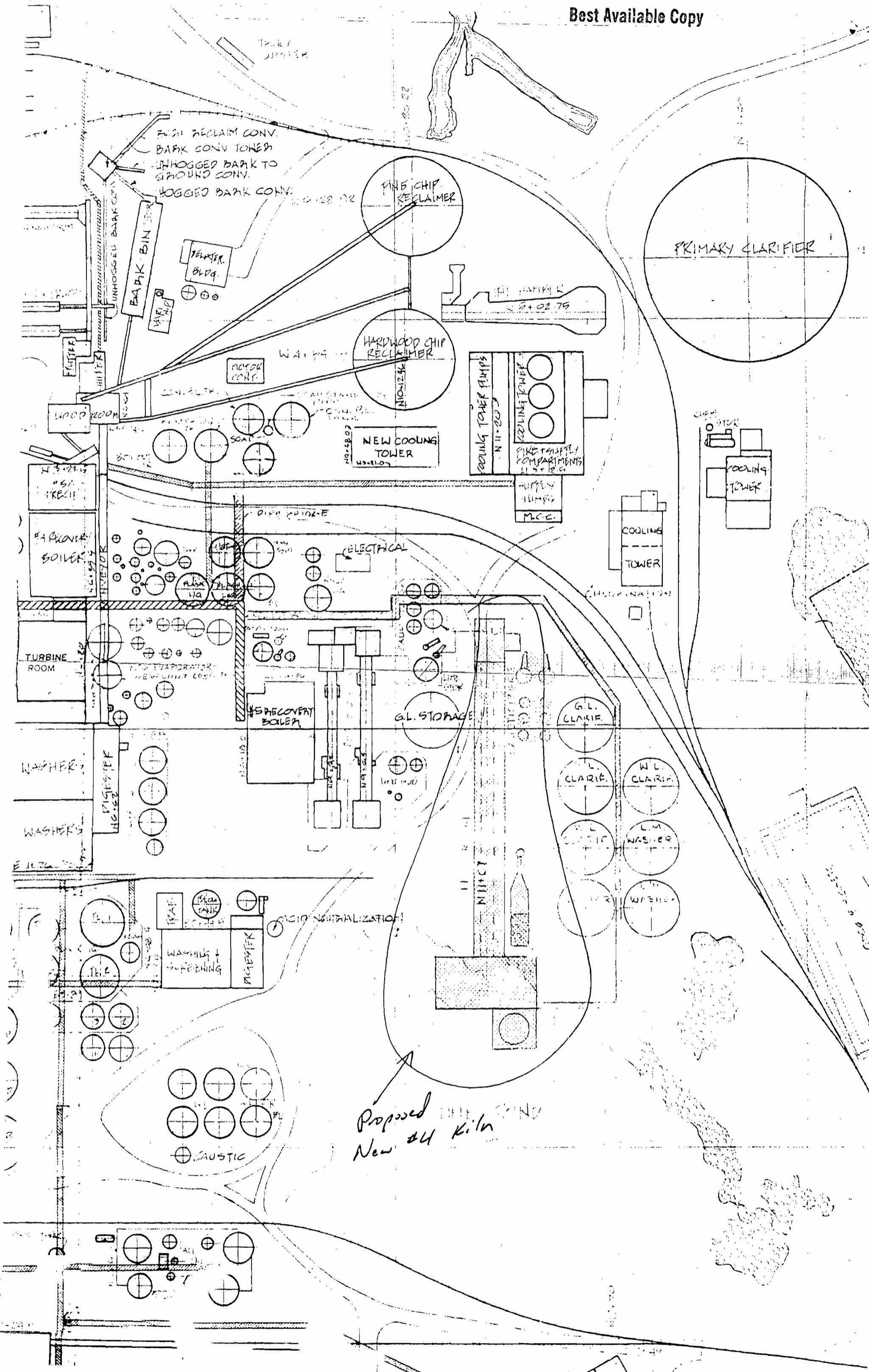
The variance is being sought in order to facilitate timely completion of the project without incurring additional expenses and construction problems associated with compression of the lime kiln schedule, and to allow for spreading of the necessary capital expenditures over a two year period.

- (5) As part of the description of the environmental impact on the residents of the area, describe what reasonable mitigating measures, if any, can be taken to minimize emissions between May 12, 1989 and June 1, 1990 if the variance is granted, and the costs of such measures.

As stated in item 1 above, CCA will fulfill its commitment to maintain the existing equipment in good operating condition, and to operate it in a manner commensurate with the parameters outlined in the interim operating permits. Such maintenance in good operating condition over the 12 month period in question is budgeted to cost approximately \$2.7 million for these three systems.

- (6) Where will the new lime kiln be located in relationship to the existing kilns?

Attached is a preliminary site drawing showing a proposed layout of the new kiln installation.



BARK RECLAIM CONV.
 BARK CONV TOWER
 UNHOGGED BARK TO
 GROUND CONV.
 HOGGED BARK CONV.

PINE CHIP
 RECLAIMER

HARDWOOD CHIP
 RECLAIMER

NEW COOLING
 TOWER

PRIMARY CLARIFIER

#4 COVER
 BOILER

TURBINE
 ROOM

WASHERS

WASHERS

#4 RECOVERY
 BOILER

GL. STORAGE

G.L.
 CLARIF.

L.
 CLARIF.

W.L.
 CLARIF.

L.M.
 WASHER

L.M.
 WASHER

WASHERS +
 SCREENING

ACID NEUTRALIZATION

Proposed
 New #4 Kiln

SAUSTIC

CERTIFIED MAIL P ### ### ###
RETURN RECEIPT REQUESTED

Intent to Issue

Mr. Paul J. Magnell
General Manager
Container Corporation of America
Post Office Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

Container Corporation of America
Petition for Variance
File No. VE-45-313
Nassau County

On March 19, 1987, the Department received the above referenced Petition for Variance pursuant to Rule 17-2.960(1)(g)1., Florida Administrative Code (FAC), and Section 403.201, Florida Statutes (FS). Container Corporation of America requested a variance to June 1, 1990, at which time final compliance will have to be demonstrated for the existing No. 5 multiple effect evaporator (MEE) system, batch digester system and Kamyr digester system.

The Department has reviewed the Petition for Variance and hereby gives notice of its intent to issue to Container Corporation of America (CCA) a variance based on the following findings:

- 1) Part of CCA's current modernization program and proposed "TRS Conceptual Compliance Plan" is the installation of a new No. 4 lime kiln, replacing the existing Nos. 2 and 3 lime kilns.
- 2) Another part of the proposed "TRS Conceptual Compliance Plan" is the installation of a TRS noncondensable gas (NCG) handling system for capturing and transporting TRS emissions from the existing No. 5 MEE system, batch digester system and Kamyr digester system, to a combustion source. Without a variance, final compliance for these existing sources will

ATTACHMENT 6



Paper Mill Division

North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

DER

OCT 21 1987

BAQM

Mr. Steve Smallwood, Chief
Bureau of Air Quality Management
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32301

DER
OCT 21 1987
BAQM

October 13, 1987

RECEIVED
OCT 16 1987

Re: TRS Construction Permit Applications

Dear Mr. Smallwood:

We appreciated the opportunity to meet with members of your staff on October 8, 1987 to discuss Container Corporation of America's (CCA) plans to comply with the TRS Rule. We sincerely regret that you were unable to attend. The review of CCA plans developed a good exchange of information which will be valuable to us in filing construction permit applications. An understanding of the details of the plan should be equally valuable to your staff in processing the applications.

The meeting began with a review of the elements of the plan applicable to specific sources. Next the discussion moved to final compliance dates and the status of the request for a variance. Very quickly it became apparent that the dates originally requested do not provide adequate time for start-up, stable operation, compliance testing and certification of the continuous emission monitors (CEMS).

CCA will maintain the permit application and construction schedule as stipulated in the compliance plan. The sources listed are also intended to be on-line and "in compliance" with the applicable TRS limits on the "final compliance" dates listed in the compliance plan. However, time for start-up and stable operation, compliance testing and CEMS certification must be provided subsequent to the dates shown for completion of construction. We realize that the Department has considered this in applying the dates for "final compliance" to the TRS sources as listed in 17.2-600.

As we discussed with your staff, we feel that the final compliance dates for the affected sources under the variance should be adjusted to reflect this. These sources and the respective dates are:

No. 5 MEE, Kamyrdigester, Batch Digester - construction permit equipment order, initial construction and complete construction dates remain the same. Final compliance date becomes November 1, 1990.

Mr. Steve Smallwood

Page 2

October 13, 1987

In order to meet these final compliance dates, including compliance testing and CEMS certification, CCA will still maintain the permitting, construction and start-up schedules provided in the original compliance plan. The information included in this letter was discussed with your staff at the meeting. We all agreed that considerable time was required for testing, certification of CEMS, and application for an operating permit. Accordingly we request that the variance allow time for that purpose, although we emphasize our commitment to the original construction schedule.

Again, we would like to express our appreciation for you and your staff's assistance.

Sincerely,



Paul J. Magnell
General Manager

PJM/js

cc: E. E. Frey - FDER

bcc: R. C. Cobb - Clayton Corporate
H. H. Elder
R. P. Hagan
Bob Williams - Mill Central Jax
Terry Cole

ATTACHMENT 7

CCA

AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

November 12, 1987

DER

NOV 16 1987

BAQM

PM
13 Nov 1987
Fernandina Beach, FL
Mr. Clair Fancy

Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Fancy:

In a letter dated August 19, 1987 to Mr. Steve Smallwood, Container Corporation of America stated that maintenance of the existing systems in good operating condition during the 12 months duration of the variance request was budgeted to cost approximately \$2.7 million. Mr. Bruce Mitchell of your Department has recently requested a further breakdown of that figure in order to facilitate issuance of the variance. The overall figure of \$2.7 million was developed from recent historical data on typical maintenance expenditures for the continuous digesters, batch digesters, and No. 5 MEE systems. These figures were also compared with the maintenance budget for the mill overall and the specific departments involved and were found to be in good agreement.

It is intended that these expenditures will be made to keep the systems in good operating condition so as to minimize TRS emissions. Typical maintenance which would be performed to accomplish this would include the following measures:

Maintenance of digester vessels, blow lines, blow tanks, turpentine collection systems, liquor conveyance lines, and vapor lines so as to minimize leakage of black liquor and cooking vapors to atmosphere.

Repair and replacement as required of pump packing and gaskets associated with the liquor and vapor handling systems involved.

Regular cleaning and maintenance of separators and screens associated with the digester and evaporator turpentine collection systems, so as to prevent excessive venting of digester gases to atmosphere due to plugging.

Regular cleaning and maintenance of evaporator and concentrator elements to provide adequate vapor flow paths to prevent excessive venting of vapors.

Maintenance of control systems to prevent excessive TRS emissions due to simultaneous digester blows to the same blow tank, and to maintain good operating procedures.

Please let us know if there are any further questions or comments on this, and please keep us advised on the status of our variance request.

Sincerely,

Paul J. Magnell
Paul J. Magnell
General Manager

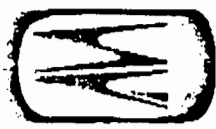
ccj;
CHF/BT
Variance Review Committee 11-18-87 RZL

PJM/js

ATTACHMENT 8

12/11/87

Bruce,
I left your at
first date to be stamped
in. If you have
questions on this letter
know.



JSC/CCA

JEFFERSON SMURFIT CORPORATION & CONTAINER CORPORATION OF AMERICA

Mill Division
NORTH 8TH STREET
P.O. BOX 2000
FERNANDINA BEACH, FL 32034
TELEPHONE: 904/261-5551

December 11, 1987

DER

DEC 11 1987

BAQM

Mr. Bruce Mitchell
FLORIDA DEPARTMENT OF ENVIRONMENTAL
REGULATION
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Mitchell:

The Department has requested some additional information pertaining to our request for a variance on the TRS compliance schedule. The information attached consists of a further breakdown of the estimated costs of the various parts of the TRS compliance project. The estimated equipment costs are from actual vendor proposals for the equipment required, as compiled by the design engineering firm of Reynolds, Smith and Hill, Inc. The estimates for piping, mechanical, structural/civil, electrical, instrumentation, and indirect costs were also supplied by R.S. & H. from their own detailed design engineering of the systems. You will note that the estimates have changed somewhat from the preliminary numbers submitted with the compliance plan. This is a result of further engineering and refinement of the cost estimates. The current total estimated cost of each part of the project is reasonably close to the original estimates, except the cost of the lime kiln and causticizing equipment installation which has increased dramatically. The estimated overall cost of the project has also increased to \$29 million.

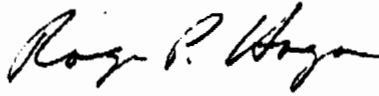
You had also requested a further breakdown of the estimate of \$2.7 million for maintenance of the existing systems in good operating condition during the 12 months duration of the variance. As explained in my letter of November 12, 1987, this figure was derived from historical maintenance figures for the systems involved. Specifically, year-to-date expenditures for 1987 were totalled for the stock side (batch and kamyrd digester systems) and liquor side (2 evaporators and 2 recovery boilers) of the pulp mill. The liquor side number was factored by 25% to estimate the expenditures for No. 5 MEE alone. This was added to the stock side total and annualized. That explains the derivation of the \$2.7 million figure. As also mentioned in the November 12 letter, this figure compares well to our maintenance budget for those areas for the coming year. The various types of maintenance which we expect this figure to include are also listed in the previous letter.

Mr. Bruce Mitchell
December 11, 1987
Page -2-

The Department also requested a further breakdown of the previous expenditures on mill modernization as mentioned in our variance. We stated that well over \$100 million had been spent in recent years to try to make this facility profitable once again. The majority of this money was spent on a series of modernization projects collectively known as the Fernandina Mill Optimization Project (FMOP). FMOP was begun in 1984 and is being completed in two phases. Phase I included complete rebuilds of two paper machines and the shut down of the third machine, along with installation of distributed computer control systems throughout the pulp mill and paper mill. There were many other parts of Phase I which included improvements in virtually every part of the mill. Total expenditures on FMOP Phase I to date are \$76 million. Phase II of FMOP is the construction of a complete new wood handling facility at the mill including a log flume, new barking drums, chippers, bark handling system and chip stacker/reclaimer facilities. To date expenditures on Phase II are \$25 million. Thus in these two phases alone, over \$100 million has been spent. In addition, many other projects have been completed at the mill during this same time frame. These include such things as the construction of a new electro-static precipitator for our No. 5 Power Boiler, which enables us to burn more wood waste with a drastic reduction in particulate emissions. This project, completed in 1986, cost another \$7 million.

From the above explanation, I hope it is clear that the cost estimates and expenditure figures submitted by CCA in support of our variance request are certainly valid and are very conservative. I trust this information will serve to clear up any concerns the Department has over the validity of our request and the genuine need on our part for the DER to grant the variance in a timely manner.

Sincerely,


for Paul J. Magnell
General Manager

PJM/mcp

BEST AVAILABLE COPY

COST SUMMARY BY DEPARTMENT

	KAMYR	BATCH	#5 MEE	#4 REC +SDT	TALL OIL	#4 KILN
EQUIPMENT	1,069,300	1,242,400	258,400	101,300	67,600	8,490,000
PIPING	916,915	928,454	217,605	106,044	82,057	1,760,000
MECHANICAL	-----	211,179	-----	135,063	-----	379,000
STRUCTURAL/CIVIL	119,080	347,025	1,315	18,980	25,550	5,780,000
ELECTRICAL	160,545	147,245	4,125	57,174	37,931	2,024,000
INSTRUMENTATION	180,470	249,416	71,164	27,088	31,624	720,000
<u>TOTAL DIRECTS</u>	<u>2,446,310</u>	<u>3,125,719</u>	<u>552,609</u>	<u>445,649</u>	<u>244,762</u>	<u>19,153,000</u>
INDIRECTS*(15%)	366,690	468,881	82,891	66,851	36,738	2,500,000
<u>TOTAL</u>	<u>2,813,000</u>	<u>3,594,600</u>	<u>635,500</u>	<u>512,500</u>	<u>279,500</u>	<u>21,653,000</u>

*INDIRECTS: Engineering, Spare Parts, Construction Management, Start-Up, Owner Administrative, Escalation and Contingency

DEC 11 '87 10:28 CC&FNDP&BCHMILL

P 408 531 173

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	
Paul J. Magnell	
Container Corp of America	
North Eighth Street	
P.O., State and ZIP Code	
Fernandina Beach, FL 32034	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	
3/12/87	

PS Form 3800, Feb. 1982

PS Form 3811, July 1983 447-845

● SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

- Show to whom, ~~Address of delivery~~
- Restricted Delivery.

3. Article Addressed to:
Paul J. Magnell
Container Corporation of America
North Eighth Street
Fernandina Beach, Florida 32034

4. Type of Service:	Article Number
<input type="checkbox"/> Registered <input type="checkbox"/> Insured	P 408 531 173
<input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD	
<input type="checkbox"/> Express Mail	

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X
6. Signature - Agent
X *L. J. ...*
7. Date of Delivery
3-13-87
8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

March 12, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Paul J. Magnell
General Manager
Container Corporation of America
North Eighth Street
P. O. Box 2000
Fernandina Beach, Florida 32034

Dear Mr. Magnell:

Re: TRS Conceptual Compliance Plan Review

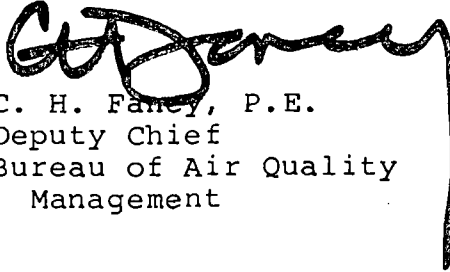
The department is in receipt of the above referenced plan dated January 30, 1987, and received February 12, 1987. Based on a review of the proposal, the following comments are offered:

- 1) The proposed plan is unacceptable due to the fact that the MEE#5, the batch digesters and the Kamyrd digester will not timely achieve final compliance pursuant to Florida Administrative Code (FAC) Rule 17-2.960.
- 2) For the sources listed in #1 above, the company should pursue an extension of time so that final compliance will coincide with the date of final compliance for the proposed new No. 4 Lime Kiln. The mechanism for obtaining an extension of the final compliance dates is provided in FAC Rule 17-2.960(1)(g)1., which would require you to apply for variances from the department in accordance with Chapter 403.201, Florida Statutes (a copy of which is enclosed).
- 3) Except for those parts of the proposed plan pertaining to the sources identified in #1 above, the remainder of the proposed plan is acceptable.

Mr. Paul J. Magnell
Page Two
March 12, 1987

If there are any questions, please contact Julia Cobb Costas, with the Office of General Counsel at (904)488-9730, Bruce Mitchell, with the Bureau of Air Quality Management at (904)488-1344, or Johnny Cole, with the NE District office at (904)396-6959.

Sincerely,

A handwritten signature in black ink, appearing to read "C. H. Fancy". The signature is stylized and cursive, with a long vertical line extending downwards from the end of the name.

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/BM/s

cc: E. Frey
B. Thomas
J. Brown
J. Costas, Esquire



AN AFFILIATE OF
JEFFERSON SMURFIT CORPORATION



Container
Corporation
of America

Paper Mill Division

P. O. Box 2000
North Eighth Street
Fernandina Beach, Florida 32034

Phone: 904 261-5551

DER

January 30, 1987 FEB 12 1987

BAQM

Mr. Clair Fancy
Florida Department of Environmental Regulation
2600 Blainstone Road
Tallahassee, FL 32301-8241

Dear Mr. Fancy:

Attached is the TRS compliance plan required by FAC 17-2.960 for Container Corporation of America, Fernandina Beach. The information required by the TRS rule is included in the plan.

We would like to draw your attention in particular to the plan and schedule of compliance dates for the No. 5 MEE, batch digesters, and Kamyrd digester. The compliance plans for these three sources all include collection of the non-condensable gasses and incineration in a new, No. 4 lime kiln. This kiln will be constructed as a replacement for the existing Nos. 2 and 3 kilns, in order to bring these sources into compliance.

We are requesting by this letter and compliance plan that the dates for final compliance of the No. 5 MEE, batch digesters, and Kamyrd digester be extended as shown in the plan schedule to accommodate the completion of the replacement kiln.

The TRS rule recognizes that the scope and expense of such a replacement of existing kilns will require more time to attain final compliance than other, less-comprehensive, measures might. We feel that economic and engineering factors dictate that the kiln replacement will require nearly all the time allotted for such a project in the rule. However, the final compliance of the three sources from which the gasses will be collected and incinerated in the new kiln is directly dependent upon the completion of the kiln project. Therefore, the compliance schedule for those three sources must be similarly dependent on the compliance schedule of the replacement kiln. In constructing the schedule, we have determined that the new kiln could be brought on-line and into compliance six months prior to the date in the rule for final compliance. We intend to bring that source, along with the kiln-dependent sources into compliance in that time frame. Sources which are not directly dependent on the new kiln for incineration are scheduled to be in compliance on or before the dates stated in the rule.

Mr. Clair Fancy
January 30, 1987
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The dates shown in the compliance schedule are intended as the best dates, as determined by the present available information, at which the sources could be brought into compliance with the rule. All the projects will be completed as expeditiously as is feasible; however, variable factors including equipment delivery, engineering availability, construction details including weather and labor factors, and economic conditions will affect the actual construction completion dates and the ultimate compliance schedule for every source.

Please contact Roger Hagan at (904) 261-5551 if there are any questions or comments on this compliance plan and schedule.

Sincerely,



Paul J. Magneil
General Manager

PJM/ma

cc: E. E. Frey - DER, Jacksonville

CONTAINER CORPORATION OF AMERICA
FERNANDINA BEACH MILL

TOTAL REDUCED SULFUR (TRS) COMPLIANCE PLAN

INTRODUCTION

The Fernandina Beach kraft pulp mill of Container Corporation of America has several sources of air emissions which are regulated under FAC 17-2.600(4), Specific Source Emission Limiting Standards. Under FAC 17-2.960, Compliance Schedules for Specific Source Emission Limiting Standards, CCA is required to submit a plan and schedule for achieving final compliance with the TRS standards by February 12, 1987. The plan must include a listing of regulated sources, estimated cost and type of equipment to be installed, and a compliance schedule consisting of dates for the following:

1. Submittal of construction permit applications
2. Submittal of certification of equipment orders.
3. Certification of initial construction.
4. Certification of completion of construction.
5. Certification of final compliance.

In addition, the interim operating permits for the affected sources specify that dates will also be included for submittal of a list of parameters to be monitored to demonstrate compliance with the emissions standards, and for submittal of a contingency plan for each affected source. The following sections will include the required information.

LISTING OF SOURCES

The following sources are regulated under FAC 17-2.600(4):

<u>Source</u>	<u>Description</u>
No. 5 MEE	Consisting of 5 evaporator effects and 3 concentrator units, the system currently vents from the concentrator area and the evaporator hot well.
No. 4 MEE	Consisting of 5 evaporator effects, this system currently vents to a hot well.
Kamyr Digester	This continuous digester system includes a digester vessel, turpentine recovery system, steaming vessel, 2 liquor flash tanks, and a surge tank (blow tank).
Batch Digesters	This system consists of 7 digester vessels, 2 turpentine recovery systems, and 2 blow tanks.
No. 2 Lime Kiln	This system has an operating scrubber which is the only source of TRS emissions.
No. 3 Lime Kiln	Similar to No. 2 kiln.

*Scrubber is control device
not source*

- No. 4 Recovery Boiler This is a new-design, low-odor Babcock & Wilcox type recovery boiler with dry bottom ESP.
- No. 4 SDT This is a smelt dissolving tank currently operating with a demister pad unit for particulate control.
- Tall Oil Plant This system consists of an acidulator, settling tank, lignin tank, 2 soap tanks, and 2 oil storage tanks, a caustic tank, and salt cake solution tank.

COST AND TYPE OF EQUIPMENT

The following is a listing of the proposed means of bringing the affected sources into compliance, with estimated cost and type of equipment to be installed for each source. This is not intended to be a complete equipment list but a summary of major equipment installations.

<u>Source</u>	<u>Equipment/Work</u>	<u>Estimated Cost (\$000)</u>
No. 5 MEE	A new hot well and vacuum system will be installed and existing vent lines will be enlarged. A gas transportation system will be installed to collect the non-condensable gases and transport them to the No. 4 lime kiln for incineration.	650
No. 4 MEE	This unit will be shut down permanently.	-0-
Kamyr Digester	The liquor flash tank system will be replaced with a new system, and the turpentine recovery system will be replaced. Non-condensable gases will be collected from the surge tank (blow tank), steaming vessel, flash tanks and turpentine system. A gas transportation system will be installed to move the gases to the No. 4 lime kiln for incineration.	2970
Batch Digesters	The turpentine condensing systems will be replaced and a blow heat recovery system will be installed on the existing blow tanks. The non-condensable gases from both the turpentine and blow heat recovery systems will be collected and transported to the No. 4 kiln for incineration.	3660

No. 2 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : : : 16370
No. 3 Lime Kiln	This source will be shut down and replaced by a new No. 4 kiln. This will be an NSPS source.	: : :
No. 4 Recovery Boiler	No modifications are planned for this source. A TRS continuous monitor has been installed.	75
No. 4 SDT	The existing demister unit will be replaced with a scrubber.	350
Tall Oil Plant	A caustic scrubber will be installed on the vents from the acidulator, lignin tank, and salt cake solution tank.	250

SCHEDULE

The proposed schedule of key dates for bringing the affected sources into compliance is shown below.

<u>Source</u>	<u>Cons- truction Permit</u>	<u>Equip- ment Orders</u>	<u>Initial Constr.</u>	<u>Com- pletion Constr.</u>	<u>Final Com- pliance</u>
No. 5 MEE	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
No. 4 MEE	N/A	N/A	N/A	N/A	11/12/87
Kamyr Digester	11/12/87	2/1/89	4/1/89	2/1/90	6/1/90
Batch Digesters	11/12/87	1/1/89	4/1/89	2/1/90	6/1/90
No. 2 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 3 Lime Kiln*	5/12/88	11/1/88	3/1/89	2/1/90	5/1/90
No. 4 Rec. Blr.	N/A	N/A	N/A	N/A	5/1/87
No. 4 SDT	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89
Tall Oil Plant	11/12/87	7/1/88	10/1/88	4/1/89	5/12/89

*Refers to dates concerning construction of new No. 4 kiln.

Finally, the information relating to the parameters to be monitored to ensure compliance, along with the contingency plan for each source, should be available following submittal of the construction permits. This information will be submitted by 2/1/88.