

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)	
	)	OGC Case No. 90-0332
ITT Rayonier Inc.	)	Permit No. AO 45-171127
	)	ASP-91-H-01
Petitioner)	
_____)	

ORDER APPROVING REQUEST

FOR

ALTERNATE TEST PROCEDURES AND REQUIREMENTS

Pursuant to Florida Administrative Code (F.A.C.) Rule 17-2.700(3), ITT Rayonier Inc., petitioner, submitted a request for approval to continuously operate the Brinks Demister System in lieu of meeting the Latest Reasonable Available Control Technology (LRACT) Visible Emissions Standard of 10% opacity, as measured by EPA Method 9, for compliance verification procedures for petitioner's Spent Sulfite Liquor (SSL) Recovery Boiler, permit number AO 45-171127, located in Nassau County.

Having considered petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On December 12, 1990, petitioner specifically requested approval of the operation of a Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of 10% opacity for compliance verification of the SSL Recovery Boiler as specified in permit number AO 45-171127, Specific Condition No. 4. The LRACT visible emissions standard of 10% was based on the State of

Washington's standard, which has since been rescinded. After carefully reviewing the circumstances in this case, the Department is of the opinion that the LRACT visible emissions standard is inappropriate; therefore, the Department recommends the use of the General Visible Emissions Standard of "less than 20% opacity" required by F.A.C. Rule 17-2.610(2).

2. As justification for the alternate compliance verification procedure, petitioner has provided test results demonstrating plume interferences due to humidity, which inhibits accurate evaluations of the plume opacity. Also, the State of Washington has been utilizing the operation of a Brinks Demister System on a similar SSL Recovery Boiler as verification of compliance in lieu of the applicable visible emissions standard. Petitioner will have a continuous time record monitor of the Brinks Demister System's operational status, programmed to record any bypass of that system, and will notify the Department's Northeast District office in a timely manner of such events.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider petitioner's request pursuant to Section 403.061, Florida Statutes, and F.A.C. Rule 17-2.700(3).

2. The Department retains the right to require a quantitative compliance test pursuant to F.A.C. Rule 17-2.700(2)(b) if, after investigation, it is believed that any applicable emissions standard is being violated.

3. Petitioner has demonstrated that the proposed alternate compliance verification method would be adequate to verify the compliance of the unit with the visible emissions standard.

ORDER

Having considered petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Specific Condition No. 4 is revised as follows:

No. 4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Rule</u>	<u>Emission Rate</u>	
		<u>lbs/hr</u>	<u>TPY</u>
PM ^{1/}	17-2.630, F.A.C.2/	67.5 ^{3/}	283.5 ^{4/}
SO ₂ ^{5/}	17-2.630, F.A.C.2/	321.9 ^{6/}	1352.0 ^{4/}
VE ^{7*}	17-2.630, F.A.C.2/ 10%-opacity		

*Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister System's

¹ PM - particulate matter.

² 17-2.630 (was 17-2.03), which was the basis for the determination of latest reasonable available control technology based on Washington State Standards for Sulfite Pulp Mills -- WAC 18-38-040 ~~and an opacity standard~~ dated 07-12-76.

³ Basis: rate used in 6/75 model; 27 TADUP; 2.5 lbs PM/TADUP.

⁴ Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

⁵ SO₂ - sulfur dioxide.

⁶ Basis: rate used in 6/75 model; concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.

⁷ ~~VE---visible-emissions.~~

operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the Brinks Demister System bypassed shall be limited to:

- a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation. To the extent feasible, the Department's Northeast District office shall be notified of reportable bypasses by noontime of the business day following a reportable bypass.
- b) Shutdown, not to exceed two (2) hours.
- c) Excess Emissions (see Specific Condition No. 8, hereof).

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order 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 the Notice of Agency Action is filed with the Clerk of the Department.

PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the Department's decision may petition for an administrative

proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to F.A.C. Rule 28-5.207.

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to F.A.C. Rule 17-103.070. Upon timely filing of a petition or a request for an extension of time this Order will not be effective until further Order of the Department.

DONE AND ORDERED this 10 day of May, 1991 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

Carol M. Browner

CAROL M. BROWNER
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

(904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been mailed, postage prepaid, to Mr. E. M. Shirley, Manager of Environmental and Community Affairs, ITT Rayonier Inc., Post Office Box 2002, Fernandina Beach, Florida 32034-2002, this 15th day of May, 1991.

Gary Smallridge

GARY SMALLRIDGE
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730

ccd:

A. Kutzna, NEDist }
F. Alves, HBGS }
G. Smallridge } 5-15-91 RA
B. Mitchell }
M. Harley }
Reading File }
original returned to G. Smallridge 5-15-91 RAM
copy sent certified 5-29-91 PA

Department of Environmental Regulation

ROUTING AND TRANSMITTAL SLIP

To: (Name, Office, Location)

- | | |
|----------------------------------|--|
| 1. JIM PENNINGTON <i>JP</i> | 5. BRUCE MITCHELL <i>BM 5-1</i> |
| 2. CLAIR FANCY <i>CF 5/1</i> | 6. GARY SMALLRIDGE <i>GS 5/1</i> |
| 3. BRUCE MITCHELL <i>BM 5/1</i> | DAVE CROWLEY <i>DC</i> |
| 4. STEVE SMALLWOOD <i>SS 5/1</i> | BILL CONGDON <i>WC 5/3</i> |
| Remarks: | 7. DAN THOMPSON <i>DT</i> |
| | 8. CAROL BROWNER <i>signed 5/10/91</i> |
| | 9. GARY SMALLRIDGE <i>signed 5/15/91</i> |
| | 10. BRUCE MITCHELL <i>mailed out 5/15/91</i> |

Attached is an order for the approval of an alternate compliance procedure, the operation of a Brinks Demister System on a Spent Sulfite Liquor Recovery Boiler, that will be used for verification purposes in lieu of applying the General Visible Emissions Standard using EPA Method 9 (humidity tends to cause a stack plume interference such that the opacity is difficult to evaluate). The order has specific monitoring and recording requirements associated with the operations as well as certain notification requirements.

RECEIVED

MAY 31 1991

From	Date
BRUCE MITCHELL <i>Office of the Secretary</i>	4/30/91
	Phone 488-1344

P 407 852 700
RECEIPT FOR CERTIFIED MAIL

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

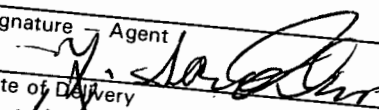
*U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to Mr. E. M. Shirley, ITT Rayoni	
Street and No. P. O. Box 2002	
P.O., State and ZIP Code Fernandina Beach, FL 32034	
Postage	\$ 2002
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: 5-29-91 ASP-91-H-01	

ASP-91-H-01

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. (Extra charge)
 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Mr. E. M. Shirley Manager of Environmental & Community Affairs ITT Rayonier, Inc. P. O. Box 2002 Fernandina Beach, FL 32034-2002		4. Article Number P 407 852 700
5. Signature - Addressee X		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 <input type="checkbox"/> Return Receipt for Merchandise
6. Signature - Agent X 		Always obtain signature of addressee or agent and DATE DELIVERED.
7. Date of Delivery 05/31/91		8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989

*U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

4-25-91

2:34 - 37

Jim Alves' critique
via phone call. Pa

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)
ITT Rayonier Inc.)
Petitioner)
_____)

OGC Case No. 90-0332
Permit No. ~~AC-45-2601~~
AO 45-171127
ASP-91-H-01

ORDER APPROVING REQUEST

FOR

ALTERNATE TEST PROCEDURES AND REQUIREMENTS

Pursuant to Florida Administrative Code (F.A.C.) Rule 17-2.700(3), ITT Rayonier Inc., petitioner, submitted a request for approval of the operation of a Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of "10% opacity" for compliance verification procedures for petitioner's Recovery Boiler, permit numbers ~~AC-45-2601~~ and AO 45-171127, located in Nassau County.

Having considered petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On December 12, 1990, petitioner specifically requested approval of the operation of a Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of 10% opacity for compliance verification of the Recovery Boiler as specified in permit numbers ~~AC-45-2601~~ and AO 45-171127, Specific Condition No.

4. 'Since the LRACT standard was based on the State of Washington's standard, which has since been rescinded, the Department feels that the LRACT standard is too stringent and will, therefore, impose the applicable General Visible Emissions Standard of "less than 20% opacity", in accordance with F.A.C. Rule 17-2.610(2). Because of this, the Department will consider the petitioner's request to apply an alternate compliance verification to the applicable visible emissions standard.

2. As justification for the alternate compliance verification, petitioner has provided test results demonstrating plume interference due to humidity, which causes a blue haze appearance and difficulty in accurately evaluating the opacity. Also, the State of Washington has been utilizing the operation of a Brinks Demister System on a similar Recovery Boiler as demonstration of compliance. Petitioner will have a continuous time record monitor of the Brinks Demister System's operational status, programmed to record any bypass of that system, and will notify the Department's Northeast District office in a timely manner of such events.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider petitioner's request pursuant to Section 403.061, Florida Statutes, and F.A.C. Rule 17-2.700(3).

2. The Department retains the right to require a quantitative compliance test pursuant to F.A.C. Rule 17-2.700(2)(b) if, after investigation, it is believed that any applicable emission standard is being violated.

3. Petitioner has demonstrated that the proposed alternate compliance verification method would be adequate to verify the compliance of the unit with the visible emissions standard.

ORDER

Having considered petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Petitioner shall comply with the following revised Specific Condition No. 4:

No. 4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Emission Rate</u>	
	<u>lbs/hr</u>	<u>TPY</u>
PM ¹ / ₄	67.5 ² / ₅	283.5 ³ / ₆
SO ₂ ⁴ / ₅	321.9 ⁵ / ₆	1352.0 ⁶ / ₇

Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister System's operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the Brinks Demister System bypassed shall be limited to:

-
1. PM - Particulate Matter.
 2. Basis: Rate used in 6/75 model; 27 TADUP/hr; 2.5 lbs PM/TADUP.
 3. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.
 4. SO₂ - Sulfur Dioxide.
 5. Basis: Rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.
 6. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

- a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt (24 hours; except week-ends, then Monday) notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation. To the extent feasible, the Department's Northeast District office shall be notified of reportable bypasses by noontime of the business day following a reportable bypass.
- b) Shutdown, not to exceed two (2) hours.
- c) Startup and Maintenance (see Specific Condition 8, hereof).

Right To Appeal

Any party to this Order has the right to seek judicial review of the Order 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 the Notice of Agency Action is filed with the Clerk of the Department.

PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth

below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to F.A.C. Rule 28-5.207.

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to F.A.C. Rule 17-103.070. Upon timely filing of a petition or a request for an extension of time this Order will not be effective until further Order of the Department.

DONE AND ORDERED this _____ day of _____, 1991 in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

CAROL M. BROWNER
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida
32399-2400

(904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has
been mailed, postage prepaid, to Mr. E. M. Shirley, Manager of
Environmental and Community Affairs, ITT Rayonier Inc., Post
Office Box 2002, Fernandina Beach, Florida 32034-2002, this _____
day of _____, 1991.

GARY SMALLRIDGE
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730



RECEIVED

ITT Rayonier Inc.

January 16, 1991

JAN 16 1991

Fernandine Division

DER - BAQM

Post Office Box 2002

Fernandine Beach, Florida 32034-2002

(904) 261-3611

Mr. Bruce Mitchell
Florida Dept. of Env. Reg.
Twin Towers Office Bldg.
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

Re: ITT Rayonier, Inc. V. DER DOAH Case No. 90-2153,
DER OGC Case No. 90-0332

Dear Mr. Mitchell:

I have been informed by our attorney, Mr. Jim Shroads, that you would like additional information about the Brinks Demister operational status.

All boilers that I am familiar with that are equipped with pollution control equipment such as the Brinks Demister units, scrubbers, electrostatic precipitators, etc. have a means to by-pass this equipment in case of emergencies. For instance, if the forced draft fan on a boiler were to fail, causing high back pressure in the boiler, the by-pass would be opened to relieve this pressure. Situations such as this are very rare, however, the means must be provided in case of emergencies and for safety reasons.

To assure you that our Brinks Demister by-pass remains closed during normal boiler operation, we will record the by-pass valve position on a chart. These charts will be retained for one year should DER wish to inspect them.

Should an emergency occur where the Brinks would have to be by-passed, we will notify the Northeast District of this occurrence within 24 hours.

I trust that this will alleviate any concern you might have in the Brinks Demister operation.

Should you have any questions, please do not hesitate to contact me at ITT Rayonier (904) 261-3611.

Sincerely,

ITT RAYONIER INC.

E. M. Shirley
MANAGER OF ENVIRONMENTAL
AND COMMUNITY AFFAIRS

EMS104/ldv

Fian
FYI, edit,
critique, etc.
Huber,
Bm

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)
ITT Rayonier Inc.)
Petitioner)
_____)

OGC Case No. 90-0332
Permit Nos. AC 45-2601
AO 45-171127
ASP-91-H-01

ORDER APPROVING REQUEST

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ALTERNATE TEST PROCEDURES AND REQUIREMENTS

Pursuant to Florida Administrative Code (F.A.C.) Rule 17-2.700(3), ITT Rayonier Inc., petitioner, submitted a request for approval of the operation ^{to continuously} ~~of~~ ^e ~~a~~ ^{the} Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of "10% opacity" for compliance verification procedures for petitioner's ^{spent Sulfite Liquor} Recovery Boiler, permit numbers AC 45-2601 and AO 45-171127, located in Nassau County.

Having considered petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On December 12, 1990, petitioner specifically requested approval of the operation of a Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of 10% opacity for compliance verification of the Recovery Boiler as specified in permit numbers AC 45-2601 and AO 45-171127, Specific Condition No.

4. Since the LRACT ^{visible emission} standard ^{of 10% opacity} was based on the State of Washington's standard, which has since been rescinded, the Department feels that the LRACT ^{visible emission} standard is too stringent and will, therefore, impose the applicable General Visible Emissions Standard of "less than 20% opacity", in accordance with F.A.C. Rule 17-2.610(2). Because of this, the Department will consider the petitioner's request to apply an alternate ^{visible emissions} compliance verification ^{procedure.} to the applicable visible emissions standard. No.

2. As justification for the alternate compliance verification ^{procedure}, ^{that No} petitioner has provided test results demonstrating ^{the} plume interferences due to humidity, which causes a blue haze appearance ^{inhibits} and ~~difficulty in~~ accurately evaluating ^{ions of plume} the opacity. Also, the State of Washington has been utilizing the operation of a Brinks Demister System on a similar Recovery Boiler as ^{verification} ~~demonstration~~ of compliance ^{with the applicable visible emission standard. No}. Petitioner will have a continuous ^{monitor and record} ~~time record~~ monitor of the Brinks Demister System's operational status, ^{including the real time duration of NO} ~~programmed to record any bypass of that system,~~ and will ^{no need for redundancy} notify the Department's Northeast District office in a timely manner of such events. ^{Brinks Demister System No}

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider petitioner's request pursuant to Section 403.061, Florida Statutes, and F.A.C. Rule 17-2.700(3).
2. The Department retains the right to require a quantitative compliance test pursuant to F.A.C. Rule 17-2.700(2)(b) if, after investigation, it is believed that any applicable emission standard is being violated.

3. Petitioner has demonstrated that the proposed alternate compliance verification method would be adequate to verify the compliance of the unit with the visible emissions standard.

ORDER

Having considered petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Petitioner shall comply with the following revised Specific Condition No. 4:

No. 4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Emission Rate</u>	
	<u>lbs/hr</u>	<u>TPY</u>
PM ¹ / ₄	67.5 ² / ₄	283.5 ³ / ₄
SO ₂ ⁴ / ₄	321.9 ⁵ / ₄	1352.0 ⁶ / ₄

Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister System's operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the Brinks Demister System bypassed shall be limited to:

1. PM - Particulate Matter.
2. Basis: Rate used in 6/75 model; 27 TADUP/hr; 2.5 lbs PM/TADUP.
3. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.
4. SO₂ - Sulfur Dioxide.
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6. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

- a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt (24 hours; except week-ends, then Monday) notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation. To the extent feasible, the Department's Northeast District office shall be notified of reportable bypasses by noontime of the business day following a reportable bypass.
- b) Shutdown, not to exceed two (2) hours.
- c) Startup and Maintenance (see Specific Condition 8, hereof).

Malfunction

Right To Appeal

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below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to F.A.C. Rule 28-5.207.

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to F.A.C. Rule 17-103.070. Upon timely filing of a petition or a request for an extension of time this Order will not be effective until further Order of the Department.

DONE AND ORDERED this _____ day of _____, 1991 in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

CAROL M. BROWNER
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida
32399-2400

(904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has
been mailed, postage prepaid, to Mr. E. M. Shirley, Manager of
Environmental and Community Affairs, ITT Rayonier Inc., Post
Office Box 2002, Fernandina Beach, Florida 32034-2002, this _____
day of _____, 1991.

GARY SMALLRIDGE
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730



RECEIVED

ITT Rayonier Inc.

January 16, 1991

JAN 16 1991

Fernandina Division

DER - BAQM

Post Office Box 2002

Fernandina Beach, Florida 32034-2002

(904) 261-3611

Mr. Bruce Mitchell
Florida Dept. of Env. Reg.
Twin Towers Office Bldg.
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

Re: ITT Rayonier, Inc. V. DER DOAH Case No. 90-2153,
DER OGC Case No. 90-0332

Dear Mr. Mitchell:

I have been informed by our attorney, Mr. Jim Shroads, that you would like additional information about the Brinks Demister operational status.

All boilers that I am familiar with that are equipped with pollution control equipment such as the Brinks Demister units, scrubbers, electrostatic precipitators, etc. have a means to by-pass this equipment in case of emergencies. For instance, if the forced draft fan on a boiler were to fail, causing high back pressure in the boiler, the by-pass would be opened to relieve this pressure. Situations such as this are very rare, however, the means must be provided in case of emergencies and for safety reasons.

To assure you that our Brinks Demister by-pass remains closed during normal boiler operation, we will record the by-pass valve position on a chart. These charts will be retained for one year should DER wish to inspect them.

Should an emergency occur where the Brinks would have to be by-passed, we will notify the Northeast District of this occurrence within 24 hours.

I trust that this will alleviate any concern you might have in the Brinks Demister operation.

Should you have any questions, please do not hesitate to contact me at ITT Rayonier (904) 261-3611.

Sincerely,

ITT RAYONIER INC.

E. M. Shirley
MANAGER OF ENVIRONMENTAL
AND COMMUNITY AFFAIRS

EMS104/ldv

BEST AVAILABLE COPY

3. Petitioner has demonstrated that the proposed alternate compliance verification meth compliance of the unit with t

Post-It[®] brand fax transmittal memo 7571 # of pages 1

To	BRUCE MITCHELL	From	A.G. KUTYNA
Co.	DARM	Co.	NED
Dept.		Phone #	
Fax #		Fax #	

Having considered petiti documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Petitioner shall comply with the following revised Specific Condition No. 4:

No. 4. The permitted maximum allowable emission rate for each pollutant is as follows:

Pollutant	RULE	Emission rate lbs/hr	PER
PM ₁₀	17- 2.03 FAC 2	67.52	283.52
SO ₂ / S	17- 2.03 FAC 2	321.92	1352.08
VEX			

Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister System's operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the Brinks Demister System bypassed shall be limited to:

BASIS FOR THE DETERMINATION OF LATEST REASONABLE AVAILABLE CONTROL TECHNOLOGY BASED ON WASHINGTON STATE STANDARD FOR SULFITE PULPMILL (WAC 18-38-040 07-12-76).

1. PM - Particulate Matter.
 1. Basis: Rate used in 6/75 model; 27 TADUP/hr; 2.5 lbs PM/TADUP.
 2. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.
1. SO₂ - Sulfur Dioxide.
 1. Basis: Rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.
 2. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

3. Petitioner has demonstrated that the proposed alternate compliance verification method would be adequate to verify the compliance of the unit with the visible emissions standard.

ORDER

Having considered petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Petitioner shall comply with the following revised

Specific Condition No. 4 (~~AO 45-171127~~): is revised as follows:

~~No. 4.~~ | The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Rule</u>	<u>Emission Rate</u>	
		<u>lbs/hr</u>	<u>TPY</u>
PM ¹ /	17-2.03, F.A.C. ² /	67.5 ³ /	283.5 ⁴ /
SO ₂ ⁵ /	17-2.03, F.A.C. ⁶ /	321.9 ⁷ /	1352.0 ⁸ /
Visible Emissions*			

*Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous

1. PM - Particulate Matter.

2. Basis: The determination of Latest Reasonable Available Control Technology based on State of Washington's standards for Sulfite Pulp Mills (WAC 18-38-040 dated 7/12/76).

3. Basis: Rate used in 6/75 model; 27 TADUP/hr; 2.5 lbs PM/TADUP.

4. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

5. SO₂ - Sulfur Dioxide.


6. Basis: See footnote No. 2.

7. Basis: Rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.

8. Basis: See footnote No. 4.

monitor time record of the Brinks Demister System's operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the Brinks Demister System bypassed shall be limited to:

- a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation. To the extent feasible, the Department's Northeast District office shall be notified of reportable bypasses by noontime of the business day following a reportable bypass.
- b) Shutdown, not to exceed two (2) hours.
- c) Excess Emissions (see Specific Condition No. 8, hereof).


Right To Appeal

Any party to this Order has the right to seek judicial review of the Order 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 the Notice of Agency Action is filed with the Clerk of the Department.

PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the

4/26-91

Revision 2

- ① Jim Alues - @ 12:42
- ② Bill Coydon - @ 1:19
- ③ Andy Kutyna - (FAX) 01:35

To Bruce Mitchell

Date 4/26 Time 2:57

WHILE YOU WERE OUT

M _____


of 880-4310

Phone Andy Kutyna

Area Code Number Extension

<input checked="" type="checkbox"/> TELEPHONED	PLEASE CALL
<input type="checkbox"/> CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN
<input type="checkbox"/> WANTS TO SEE YOU	<input type="checkbox"/> URGENT
<input type="checkbox"/> RETURNED YOUR CALL	

Message Received the latest
ITT final order draft &
is in ~~ag~~ agreement
with this


Operator

Washington's standard, which has since been rescinded, the Department feels that the LRACT visible emissions standard is too stringent and will, therefore, impose the applicable General Visible Emissions Standard of "less than 20% opacity", in accordance with F.A.C. Rule 17-2.610(2). Because of this, the Department will consider the petitioner's request to apply an alternate compliance verification procedure to the applicable visible emissions standard.

2. As justification for the alternate compliance verification procedure, petitioner has provided test results demonstrating plume interferences due to humidity, which inhibits accurate evaluations of the plume opacity. Also, the State of Washington has been utilizing the operation of a Brinks Demister System on a similar SSL Recovery Boiler as verification of compliance in lieu of the applicable visible emissions standard. Petitioner will have a continuous time record monitor of the Brinks Demister System's operational status, programmed to record any bypass of that system, and will notify the Department's Northeast District office in a timely manner of such events.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider petitioner's request pursuant to Section 403.061, Florida Statutes, and F.A.C. Rule 17-2.700(3).

2. The Department retains the right to require a quantitative compliance test pursuant to F.A.C. Rule 17-2.700(2)(b) if, after investigation, it is believed that any applicable emissions standard is being violated.

3. Petitioner has demonstrated that the proposed alternate compliance verification method would be adequate to verify the compliance of the unit with the visible emissions standard.

ORDER

Having considered petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Petitioner shall comply with the following revised Specific Condition No. 4 (AO 45-171127):

No. 4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Rule</u>	<u>Emission Rate</u>	
		<u>lbs/hr</u>	<u>TPY</u>
PM ¹ / ₅	17-2.03, F.A.C. ² / ₆	67.5 ³ / ₇	283.5 ⁴ / ₈
SO ₂ ⁵ / ₆	17-2.03, F.A.C. ⁶ / ₇	321.9 ⁷ / ₈	1352.0 ⁸ / ₉
Visible Emissions*			

*Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous

1. PM - Particulate Matter.
2. Basis: The determination of Latest Reasonable Available Control Technology based on State of Washington's standards for Sulfite Pulp Mills (WAC 18-38-040 dated 7/12/76).
3. Basis: Rate used in 6/75 model; 27 TADUP/hr; 2.5 lbs PM/TADUP.
4. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.
5. SO₂ - Sulfur Dioxide.
6. Basis: See footnote No. 2.
7. Basis: Rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.
8. Basis: See footnote No. 4.

monitor time record of the Brinks Demister System's operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the Brinks Demister System bypassed shall be limited to:

- a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt (24 hours; except week-ends, then Monday) notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation. To the extent feasible, the Department's Northeast District office shall be notified of reportable bypasses by noontime of the business day following a reportable bypass.
- b) Shutdown, not to exceed two (2) hours.
- c) Excess Emissions (see Specific Condition No. 8, hereof).

Right To Appeal

Any party to this Order has the right to seek judicial review of the Order 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 the Notice of Agency Action is filed with the Clerk of the Department.

PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the

Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner

contends require reversal or modification of the Department's action or proposed action; and,

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to F.A.C. Rule 28-5.207.

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to F.A.C. Rule 17-103.070. Upon timely filing of a petition or a request for an extension of time this Order will not be effective until further Order of the Department.

DONE AND ORDERED this _____ day of _____, 1991 in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

CAROL M. BROWNER
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

(904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has
been mailed, postage prepaid, to Mr. E. M. Shirley, Manager of
Environmental and Community Affairs, ITT Rayonier Inc., Post
Office Box 2002, Fernandina Beach, Florida 32034-2002, this _____
day of _____, 1991.

GARY SMALLRIDGE
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

FAX TRANSMITTAL LETTER

DATE: 4-26-91

TO:

NAME: Andy Kutyna

AGENCY: NE District

TELEPHONE: (904) 448-4366

OF PAGES (INCLUDE COVER SHEET): _____

FROM:

NAME: Bruce Mitchell

AGENCY: DARM / BAR

IF ANY PAGES ARE NOT CLEARLY RECEIVED, PLEASE CALL IMMEDIATELY. PHONE NO. 904-488-1344

SENDER'S NAME: _____

COMMENTS: per our discussion, Revision 2

ASP-91-H-01 - ITT Rayonier Inc.

MESSAGE CONFIRMATION

APR-26-'91 FRI 13:35

TERM ID: DIV OF AIR RES MGMT P-9999

TEL NO: 904-922-8973

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
790	04-26	13:31	00'03"23	DER JACKSONVILLE		08	00

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)	
)	
ITT Rayonier Inc.	)	OGC Case No. 90-0332
	)	Permit No. AO 45-171127
Petitioner	)	ASP-91-H-01
_____)	

ORDER APPROVING REQUEST

FOR

ALTERNATE TEST PROCEDURES AND REQUIREMENTS

Pursuant to Florida Administrative Code (F.A.C.) Rule 17-2.700(3), ITT Rayonier Inc., petitioner, submitted a request for approval of the operation of a Brinks Demister System in lieu of meeting the Latest Reasonable Available Control Technology (LRACT) Visible Emissions Standard of "10% opacity" for compliance verification procedures for petitioner's Recovery Boiler, permit number AO 45-171127, located in Nassau County.

Having considered petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On December 12, 1990, petitioner specifically requested approval of the operation of a Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of 10% opacity for compliance verification of the Recovery Boiler as specified in permit number AO 45-171127, Specific Condition No. 4. Since the

4-26-91
Revision 1

- ① Jim Ahus 9:50 [338 for pick-up]
- ② Bill Coydon 9:52 deli/und
- ③ Andy Katyna 10:01 FAX

BR

LRACT standard was based on the State of Washington's standard, which has since been rescinded, the Department feels that the LRACT standard is too stringent and will, therefore, impose the applicable General Visible Emissions Standard of "less than 20% opacity", in accordance with F.A.C. Rule 17-2.610(2). Because of this, the Department will consider the petitioner's request to apply an alternate compliance verification to the applicable visible emissions standard.

2. As justification for the alternate compliance verification, petitioner has provided test results demonstrating plume interference due to humidity, which causes a blue haze appearance and difficulty in accurately evaluating the opacity. Also, the State of Washington has been utilizing the operation of a Brinks Demister System on a similar Recovery Boiler as demonstration of compliance. Petitioner will have a continuous time record monitor of the Brinks Demister System's operational status, programmed to record any bypass of that system, and will notify the Department's Northeast District office in a timely manner of such events.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider petitioner's request pursuant to Section 403.061, Florida Statutes, and F.A.C. Rule 17-2.700(3).

2. The Department retains the right to require a quantitative compliance test pursuant to F.A.C. Rule 17-2.700(2)(b) if, after investigation, it is believed that any applicable emission standard is being violated.

3. Petitioner has demonstrated that the proposed alternate compliance verification method would be adequate to verify the compliance of the unit with the visible emissions standard.

ORDER

Having considered petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Petitioner shall comply with the following revised Specific Condition No. 4:

No. 4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Rule</u>	<u>Emission Rate</u>	
		<u>lbs/hr</u>	<u>TPY</u>
PM ¹ / ₆	17-2.03, F.A.C. ² / ₆	67.5 ³ / ₇	283.5 ⁴ / ₈
SO ₂ ⁵ / ₆	17-2.03, F.A.C. ⁶ / ₆	321.9 ⁷ / ₇	1352.0 ⁸ / ₈
VE*			

*Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister System's

1. PM - Particulate Matter.

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5. SO₂ - Sulfur Dioxide.

6. Basis: See footnote No. 2.

7. Basis: Rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.

8. Basis: See footnote No. 4.

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- b) Shutdown, not to exceed two (2) hours.
- c) Startup and Maintenance (see Specific Condition 8, hereof).

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DONE AND ORDERED this ____ day of _____, 1991 in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

CAROL M. BROWNER
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

(904) 488-4805

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Environmental and Community Affairs, ITT Rayonier Inc., Post
Office Box 2002, Fernandina Beach, Florida 32034-2002, this ____
day of _____, 1991.

GARY SMALLRIDGE
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

FAX TRANSMITTAL LETTER

DATE: 4-26-91

TO:

NAME: Andy Kutyna

AGENCY: NE District

TELEPHONE: (904) 448-4366

OF PAGES (INCLUDE COVER SHEET): 8

FROM:

NAME: Bruce Mitchell

AGENCY: DARM/BAR

IF ANY PAGES ARE NOT CLEARLY RECEIVED, PLEASE CALL IMMEDIATELY. PHONE NO. (904) 448-1344

SENDER'S NAME: _____

COMMENTS: ASP-91-H-01 revision 1 (ITT Ragonier Inc.)

MESSAGE CONFIRMATION

APR-26-'91 FRI 09:01

TERM ID: DIV OF AIR RES MGMT P-9999

TEL NO: 904-922-6979

10
4-26-91
Jud + I
changed the
clock
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NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
788	04-26	09:58	00'03"18	DER JACKSONVILLE		08	00

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS
123 SOUTH CALHOUN STREET
POST OFFICE BOX 6526
TALLAHASSEE, FLORIDA 32314
(904) 222-7500
FAX (904) 224-8551

CARLOS ALVAREZ
JAMES S. ALVES
BRIAN H. BIBEAU
ELIZABETH C. BOWMAN
WILLIAM L. BOYD, IV
RICHARD S. BRIGHTMAN
PETER C. CUNNINGHAM
WILLIAM H. GREEN
WADE L. HOPPING
FRANK E. MATTHEWS
RICHARD D. MELSON
WILLIAM D. PRESTON
CAROLYN S. RAEPPE
GARY P. SAMS
ROBERT P. SMITH, JR.

KATHLEEN BLIZZARD
THOMAS M. DEROSE
RICHARD W. MOORE
ANGELA R. MORRISON
DIANA M. PARKER
LAURA BOYD PEARCE
GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
CECELIA C. SMITH
CHERYL G. STUART

OF COUNSEL
W. ROBERT FOKES

RECEIVED

DEC 12 1990

December 12, 1990

DER-BAQM

BY HAND DELIVERY

William Congdon, Esquire
Assistant General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

Re: ITT Rayonier, Inc. v. DER
DOAH Case No. 90-2153
DER OGC Case No. 90-0332

Dear Bill:

In response to the meeting with DER on December 4, Jim Shroads of ITT Rayonier, Inc. has consulted with mill management and operations people regarding the questions posed by Bruce Mitchell. With input and guidance from the folks at the mill, we have prepared a proposed revision to Specific Condition No. 4, as set forth in the draft Stipulation of Dismissal enclosed for your review.

Under our proposal, the Brinks Demister will be off-line only during emergencies, scheduled maintenance, startup and shutdown. Scheduled maintenance and startup were settled by the terms of a Consent Order with the Department in 1980, the operative items of which appear as Specific Condition No. 8 of the permit (copy attached). Consequently, the only new points in our proposal are the emergency and shutdown modes. As reflected in our draft, shutdown would occur within a two hour period, so it should not pose a major problem. Moreover, emergency situations have been limited to two hours; if they continue beyond, ITT Rayonier will eliminate SSLS as a fuel source, and oil will be the only combustible fuel utilized. As a practical matter, we

William Congdon, Esquire
December 12, 1990
Page 2

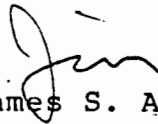
understand that the mill has never previously experienced oil only operation beyond two hours. Hopefully, this adequately addresses Mr. Mitchell's concern -- expressed at the meeting -- about the type or mixture of fuel burned when the Brinks was off.

We would be most appreciative if you and Mr. Mitchell would review the attached draft stipulation and discuss with us any comments, questions or recommendations that you have. Because this matter is scheduled for hearing in early January, we hope you share our sense of urgency that this matter be resolved as soon as possible.

Bill, it occurs to me that ITT Rayonier's responses to DER's Request for Admissions are due on December 20, 1990. Even if we were to sign and file the Stipulation this week, it is unlikely that DOAH would relinquish jurisdiction prior to December 20. Therefore, I need to file a motion to extend the period for responding to DER's Requests. I would be most appreciative if I could state, in the motion, that you have no objection.

As always, we appreciate the courtesy and cooperation that you and Mr. Mitchell have extended.

Very truly yours,



James S. Alves

CongdonLtr:gbh

cc: Bruce Mitchell

Attachments

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS
123 SOUTH CALHOUN STREET
POST OFFICE BOX 6526
TALLAHASSEE, FLORIDA 32314
(904) 222-7500
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OF COUNSEL
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ROBERT P. SMITH, JR.

December 12, 1990

BY HAND DELIVERY

William Congdon, Esquire
Assistant General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

Re: ITT Rayonier, Inc. v. DER
DOAH Case No. 90-2153
DER OGC Case No. 90-0332

RECEIVED
DEC 12 1990

Dept. of Environmental Reg.
Office of General Counsel

Dear Bill:

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William Congdon, Esquire
December 12, 1990
Page 2

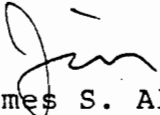
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As always, we appreciate the courtesy and cooperation that you and Mr. Mitchell have extended.

Very truly yours,


James S. Alves

CongdonLtr:gbb

cc: Bruce Mitchell

Attachments

BEFORE THE STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

ITT RAYONIER INC.)
)
 Petitioner,)
)
 vs.) DOAH CASE NO. 90-2153
) OGC CASE NO. 90-0332
 STATE OF FLORIDA DEPARTMENT)
 OF ENVIRONMENTAL REGULATION,)
)
 Respondent.)
)
 _____)

STIPULATION FOR DISMISSAL

Pursuant to Florida Administrative Code Rule 22I-6.033, Petitioner ITT Rayonier, Inc. ("ITT Rayonier" or "Petitioner") and Respondent State of Florida Department of Environmental Regulation ("Department" or "Respondent") jointly file this Stipulation for Dismissal and request that the Hearing Officer enter an order incorporating same and dismissing this case in accordance therewith. The parties jointly agree:

1. This proceeding relates to ITT Rayonier's application to the Department for renewal of an air pollution source operation permit for a sulfite recovery boiler located in Nassau County, Florida. In its Petition for Administrative Proceedings, ITT Rayonier contested Specific Condition No. 4 as set forth in the Intent to Issue Permit (No. A045-171127) and accompanying documents received from the Department on February 21, 1990.

2. The parties have agreed to a mutually acceptable resolution of the issues raised in ITT Rayonier's Petition. The terms of this resolution are set forth below in subparagraphs (a) and (b).

(a) The Department will alter Specific Condition No. 4 as set forth in Permit No. A045-171127 to provide as follows:

4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Emission Rate</u>	
	<u>lbs/hr</u>	<u>TPY</u>
PM ^{1/}	67.5 ^{2/}	283.5 ^{3/}
SO ₂ ^{4/}	321.9 ^{5/}	1352.0 ^{3/}

Compliance with Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the

^{1/} PM - Particulate matter.

^{2/} Basis: rate used in 6/75 model; 27TADUP/hr; 2.5 lbs PM/TADUP.

^{3/} Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

^{4/} SO₂ - Sulfur Dioxide

^{5/} Basis: rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.

Brinks Demister System bypassed shall be limited to:

a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt (48 hours) notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation.

b) Shutdown, not to exceed two (2) hours.

c) Startup and Maintenance (see Specific Condition 8, hereof).

b. The referenced air permit shall be issued by the Department in final form, in accordance with subparagraph (a), by no later than January 4, 1991.

WHEREFORE, Petitioner and Respondent respectfully request entry of a recommended order incorporating this Stipulation for Dismissal and dismissing this case.

Respectfully submitted,

For the Petitioner

For the Respondent

James L. Shroads, Esquire
ITT RAYONIER INC.
Post Office Box 723
Fernandina Beach, FL 32034

William Congdon, Esquire
Assistant General Counsel
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
Twin Towers Office Building
2600 Blair Stone Rod
Tallahassee, FL 32399-2400

PERMITTEE:
 ITT Rayonier Inc.
 Post Office Box 2002
 Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
 Permit/Cert: A045-171127
 Date of Issue: February 20, 1990
 Expiration Date: January 11, 1995

5. Test the emission for the following pollutant(s) within 45 days after startup, notify the Department 14 days prior to testing, and submit the test report documentation to the Department with the operation permit application within 45 days after completion of the testing:

<u>Pollutant</u>	<u>Interval</u>	<u>Test Method¹</u>
PM	12 Months from 10-15-89	---2
SO ₂	On request ³	---2
SO ₂	Continuously (see SC #7)	---
VE	12 Months from 10-15-89	---2

¹ From 17-2.700(1), FAC in Table 700-1

² As specified in BACT determination.

Since test methods were not in 1976 LRACT, request that the Dept. DARM make a determination.

³ Test stack emissions

Tests and test reports shall comply with the requirements of Florida Administrative Code Rule 17-2.700(6) and (7), respectively.

6. In each test report, submit the maximum input/production rate at which this source was operated since the most recent test.
7. A SO₂ continuous monitoring system (CMS) report shall be submitted for each calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:
- The magnitude of excess emissions, and the date and time of commencement and completion of each time period of excess emissions.
 - Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.
8. The conditions listed below are per Florida Administrative Code Rule 17-2.05(14)(a)(2) (now 17-2.250) and included in the stipulation for Consent Order dated January 14, 1980 and referenced in the Consent Order dated January 16, 1980:

PERMITTEE:

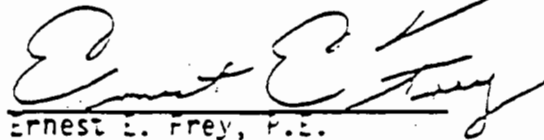
ITT Rayonier Inc.
Post Office Box 2002
Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
Permit/Cert: A045-171127
Date of Issue: February 20, 1990
Expiration Date: January 11, 1995

- A. A specific authorization to allow excessive emissions for a period not to exceed 4 hours, while the Brinks is bypassed during boiler startup, providing the Department is notified prior to such event, and a written report is submitted delineating the causes and duration.
 - B. A specific authorization to allow bypassing the Brinks for up to 24 hours, twice per year to allow for required preventive maintenance to the unit providing that the storage lagoons are drawn down and every other effort is made to minimize the duration of the bypass.
 - C. The Department is to be notified in advance of the SSL lagoon drawdown, and when the inspection/repairs of the Brinks are to start. A follow-up report on what was found, what corrections were made, and when the next maintenance event is planned, will be submitted.
 - D. There shall be no banking of the authorized bypasses in A. and B. above.
9. All records are to be retained for at least two years.
 10. Submit an annual operation report for this source on the form supplied by the Department for each calendar year on or before March 1.
 11. Any revision(s) to a permit (and application) must be submitted and approved prior to implementing.
 12. The ID No. for this source is to be used on all correspondences.
 13. Forms for the renewal will be sent 5 months prior to January 11, 1995 and the completed forms with test results are due 90 days prior to January 11, 1995

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Ernest E. Frey, P.E.
Deputy Assistant Secretary

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52 of the Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Ernest E. Frey 02/20/90
Date Date

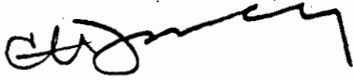


State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

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

Interoffice Memorandum

To: Andrew Kutyna
Air Program Administrator
N.E. District

From: Clair Fancy 
Bureau Chief
Bureau of Air Regulation
Division of Air Resources Management

Date: April 23, 1990

Subject: ITT Rayonier Sulfite Recovery Boiler Opacity

This matter concerns ITT Rayonier's sulfite recovery boiler in Fernandina Beach. Regarding the options suggested in your memo of March 21, 1990, option number one, eliminating the opacity requirement, is not a legally feasible alternative. The VE Standard of 10% was arrived at through an LRACT determination. If we agree that the LRACT is outdated or otherwise unsupportable, then we must apply the general VE standard of 20% imposed by Rule 17-2.610(2)(a), F.A.C., until ITT Rayonier demonstrates, based on actual tests, that a different standard is warranted.

In order for DER to establish a different VE standard, it must be demonstrated that ITT is meeting the PM limit while simultaneously failing the VE limit. One full test, consisting of three runs each, should be simultaneously conducted for PM and VE at 60%, 70%, 80%, 90% and 100% of operating capacity. The test results must be under a seal of the P.E. of record. Only then can a determination be made that a VE standard other than 20% is appropriate. Regardless of what standard is ultimately established, the construction and operating permits will have to be consistent.

Please let me know if you have any problems or questions regarding this memo before our meeting with ITT Rayonier.

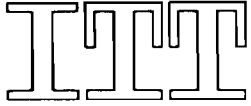
TO: ~~Jim Pennington~~ MIKE HARLEY DATE DUE: 4/25
FROM: Clair
DATE: 4/12 DATE COMPLETED: 4/23
SUBJ: ITT Sulfite RB Opacity

Please accomplish the following job assignment by the date due.

Assign to Mike or Bruce to research this and decide what the rules allow, then we can decide how to proceed. IF it is a tourist area, a 40% opacity seems high as it does anyhow

PRESENTLY NOT ENFORCING "BLUE HAZE" OPACITY VIOLATIONS ON SUGAR MILLS OR CONCRETE PLANTS. PLEASE CHECK THIS OUT.

Jim



ITT Rayonier Inc.

Fernandina Division

Post Office Box 2002

Fernandina Beach, Florida 32034-2002
(904) 261-3611

RECEIVED
MAR 26 1990
DER-BAQM

March 22, 1990

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

RE: **Petition for Complete Exclusion of Visible Emission
Limit on the ITT Rayonier Sulfite Recovery Boiler
Permit Number A045-171127**

Dear Mr. Fancy:

In a meeting held on March 21 with Mr. Andrew G. Kutyna, Air Program Administrator, DER, Jacksonville, we presented a letter requesting a modification in the visible emission limit on the ITT Rayonier sulfite recovery boiler. (Letter to Mr. Ernest E. Frey, DER, Jacksonville, attached.)

We presently meet particulate and SO₂ requirements in the permit. Quite frankly we tend to over-scrub with ammonia to remove sulfur dioxide simply because this area is heavily populated and is fast becoming a tourist mecca. This over-scrubbing tends to create more visible emissions as indicated in the letter attached.

Mr. Kutyna, who is very familiar with this recovery boiler suggested that we petition for the complete exclusion of a visible emission limit in our permit.

Should you have any questions or require additional information please let me know.

Yours very truly,

ITT RAYONIER INC.

E.M. Shirley, Manager
Environmental and
Community Affairs

EMS126/gh

cc: Ernest E. Frey, Deputy Asst. Secy, DER, Jacksonville
Andrew G. Kutyna, Air Program Adm., DER, Jacksonville



ITT Rayonier Inc.

Fernandina Division

Post Office Box 2002

Fernandina Beach, Florida 32034-2002

(904) 261-3611

March 20, 1990

Mr. Ernest E. Frey
Deputy Assistant Secretary
Department of Environmental Regulation
3426 Bills Road
Jacksonville, Florida 32207

Dear Mr. Frey:

We are going to petition for modification of the Air Permit issued February 20, 1990, for the recovery boiler. The ten percent opacity requirement is not achievable. The previous permits did not include an opacity standard. Compliance was established by meeting particulate and SO₂ requirements.

As near as we can determine, "LRACT" was established for this boiler by the Florida DER in 1976 prior to operating for any significant period. A letter from J.P. Subramani to Bill Opp, then N.E. Regional Manager, lists the particulate, standard of 2.5 pounds particulate, 300 ppm SO₂, and 10% opacity as expected performance for the installed technology. Two stage cooling followed by two stage ammonium scrubbing, followed by "Brinks" fiberglass filters.

These standards were based on a number of references including a letter from a Washington Department of Ecology staff member familiar with the Rayonier Port Angeles recovery system which had recently started up. There was only limited operating experiences with the Port Angeles system at the time.

The ammonium scrubber medium is mandated by the fact that the Fernandina's pulp mill operates using ammonium bisulfite cooking acids. The makeup ammonium for the cooking is used to scrub the SO₂ from the recovery boiler flue gas. The ammonium bisulfite is then used to cook the pulp.

The air pollution control train consists of three stages of stack gas cooking (including a quench stage followed by two recirculating spray cooling stages), followed by two stages of ammonium scrubbing, followed by the fiberglass filters.

Operating experience at Fernandina has demonstrated that the LRACT technology described above cannot meet the ten percent opacity performance set as a goal in 1976. The Port Angeles operation cannot meet this goal either. Opacity tends to be higher at the Fernandina operation due to the higher operating temperatures. Water temperatures are higher in Florida and the available cooking water cannot cool the stack gas as much. The higher temperatures lead to higher ammonia vapor pressures which in turn contributes to higher opacity.

The particulate leaving the ammonia SO₂ absorber is a primarily fine aerosol. The fine particulate emission is dominated by SO₄⁼ and NH₄⁺ ions. These ammonium sulfate particles coalesce in the submicrometer range. This size is known to be the most efficient size for scattering short wavelength visible light (thus the blue opacity effect). Since the local atmospheric conditions are generally quite warm and humid, the hydration of these particles is elevated even for small quantities of initial emission. Thus, it would be most unlikely to meet a ten percent opacity limit even for a meticulously controlled point source as long as that source is dominated by SO₄⁼ and NH₄⁺ ions. The ammonium sulfate particulate is quite hygroscopic, hence a small particle tends to "grow" due to the attracted moisture.

The current situation can be summarized as follows:

1. The LRACT technology has been installed.
2. It is meeting particulate and sulfur dioxide parameters but not opacity.
3. The ten percent opacity has not been a permit condition.
4. The ten percent opacity performance had not been demonstrated at the time LRACT was set.

We are hereby petitioning for a modification of the current air permit to change the ten percent opacity requirement. We suggest that the opacity requirement be deleted. If it is deemed by the DER to be necessary to include an opacity requirement, we suggest that for this permit it be set the same as the Florida Kraft mill recovery boiler opacity, 45 percent. During the life of this permit additional opacity performance data could then be developed.

Yours very truly,

ITT RAYONIER INC.



E. M. Shirley, Manager
Environmental and
Community Affairs

EMS/gh



State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

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

Interoffice Memorandum

NORTHEAST DISTRICT - JACKSONVILLE

RECEIVED

MAR 26 1990

DER-BAQ/iv

TO: Clair Fancy, Chief, BAR
THRU: Ernie Frey *EF*
FROM: Andrew Kutyna *AKK*
DATE: March 21, 1990
SUBJECT: ITT Rayonier Sulfite Recovery Boiler Opacity

This matter concerns an operating permit issued to ITT Rayonier Corporation, Fernandina Beach. The construction permit for an ammonium based sulfite recovery boiler was issued in 1976. Emission limitations were on a technical evaluation made by Mr. J.P. Subramani, then with DER, and included an LRACT determination of 10% opacity for this boiler. At that time, there was one such boiler in existence for a very short time in Port Angeles, Washington and no reliable opacity data were available for this type of boiler. After startup, it was discovered the ten percent opacity limit could not be attained under normal operation. For some reason, the opacity limit has not been included in the operating permits since startup and our files show no correspondence to explain this.

When the operating permit came up for renewal, I instructed Johnny Cole to issue the permit according to the limitations of the construction permit and allow ITT Rayonier to petition for a change in the construction permit. The operating permit AO45-171127 was issued February 26, 1990 containing the original opacity limits. This caused the operating permit to be consonant with the construction permit.

ITT Rayonier has filed and been granted an extension of time to file a petition for an administrative hearing concerning the opacity limit. Attached is a copy of their letter explaining their position which is self explanatory.

I would recommend one of two courses of action:

1. Modify the construction permit to eliminate the opacity requirement as Washington State has done.
2. Conduct a BACT determination in this boiler for opacity and use that as a limit.

I have tested this source several times and have found particulate emissions to be in compliance while opacities have exceeded 40%. On several occasions opacities could not be determined because of humidity and temperature conditions which prevented the moisture from being dissipated. Unlike a Kraft recovery boiler this condition is prevalent due to the hygroscopic nature of the particulate matter. Decreasing the ammonia to the SO₂ adsorber would increase SO₂ emissions and this would not be an acceptable option.

I have met with ITT Rayonier personnel and have recommended they petition BAR for a change in the construction permit.

If you have any questions or comments, please respond by letter or telephone.

AK:bt

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

Clair Fancey

Initial

Date

2.

Chief BAR

Initial

Date

3.

Initial

Date

4.

MAR 26 1950

Initial

Date

REMARKS:

DER-BAU ivi

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

SO2 300 12 PM

PM 0.069 f/dscf

Core 840 O2

VE Note use 35% For Emin

than in 90 hour

TR5 17.5 ppn ~~to be~~ daily

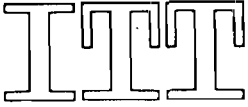
FROM:

Clair / Jay

A. Kutepna

DATE 3-23-90

PHONE



ITT Rayonier Inc.

Fernandina Division

Post Office Box 2002

Fernandina Beach, Florida 32034-2002

(904) 261-3611

March 20, 1990

Mr. Ernest E. Frey
Deputy Assistant Secretary
Department of Environmental Regulation
3426 Bills Road
Jacksonville, Florida 32207

Dear Mr. Frey:

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The air pollution control train consists of three stages of stack gas cooking (including a quench stage followed by two recirculating spray cooling stages), followed by two stages of ammonium scrubbing, followed by the fiberglass filters.

Operating experience at Fernandina has demonstrated that the LRACT technology described above cannot meet the ten percent opacity performance set as a goal in 1976. The Port Angeles operation cannot meet this goal either. Opacity tends to be higher at the Fernandina operation due to the higher operating temperatures. Water temperatures are higher in Florida and the available cooking water cannot cool the stack gas as much. The higher temperatures lead to higher ammonia vapor pressures which in turn contributes to higher opacity.

The particulate leaving the ammonia SO₂ absorber is a primarily fine aerosol. The fine particulate emission is dominated by SO₄⁼ and NH₄⁺ ions. These ammonium sulfate particles coalesce in the submicrometer range. This size is known to be the most efficient size for scattering short wavelength visible light (thus the blue opacity effect). Since the local atmospheric conditions are generally quite warm and humid, the hydration of these particles is elevated even for small quantities of initial emission. Thus, it would be most unlikely to meet a ten percent opacity limit even for a meticulously controlled point source as long as that source is dominated by SO₄⁼ and NH₄⁺ ions. The ammonium sulfate particulate is quite hygroscopic, hence a small particle tends to "grow" due to the attracted moisture.

The current situation can be summarized as follows:

1. The LRACT technology has been installed.
2. It is meeting particulate and sulfur dioxide parameters but not opacity.
3. The ten percent opacity has not been a permit condition.
4. The ten percent opacity performance had not been demonstrated at the time LRACT was set.

We are hereby petitioning for a modification of the current air permit to change the ten percent opacity requirement. We suggest that the opacity requirement be deleted. If it is deemed by the DER to be necessary to include an opacity requirement, we suggest that for this permit it be set the same as the Florida Kraft mill recovery boiler opacity, 45 percent. During the life of this permit additional opacity performance data could then be developed.

Yours very truly,

ITT RAYONIER INC.



E. M. Shirley, Manager
Environmental and
Community Affairs

EMS/gh

CC: 4-25-91

Jim Pennington @ 1:00pm
Bill Conyers @ 1:10 p.m.
Runner for Jim Alves @
1:00 p.m.
FAX'd to Andy Kutznaw
1:18 p.m.

RAM

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)	
	)	OGC Case No. 90-0332
ITT Rayonier Inc.	)	Permit Nos. AC 45-2601
	)	AO 45-171127
Petitioner	)	ASP-91-H-01
_____)	

ORDER APPROVING REQUEST

FOR

ALTERNATE TEST PROCEDURES AND REQUIREMENTS

Pursuant to Florida Administrative Code (F.A.C.) Rule 17-2.700(3), ITT Rayonier Inc., petitioner, submitted a request for approval of the operation of a Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of "10% opacity" for compliance verification procedures for petitioner's Recovery Boiler, permit numbers AC 45-2601 and AO 45-171127, located in Nassau County.

Having considered petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On December 12, 1990, petitioner specifically requested approval of the operation of a Brinks Demister System in lieu of meeting the LRACT Visible Emissions Standard of 10% opacity for compliance verification of the Recovery Boiler as specified in permit numbers AC 45-2601 and AO 45-171127, Specific Condition No.

4. Since the LRACT standard was based on the State of Washington's standard, which has since been rescinded, the Department feels that the LRACT standard is too stringent and will, therefore, impose the applicable General Visible Emissions Standard of "less than 20% opacity", in accordance with F.A.C. Rule 17-2.610(2). Because of this, the Department will consider the petitioner's request to apply an alternate compliance verification to the applicable visible emissions standard.

2. As justification for the alternate compliance verification, petitioner has provided test results demonstrating plume interference due to humidity, which causes a blue haze appearance and difficulty in accurately evaluating the opacity. Also, the State of Washington has been utilizing the operation of a Brinks Demister System on a similar Recovery Boiler as demonstration of compliance. Petitioner will have a continuous time record monitor of the Brinks Demister System's operational status, programmed to record any bypass of that system, and will notify the Department's Northeast District office in a timely manner of such events.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider petitioner's request pursuant to Section 403.061, Florida Statutes, and F.A.C. Rule 17-2.700(3).

2. The Department retains the right to require a quantitative compliance test pursuant to F.A.C. Rule 17-2.700(2)(b) if, after investigation, it is believed that any applicable emission standard is being violated.

3. Petitioner has demonstrated that the proposed alternate compliance verification method would be adequate to verify the compliance of the unit with the visible emissions standard.

ORDER

Having considered petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by petitioner is granted; and,
2. Petitioner shall comply with the following revised Specific Condition No. 4:

No. 4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Emission Rate</u>	
	<u>lbs/hr</u>	<u>TPY</u>
PM ¹ /	67.5 ² /	283.5 ³ /
SO ₂ ⁴ /	321.9 ⁵ /	1352.0 ⁶ /

Compliance with F.A.C. Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister System's operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the Brinks Demister System bypassed shall be limited to:

-
1. PM - Particulate Matter.
 2. Basis: Rate used in 6/75 model; 27 TADUP/hr; 2.5 lbs PM/TADUP.
 3. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.
 4. SO₂ - Sulfur Dioxide.
 5. Basis: Rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.
 6. Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

- a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt (24 hours; except week-ends, then Monday) notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation. To the extent feasible, the Department's Northeast District office shall be notified of reportable bypasses by noontime of the business day following a reportable bypass.
- b) Shutdown, not to exceed two (2) hours.
- c) Startup and Maintenance (see Specific Condition 8, hereof).

Right To Appeal

Any party to this Order has the right to seek judicial review of the Order 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 the Notice of Agency Action is filed with the Clerk of the Department.

PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth

below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to F.A.C. Rule 28-5.207.

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to F.A.C. Rule 17-103.070. Upon timely filing of a petition or a request for an extension of time this Order will not be effective until further Order of the Department.

DONE AND ORDERED this _____ day of _____, 1991 in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

CAROL M. BROWNER
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida
32399-2400

(904) 488-4805

CERTIFICATE OF SERVICE

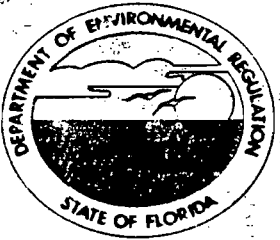
I HEREBY CERTIFY that a true copy of the foregoing Order has
been mailed, postage prepaid, to Mr. E. M. Shirley, Manager of
Environmental and Community Affairs, ITT Rayonier Inc., Post
Office Box 2002, Fernandina Beach, Florida 32034-2002, this _____
day of _____, 1991.

GARY SMALLRIDGE
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

FAX TRANSMITTAL LETTER

DATE: 4-25-91

TO:

NAME: Andy Kutyna

AGENCY: NE Dist

TELEPHONE: (904) 448-4366

OF PAGES (INCLUDE COVER SHEET): 9

FROM:

NAME: Bruce Mitchell

AGENCY: DARM / BAR

IF ANY PAGES ARE NOT CLEARLY RECEIVED, PLEASE CALL IMMEDIATELY. PHONE NO. 904-488-1344

SENDER'S NAME: _____

COMMENTS: IIT Rogonier Inc. direct ASB on RB

MESSAGE CONFIRMATION

APR-25-'91 THU 12:13

TERM ID: DIV OF AIR RES MGMT P-8888

TEL NO: 904-922-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
786	04-25	12:09	00:04:02	DER JACKSONVILLE		09	00

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History file

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

ST. JOHNS RIVER SUBDISTRICT
3426 BILLS ROAD
JACKSONVILLE, FLORIDA 32207REUBIN O'D ASKEW
GOVERNORJOSEPH W. LANDRES JR.
SECRETARY

September 15, 1976

*Charles A. Council (1978)*Mr. J. P. Hooper, Resident Manager
ITT Rayonier, Inc.
P. O. Box 2002
Fernandina Beach, Florida 32034

Dear Mr. Hooper:

Nassau County
ITT Rayonier
Sulfite Recovery Plant

Enclosed to your recent application, enclosed is Permit No. AC45-2601 dated September 15, 1976 to construct the subject pollution control.

This permit will expire on December 31, 1976 and will be subject to the conditions, requirements and restrictions checked or indicated otherwise on the attached sheet entitled "Permit Conditions."

This permit is issued under the authority of Florida Statutes 403.161(16). The time limits imposed herein are a condition to this permit and are enforceable under Florida Statute 403.161. You are hereby placed on notice that the Department will review this permit before the scheduled date of expiry and will seek court action for any violation of the conditions and requirements of this permit.

You have ten days from the date of receipt hereof within which to seek a review of the conditions and requirements contained in this permit.

In future communication please refer to your permit number and serial I.D. Your continued cooperation is appreciated.

Very truly yours,

*Frank Watkins, Jr.*Frank Watkins, Jr., P.E.
Subdistrict Engineer

FKWJck

cc: Central Files, Mr. Nickonovitz
Mr. John K. Walsh, P.E.

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SERIAL No 01305

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

CONSTRUCTION PERMIT

FOR ITT Rayonier, Inc.
P. O. Box 2002
Fernandina Beach, Florida 32034

PERMIT NO. AC45-2601 DATE OF ISSUE September 15, 1976

PURSUANT TO THE PROVISIONS OF SECTIONS 403.051 (10) AND 403.707 OF CHAPTER 403 FLORIDA STATUTES AND CHAPTERS 17-4 AND 17-7 FLORIDA ADMINISTRATIVE CODE, THIS PERMIT IS ISSUED TO:
J. F. Hooper, Resident Manager

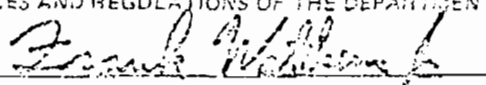
FOR THE CONSTRUCTION OF THE FOLLOWING:
Sulfite Recovery Boiler with a 3-Stage Scrubber.

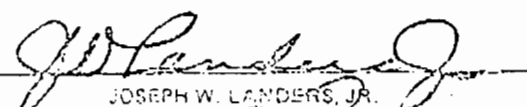
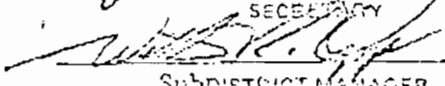
LOCATED AT W. of ALA on Gun Street, Fernandina Beach, Nassau County, FL
 UTM: E-454700 N-3392200

IN ACCORDANCE WITH THE APPLICATION DATED July 31, 1975

ANY CONDITIONS OR PROVISOS WHICH ARE ATTACHED HERETO ARE INCORPORATED INTO AND MADE A PART OF THIS PERMIT AS THOUGH FULLY SET FORTH HEREIN. FAILURE TO COMPLY WITH SAID CONDITIONS OR PROVISOS SHALL CONSTITUTE A VIOLATION OF THIS PERMIT AND SHALL SUBJECT THE APPLICANT TO SUCH CIVIL AND CRIMINAL PENALTIES AS PROVIDED BY LAW.


THIS PERMIT SHALL BE EFFECTIVE FROM THE DATE OF ISSUE UNTIL December 31, 1976 OR UNLESS REVOKED OR SURRENDERED AND SHALL BE SUBJECT TO ALL LAWS OF THE STATE AND THE RULES AND REGULATIONS OF THE DEPARTMENT.

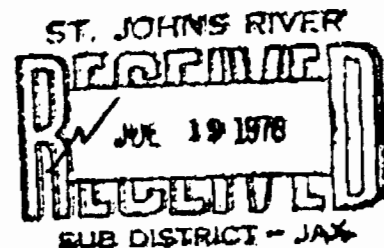

 Frank Watkins, Jr.
 Subdistrict Engineer


 JOSEPH W. LANDERS, JR.
 SECRETARY

 Subdistrict Manager
 William R. Opp

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STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
INTEROFFICE MEMORANDUM

TO : William R. Opp
FROM: J. P. Subramani 
DATE: July 12, 1976
SUBJ: AP - Sources - Industry - Sulfite Pulp & Paper
ITT Rayonier



This office has thoroughly reviewed the control technology to be utilized on ITT Rayonier's proposed sulfite recovery boiler pursuant to Chapter 17-2.03(1) F.A.C. and Chapter 17-4.23 F.A.C. The volume of technical data concerning these sources is extremely limited, since very few ammonia base sulfite recovery boilers exist. The limited data available for this relatively new class of sources indicates that Latest Reasonably Available Control Technology is represented by:

1. Particulate emissions not exceeding 2.5lbs/ton of air dried unbleached pulp.
2. Sulfur dioxide concentrations not exceeding 300 ppm dry as an hourly average in the stack.
3. Opacity not exceeding 10%.

It is my professional opinion that the proposed ammonia base sulfite recovery boiler incorporates the Latest Reasonably Available Control Technology.

This office has concluded on the basis of all submittals that construction of the proposed source will result in a general improvement in environmental quality. Please see attachments.

JPS/MDH/cj

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- A. Due consideration has been given to 40 C.F.R. 51.1(0), 40 C.F.R. 51 Appendix B, and 40 C.F.R. 60 in the determination of Latest Reasonably Available Control Technology. The equipment has been designed to produce emissions satisfactorily close to those recommended in these guidelines. It should be noted that these guidelines were developed at a time when there was only one ammonia base sulfite recovery boiler in existence.
- B. The following documents were used in the Department's determination that the Latest Reasonably Available Control Technology has been applied:
1. Atmospheric Emissions From The Pulp And Paper Manufacturing Industry, U.S. EPA, September 1973.
 2. Literature Survey - Ammonia Base Sulfite Recovery Systems, ITT Rayonier, October 31, 1975.
 3. Washington State Standards For Sulfite Pulp Mills - WAC 16-38-040, State of Washington.
 4. Letter to Paul Traina from J. F. Durham, U.S. EPA, February 4, 1971.
 5. Letter to C. A. Webb from J. C. Knudson, Washington Department of Ecology, November 7, 1975.
 6. Letter to M. D. Harley from J. F. Hooper, ITT Rayonier, February 10, 1976.
 7. Memorandum to W. E. Starnes from W. R. Opp, Florida Department of Environmental Regulation, September 4, 1975.
 8. Computer Modeling of Fernandina's Current And Future Ambient Air SO₂ And Ambient Air Particulate Levels, ITT Rayonier, June 20, 1975.
 9. Letter to M. D. Harley from R. Tollefson, ITT Rayonier, June 24, 1975.
 10. Oregon Regulations For Sulfite Pulp Mills 25 - 360, BNA Reporter, April 14, 1975.
 11. State-Of-The-Art-Review of Pulp And Paper Waste Treatment, U.S. EPA, April 1973.
 12. Control Techniques For Particulate Air Pollutants AP-51, U.S. EPA, January 1969.
 13. Control Techniques For Sulfur Oxide Air Pollutants AP-52, U.S. EPA, January 1969.
- 1-
2. Sulfur dioxide concentrations to no greater than 100 parts per million (dry standard conditions) as an hourly average.
 3. Visible emissions to a density not exceeding number 0.5 of the Ringlemann Chart (10 percent opacity).

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

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CONSTRUCTION PERMIT PROVISOSAIR POLLUTION SOURCESPermit No. AC45-2601Date: Sept. 15, 1976

- (X) 1. Construction of this installation shall be completed by October 31, 1976. Application for Permit to Operate to be submitted by December 31, 1976.
- (X) 2. This construction permit expires on December 31, 1976 following an initial period of operation for appropriate testing to determine compliance with the Rules of the Florida Department of Environmental Regulation Commission.
- (X) 3. All applicable rules of the Department including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction.
- (X) 4. The applicant shall continue the retention of the engineer of record for the inspection of the construction of this project. Upon completion the engineer shall inspect for conformity to construction permit applications and associated documents. A report of such inspection shall be submitted by the engineer to the Department of Environmental Regulation for consideration toward the issuance of an operation permit.
- (X) 5. This recovery boiler shall be tested* for particulate and sulfur dioxide within 60 days after it is placed in operation. These test results are required prior to our issuance of an operation permit and shall be submitted in duplicate to the Florida Department of Environmental Regulation

* Fuel Analysis May be Submitted for Required Sulfur Dioxide Emission Test.

- () 6. The operation of this installation shall be observed for visible emissions in accordance with Method 9-Visible Determination of the Opacity of Emissions from Stationary Sources (36FR24895; Federal Register, December 23, 1971). The observation results are required prior to our issuance of an operation permit, and shall be submitted in duplicate to the Department of Environmental Regulation District Office,
- (X) 7. Satisfactory ladders, platforms, and other safety devices shall be provided/available as well as necessary ports to facilitate the carrying out of an adequate sampling program.
- () 8. There shall be no discharges of liquid effluents or contaminated runoff from the plant site.
- (X) 9. All fugitive dust generated at this site shall be adequately controlled.

OVER

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- (X) 10. The sulfur dioxide concentration in the stack gases shall be monitored continuously.
- (X) 11. Excess emissions are regulated per Chapter 17-2.03(8).



Florida Department of Environmental Regulation

Northeast District • 3426 Bills Road • Jacksonville, Florida 32207 • 904-798-4200

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Ernest Frey, Deputy Assistant Secretary

PERMITTEE:

ITT Rayonier Inc.
Post Office Box 2002
Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
Permit/Cert Number: A045-171127
Date of Issue: February 20, 1990
Expiration Date: January 11, 1995
County: Nassau
Latitude/Longitude: 30°39'44"N; 81°29'03"W
Project: Sulfite Recovery Boiler
UTM: E-(17)454.7;N-3392.2

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2 and 17-4. The above named permittee is hereby authorized perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

For operation of the Recovery Boiler (RB) fired with ammonia base spent sulfite liquor (SSL) and/or No. 6 fuel oil. Particulate matter (PM) and sulfur dioxide (SO₂) emissions are controlled by a 3-state wet scrubber and Brinks demister in series.

Located west of SR A1A (Florida First Coast Highway), Foot of Gum Street, Fernandina Beach, Nassau County, FL.

In accordance with:

Operation permit application dated 03-16-78
Last additional information received 02-04-80
Renewal application dated 10-30-84
Additional information received 12-12-84
Renewal application dated 09-08-89
Additional information received 11-28-89

Post-It™ brand fax transmittal memo 7671		# of pages
To <i>Bruce Mitchell</i>	From <i>Johnny Co</i>	
Co.	Co.	
Dept.	Phone #	
Fax # <i>904-922-6979</i>	Fax <i>904-448-4366</i>	

PERMITTEE:
ITT Rayonier Inc.
Post Office Box 2002
Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
Permit/Cert: A045-171127
Date of Issue: February 20, 1990
Expiration Date: January 11, 1995

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants, or representatives.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit does not constitute a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and department rules, unless specifically authorized by an order from the department.
6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

PERMITTEE:
ITT Rayonier Inc.
Post Office Box 2002
Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
Permit/Cert: A045-171127
Date of Issue: February 20, 1990
Expiration Date: January 11, 1995

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with, or will be unable to comply with, any condition or limitation specified in this permit, the permittee shall immediately notify and provide the department with the following information:
 - a. A description of and cause of non-compliance; and
 - b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the department, may be used by the department as evidence in any enforcement case arising under the Florida Statutes or department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.
10. The permittee agrees to comply with changes in department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or department rules.
11. This permit is transferable only upon department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the department.
12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

PERMITTEE:
ITT Rayonier Inc.
Post Office Box 2002
Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
Permit/Cert: A045-171127
Date of Issue: February 2nd, 1990
Expiration Date: January 11, 1995

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Certification of Compliance with State Water Quality Standards
- () (Section 401, PL 92-500)
- () Compliance with New Source Performance Standards

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the department, during the course of any unresolved enforcement action.
- b. The permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

15. When requested by the department, the permittee shall, within a reasonable period of time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the department, such facts or information shall be submitted or corrected promptly.

PERMITTEE:
 ITT Rayonier Inc.
 Post Office Box 2002
 Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
 Permit/Cert: A045-171127
 Date of Issue: February 2^o, 1990
 Expiration Date: January 11, 1995

SPECIFIC CONDITIONS:

1. The maximum input/rate (operating rate) is SEE BELOW and shall not be exceeded without prior approval.

<u>Rate</u>	<u>Material</u>
64,000 lbs(O.D.) ¹ /hr 42.6 bbls/hr	SSLS ² No. 6 fuel oil ³

¹O.D. - oven dry

²SSLS - spent sulfite liquor solids

³Sulfur content in the fuel oil shall not exceed 2.5% by wt.

2. Testing of emissions must be performed at an operating rate of at least 90% of the rate in Specific Condition (SC) No. 1, or SC No. 3 will become effective.
3. The operating rate shall not exceed 110% of the operating rate during the most recent test except for testing purposes, but shall not exceed the rate in SC No. 1. After testing at an operating rate greater than 110% of the last test operating rate, the operating rate shall not exceed 110% of the last (submitted) test operating rate until the test report at the higher rate has been reviewed and accepted by the Department.
4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Rule</u>	<u>Emission Rate</u>	
		<u>lbs/hr</u>	<u>TPY</u>
PM ¹	17-2.630, FAC ²	67.5 ³	283.5 ⁴
SO ₂ ⁵	17-2.630, FAC ²	321.9 ⁶	1352.0 ⁴
VE	17-2.630, FAC ²	10% opacity	

¹ PM - particulate matter

² 17-2.630 (was 17-2.03) which was the basis for the determination of latest reasonable available control technology based on the Washington State Standards for Sulfite Pulp Mills -- WAC 18-38-040 and an opacity standard dated 07-12-76.

³ Basis: rate used in 6/75 model;
27 TADUP/hr; 2.5 lbs PM/TADUP.

⁴ Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

⁵ SO₂ - sulfur dioxide

⁶ Basis: rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.

⁷ VE - visible emissions

BEST AVAILABLE COPY

PERMITTEE:
 ITT Rayonier Inc.
 Post Office Box 2002
 Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
 Permit/Cert: A045-171127
 Date of Issue: February 2⁰, 1990
 Expiration Date: January 11, 1995

5. Test the emission for the following pollutant(s) within 45 days after startup, notify the Department 14 days prior to testing, and submit the test report documentation to the Department with the operation permit application within 45 days after completion of the testing:

<u>Pollutant</u>	<u>Interval</u>	<u>Test Method¹</u>
PM	12 Months from 10-15-89	---2
SO ₂	On request ³	---2
SO ₂	Continuously (see SC #7)	---
VE	12 Months from 10-15-89	---2

¹ From 17-2.700(1), FAC in Table 700-1

² As specified in BACT determination.

Since test methods were not in 1976 LRACT, request that the Dept. DARM make a determination.

³ Test stack emissions

Tests and test reports shall comply with the requirements of Florida Administrative Code Rule 17-2.700(6) and (7), respectively.

6. In each test report, submit the maximum input/production rate at which this source was operated since the most recent test.
7. A SO₂ continuous monitoring system (CMS) report shall be submitted for each calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:
- (a) The magnitude of excess emissions, and the date and time of commencement and completion of each time period of excess emissions.
 - (b) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - (c) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - (d) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.
8. The conditions listed below are per Florida Administrative Code Rule 17-2.05(14)(a)(2) (now 17-2.250) and included in the stipulation for Consent Order dated January 14, 1980 and referenced in the Consent Order dated January 16, 1980:

BEST AVAILABLE COPY

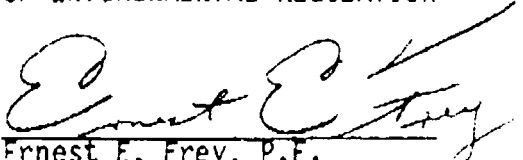
PERMITTEE:
 ITT Rayonier Inc.
 Post Office Box 2002
 Fernandina Beach, Florida 32034

I.D. Number: 31JAX45000406
 Permit/Cert: A045-171127
 Date of Issue: February 2nd, 1990
 Expiration Date: January 11, 1995

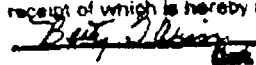
- A. A specific authorization to allow excessive emissions for a period not to exceed 4 hours, while the Brinks is bypassed during boiler startup, providing the Department is notified prior to such event, and a written report is submitted delineating the causes and duration.
 - B. A specific authorization to allow bypassing the Brinks for up to 24 hours, twice per year to allow for required preventive maintenance to the unit providing that the storage lagoons are drawn down and every other effort is made to minimize the duration of the bypass.
 - C. The Department is to be notified in advance of the SSL lagoon drawdown, and when the inspection/repairs of the Brinks are to start. A follow-up report on what was found, what corrections were made, and when the next maintenance event is planned, will be submitted.
 - D. There shall be no banking of the authorized bypasses in A. and B. above.
9. All records are to be retained for at least two years.
 10. Submit an annual operation report for this source on the form supplied by the Department for each calendar year on or before March 1.
 11. Any revision(s) to a permit (and application) must be submitted and approved prior to implementing.
 12. The ID No. for this source is to be used on all correspondences.
 13. Forms for the renewal will be sent 5 months prior to January 11, 1995 and the completed forms with test results are due 90 days prior to January 11, 1995

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
 OF ENVIRONMENTAL REGULATION


 Ernest E. Frey, P.E.
 Deputy Assistant Secretary

FILING AND ACKNOWLEDGEMENT
 FILED, on this date, pursuant to S120.62, Florida
 Statutes, with the designated Department Clerk,
 receipt of which is hereby acknowledged.


 Betty J. Davis
 Date: 02/26/90

BEFORE THE STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

ITT RAYONIER INC.)
)
 Petitioner,)
)
 vs.) DOAH CASE NO. 90-2153
) OGC CASE NO. 90-0332
 STATE OF FLORIDA DEPARTMENT)
 OF ENVIRONMENTAL REGULATION,)
)
 Respondent.)
 _____)

STIPULATION FOR DISMISSAL

Pursuant to Florida Administrative Code Rule 22I-6.033, Petitioner ITT Rayonier, Inc. ("ITT Rayonier" or "Petitioner") and Respondent State of Florida Department of Environmental Regulation ("Department" or "Respondent") jointly file this Stipulation for Dismissal and request that the Hearing Officer enter an order incorporating same and dismissing this case in accordance therewith. The parties jointly agree:

1. This proceeding relates to ITT Rayonier's application to the Department for renewal of an air pollution source operation permit for a sulfite recovery boiler located in Nassau County, Florida. In its Petition for Administrative Proceedings, ITT Rayonier contested Specific Condition No. 4 as set forth in the Intent to Issue Permit (No. AO45-171127) and accompanying documents received from the Department on February 21, 1990.

4-16-91

Memo from ...

Jim Alves

TO: Bruce Mitchell
Bill Congdon

RE: ITT Rayonier

Enclosed is a revised proposed stipulation for dismissal. I have added a sentence to proposed condition 4.a., at Bruce's request. Please give me a call.

2. The parties have agreed to a mutually acceptable resolution of the issues raised in ITT Rayonier's Petition. The terms of this resolution are set forth below in subparagraphs (a) and (b).

(a) The Department will alter Specific Condition No. 4 as set forth in Permit No. AO45-171127 to provide as follows:

4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Emission Rate</u>	
	<u>lbs/hr</u>	<u>TPY</u>
PM ^{1/}	67.5 ^{2/}	283.5 ^{3/}
SO ₂ ^{4/}	321.9 ^{5/}	1352.0 ^{3/}

Compliance with Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the

^{1/} PM - Particulate matter.

^{2/} Basis: rate used in 6/75 model; 27TADUP/hr; 2.5 lbs PM/TADUP.

^{3/} Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

^{4/} SO₂ - Sulfur Dioxide

^{5/} Basis: rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.

Brinks Demister System bypassed shall be limited to:

a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt (48 hours) notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation.

b) Shutdown, not to exceed two (2) hours.

c) Startup and Maintenance (see Specific Condition 8, hereof).

b. The referenced air permit shall be issued by the Department in final form, in accordance with subparagraph (a), by no later than January 4, 1991.

WHEREFORE, Petitioner and Respondent respectfully request entry of a recommended order incorporating this Stipulation for Dismissal and dismissing this case.

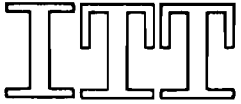
Respectfully submitted,

For the Petitioner

For the Respondent

James L. Shroads, Esquire
ITT RAYONIER INC.
Post Office Box 723
Fernandina Beach, FL 32034

William Congdon, Esquire
Assistant General Counsel
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
Twin Towers Office Building
2600 Blair Stone Rod
Tallahassee, FL 32399-2400



PAM
2-8-91
Fernandina Beach, FL

File copy

ITT Rayonier Inc.

Southeast Legal Office

P. O. Box 723

Fernandina Beach, FL 32034

Telephone (904) 261-0828

RECEIVED
FEB 11 1991
DER-BAQM

February 8, 1991

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

RE: ITT Rayonier vs. FL/DER
OGC Case No. 90-0332
(in re: Air Permit A045-171127)

Dear Mr. Mitchell:

From discussions between Mr. Congdon, counsel for the Department, and Mr. Alves, counsel representing ITT Rayonier in this matter, I am told that you would like additional specifications on the "continuous monitor time record of the Brinks Demister operational status," as referred to in specific condition number 4. In supplement to the letter to you from E. M. Shirley dated January 16, 1991, I enclose a diagram showing the wiring revisions to the Brinks demister bypass valve, interconnecting it to the continuous monitor.

As shown in the diagram, the Brinks Demister bypass valve sensor wiring change indicates a "close", or connection, on bypass position, which transmits the electric signal, as shown by the rewiring diagram, to record upon the flow monitor chart, a 24 hour recorder chart mechanism. Chart printouts record the status (bypass/normal) of the Brinks Demister bypass valve as a discrete data item in addition to the other monitor functions of the chart. The controller and charting mechanism are Foxboro components operating in and as part of a Bailey Spec 200 system of monitors. The chart is a continuous electrical/mechanical recorder, not operator observations, printed on a 24 hour format, much like oil well pump flow monitors. As Mr. Shirley has previously indicated, these daily charts will be retained on site for one year should DER wish to inspect them.

CONT'D: 2/8/91

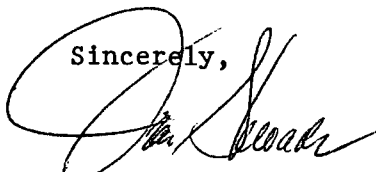
B. Mitchell - OGC Case No. 90-0332

This revision of mill wiring provides a record of the Brinks status. When the permit issues, a notation to mill engineering and maintenance schematics for this wiring function will reference the interconnection as a component of air operating permit compliance, hence incapable of modification without an engineer's certification of consistency of the modification with the permit condition, including continuous monitor requirements.

A copy of this letter is simultaneously sent to Mr. Alves, Mr. Congdon, and Mr. Shirley. I was told that the explanation of this matter was sought directly from the Company, hence this letter to you. I concede my discomfort as an attorney in dealing directly with Department technical staff, and not via Mr. Congdon, and assure Mr. Congdon that no professional discourtesy is meant by this explanatory letter. I do trust, however, that the letter is sufficient to explain the modification, which, incidentally, was done shortly following our negotiations exploring settlement to this matter. The system as depicted on the enclosed schematic is currently operational and the continuous monitor is presently recording the Brinks Demister bypass valve position.

Should the Department still have any questions, please advise counsel as soon as possible.

Sincerely,



James L. Shroads

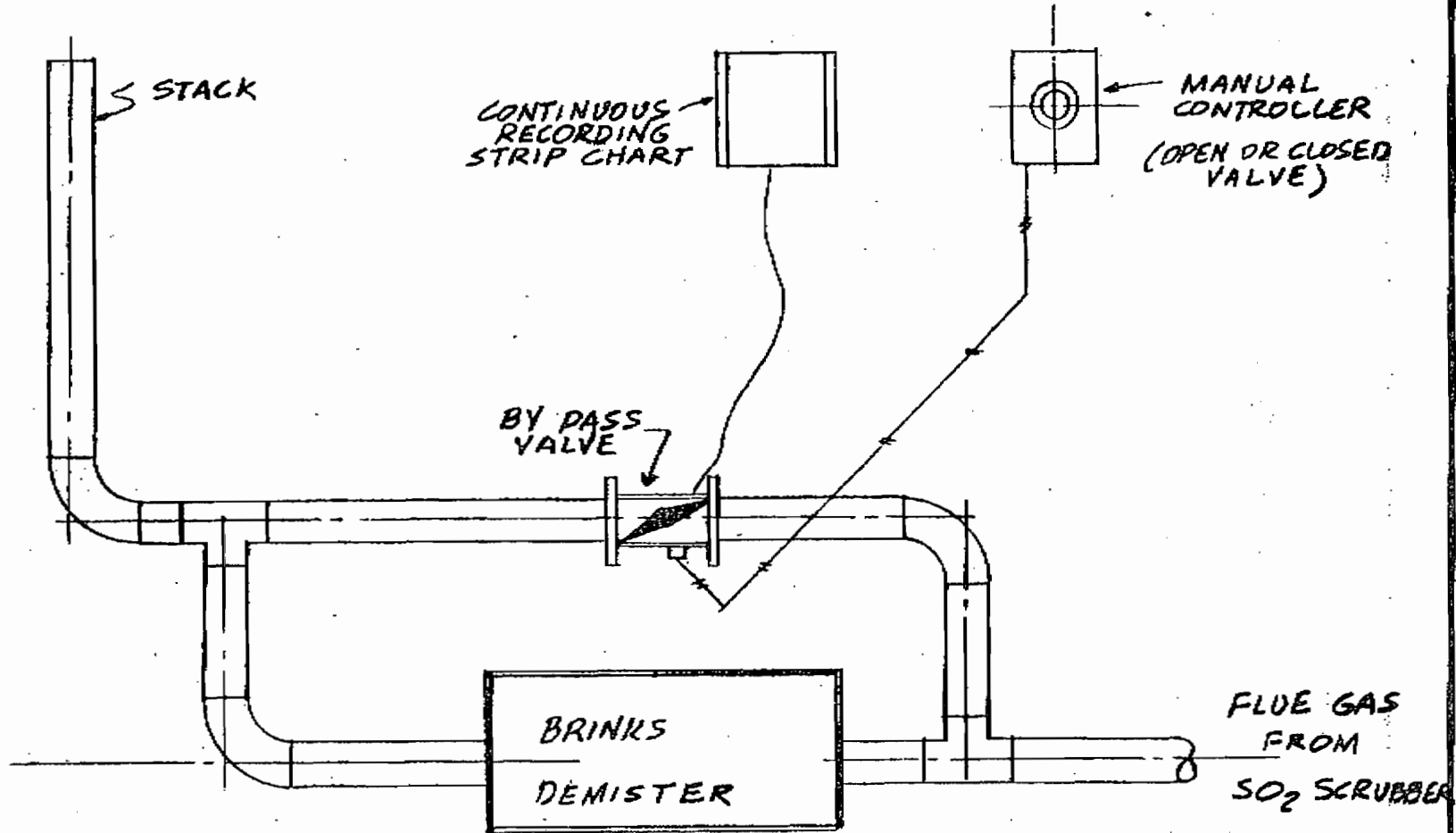
JLS/dg:1605C

cc: Hopping, Boyd, et al.
attn: J. Alves

FL/DER Office of General Counsel
attn: Wm. Congdon

ITT Rayonier Fernandina Mill Div.
attn: E.M. Shirley

NOTE:
 BY PASS VALVE IS CLOSED DURING
 NORMAL OPERATION, OPEN VALVE
 ONLY DURING AN EMERGENCY AS
 OUTLINED IN MY JAN. 16, 1991 LETTER



BRINKS SCHEMATIC

BRINKS SCHEMATIC

MILLARZA RECOVERY

P.A.N.

ITT RAYONIER INC.
 PERNANDINA DIVISION
 PERNANDINA BEACH, FLORIDA

DR. CM
 APP. DATE
 A 21-3093

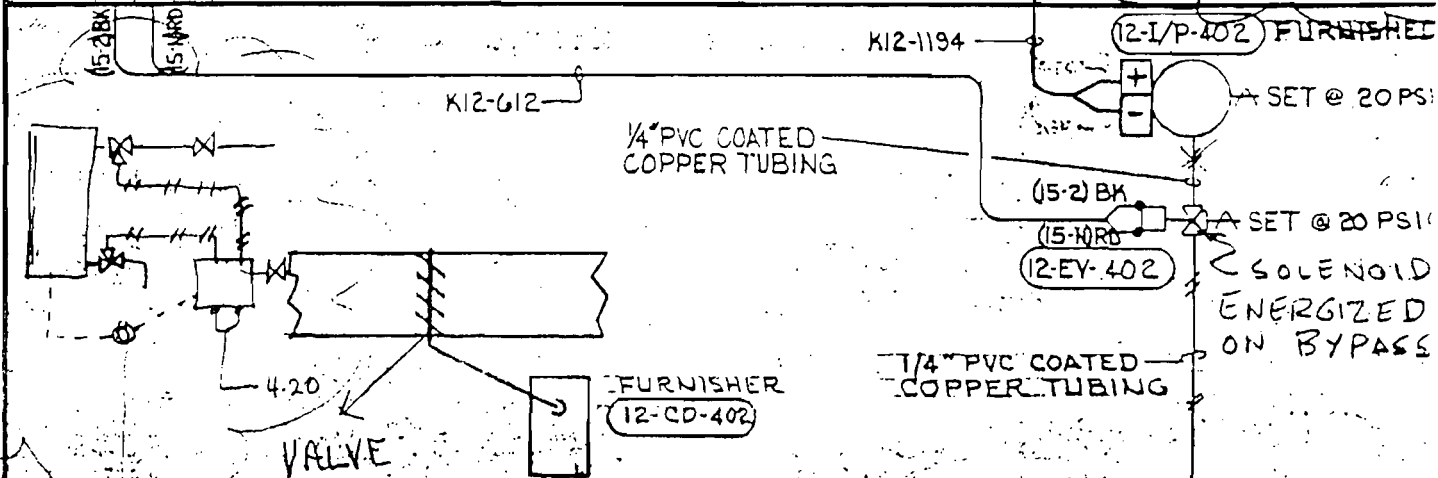
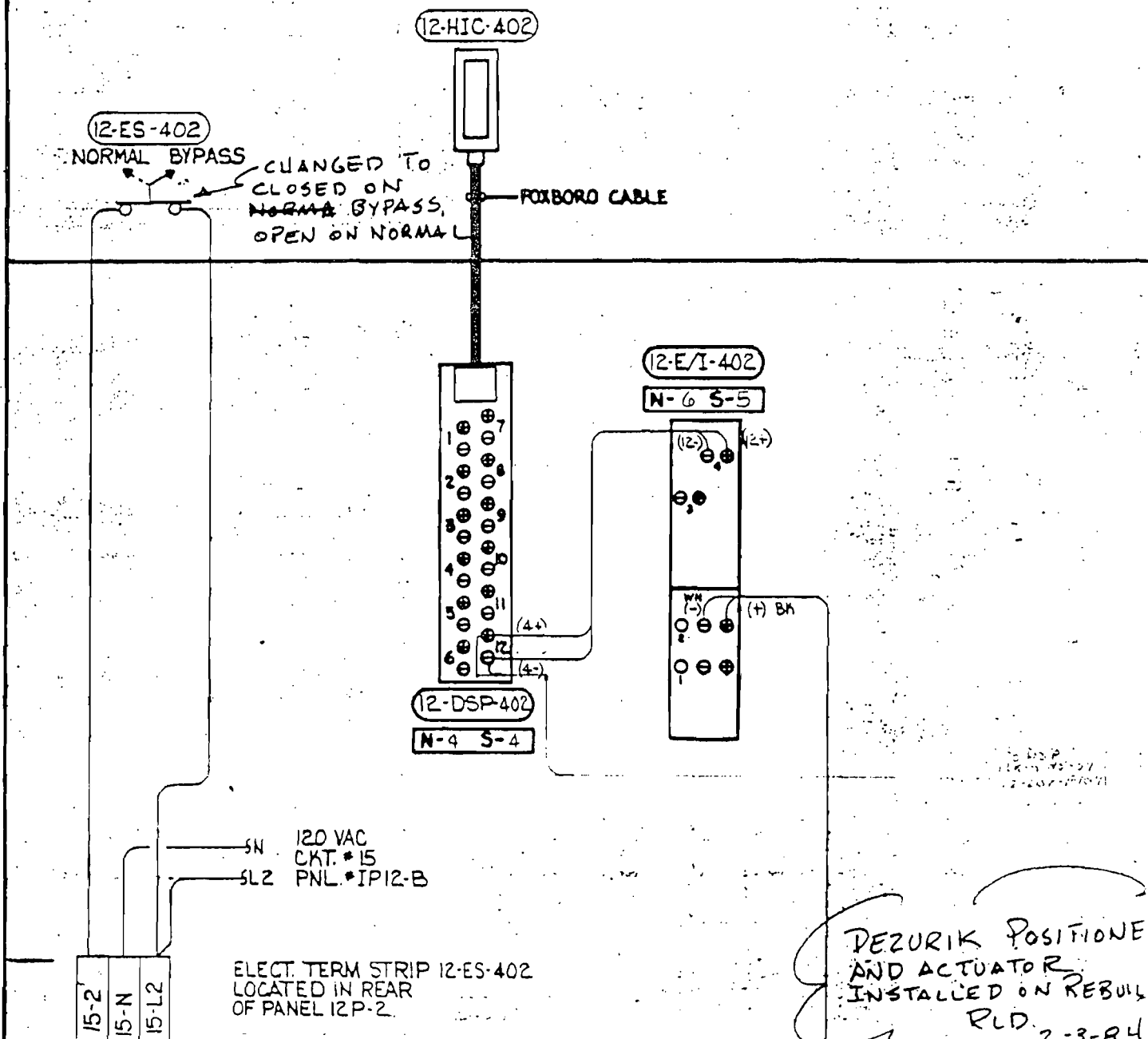
SWG NO. 1111



THE RUST ENGINEERING COMPANY

21-1259
BIRMINGHAM, ALABAMA

DRAWN BY	J. J. ...	DATE	8-15
CHECKED BY	<i>[Signature]</i>	DATE	8-2
APPROVED BY	<i>[Signature]</i>	DATE	8-2



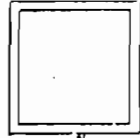
TYT RAYONIER INC.
FERNANDINA DIVISION
FERNANDINA BEACH, FLORIDA

111

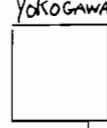
DESIGNED BY	DATE	2-10-79
CHECKED BY	DATE	
APPROVED BY	DATE	5/10

FRONT OF PANEL 12-F2

12-F107 VALVE POSITION
RED

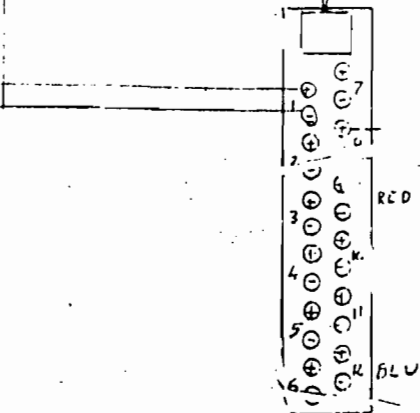


12-AR-F107
YOKOGAWA



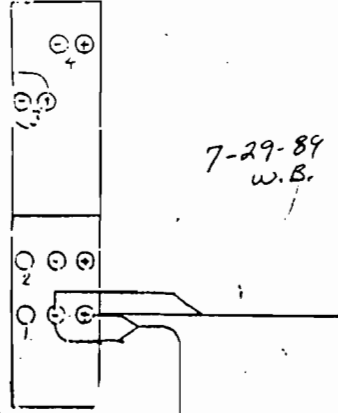
29 FOXBORO CABLE

From 12R4
N4-S4
12-DSP-402



12-DSP-F107
N5, 5, 7

12-I/E-F107
N-6 5-8

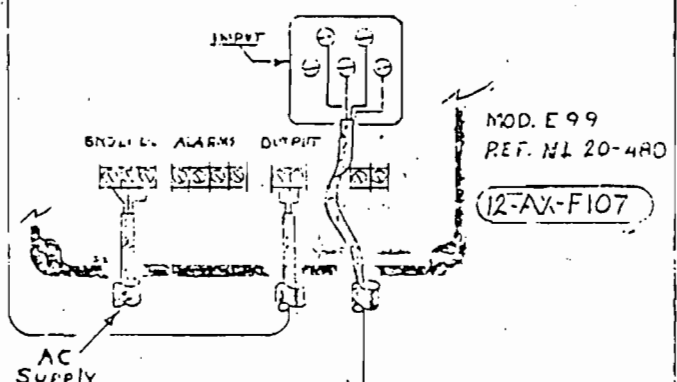
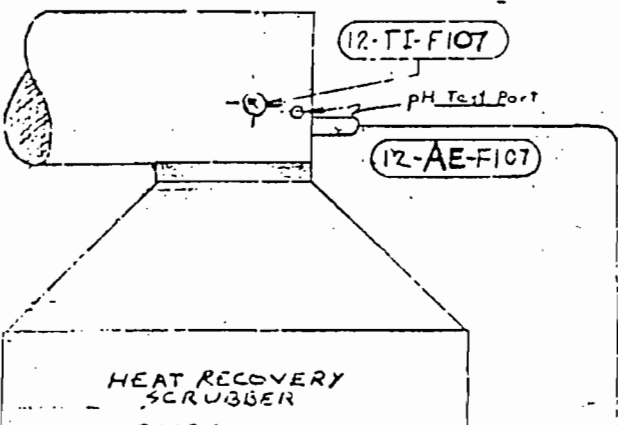


7-29-89
w.B.

K12-1149

FOXBORO MODEL 870
PH TRANSMITTER INSTALLED
ON NEW SCRUBBER
RID 2-29-84

REAR OF PANEL 12R4 CR RACK



MOD. E 99
REF. NL 20-480

FIELD RECORD



RECEIVED

JAN 16 1991

January 16, 1991

ITT Rayonier Inc.

Fernandina Division

Post Office Box 2002

Fernandina Beach, Florida 32034-2002

(904) 261-3611

**Dept. of Environmental Reg.
Office of General Counsel**

**Mr. Bruce Mitchell
Florida Dept. of Env. Reg.
Twin Towers Office Bldg.
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400**

**Re: ITT Rayonier, Inc. V. DER DOAH Case No. 90-2153,
DER OGC Case No. 90-0332**

Dear Mr. Mitchell:

I have been informed by our attorney, Mr. Jim Shroads, that you would like additional information about the Brinks Demister operational status.

All boilers that I am familiar with that are equipped with pollution control equipment such as the Brinks Demister units, scrubbers, electrostatic precipitators, etc. have a means to by-pass this equipment in case of emergencies. For instance, if the forced draft fan on a boiler were to fail, causing high back pressure in the boiler, the by-pass would be opened to relieve this pressure. Situations such as this are very rare, however, the means must be provided in case of emergencies and for safety reasons.

To assure you that our Brinks Demister by-pass remains closed during normal boiler operation, we will record the by-pass valve position on a chart. These charts will be retained for one year should DER wish to inspect them.

Should an emergency occur where the Brinks would have to be by-passed, we will notify the Northeast District of this occurrence within 24 hours.

I trust that this will alleviate any concern you might have in the Brinks Demister operation.

Should you have any questions, please do not hesitate to contact me at ITT Rayonier (904) 261-3611.

Sincerely,

ITT RAYONIER INC.

**E. M. Shirley
MANAGER OF ENVIRONMENTAL
AND COMMUNITY AFFAIRS**

EMS104/ldv

" " A

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP		ACTION NO	
		ACTION DUE DATE	
1. TO: (NAME, OFFICE, LOCATION)		Initial	
	Bruc	Date	
2.		Initial	
		Date	
3.		Initial	
		Date	
4.		Initial	
		Date	
REMARKS: S.C. 4 of the intended ITT Royceer permit is what is at issue. Does the info. in attachment A allow us to change proposed S.C. 4 to read as in attached B? I'll check in next week.		INFORMATION	
		<input type="checkbox"/>	Review & Return
		<input type="checkbox"/>	Review & File
		<input type="checkbox"/>	Initial & Forward
		<input type="checkbox"/>	
		DISPOSITION	
		<input type="checkbox"/>	Review & Respond
		<input type="checkbox"/>	Prepare Response
		<input type="checkbox"/>	For My Signature
		<input type="checkbox"/>	For Your Signature
		<input type="checkbox"/>	Let's Discuss
		<input type="checkbox"/>	Set Up Meeting
		<input type="checkbox"/>	Investigate & Report
		<input type="checkbox"/>	Initial & Forward
<input type="checkbox"/>	Distribute		
<input type="checkbox"/>	Concurrence		
<input type="checkbox"/>	For Processing		
<input type="checkbox"/>	Initial & Return		
FROM:	Bill	DATE	
		PHONE	

4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>Emission Rate</u>	
	<u>lbs/hr</u>	<u>TPY</u>
PM ^{1/}	67.5 ^{2/}	283.5 ^{3/}
SO ₂ ^{4/}	321.9 ^{5/}	1352.0 ^{3/}

Compliance with Rule 17-2.610(2), General Visible Emissions Standard, shall be accomplished and confirmed via operation of the Brinks Demister System. A continuous monitor time record of the Brinks Demister operational status, programmed to record any bypass of that system, shall be maintained by the permittee, and retained on site for Department inspection pursuant to General Condition No. 7. Source operations with the

Brinks Demister System bypassed shall be limited to:

- a) Emergency, not to exceed two (2) hours, after which, if operations have not been restored, shall require discontinuance of fuel sources other than oil, and prompt (48 hours) notification to the Department, followed by a report to the Department of the event and any change in the volume or characteristics of visible emissions experienced during the period of oil-only emergency operation.
- b) Shutdown, not to exceed two (2) hours.
- c) Startup and Maintenance (see Specific Condition 8, hereof).

1/ PM - Particulate matter.

2/ Basis: rate used in 6/75 model; 27TADUP/hr; 2.5 lbs PM/TADUP.

3/ Basis: Hours of operation shall be limited to 8400 H/Y (24 H/D; 7 D/W; 50 W/Y) and shall be recorded.

4/ SO₂ - Sulfur Dioxide

5/ Basis: rate used in 6/75 model. Concentration of SO₂ shall not exceed 300 ppm, dry, as an hourly average in the stack.

" B "

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS

123 SOUTH CALHOUN STREET

POST OFFICE BOX 6526

TALLAHASSEE, FLORIDA 32314

(904) 222-7500

FAX (904) 224-8551

CARLOS ALVAREZ
JAMES S. ALVES
BRIAN H. BIBEAU
ELIZABETH C. BOWMAN
WILLIAM L. BOYD, IV
RICHARD S. BRIGHTMAN
PETER C. CUNNINGHAM
THOMAS M. D'ROSE
WILLIAM H. GREEN
WADE L. HOPPING
FRANK E. MATTHEWS
RICHARD D. MELSON
WILLIAM D. PRESTON
CAROLYN S. RAEPPLE
GARY P. SAMS
ROBERT P. SMITH, JR.

KATHLEEN BLIZZARD
RICHARD W. MOORE
ANGELA R. MORRISON
MARIBEL N. NICHOLSON
DIANA M. PARKER
LAURA BOYD PEARCE
GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
CECELIA C. SMITH
CHERYL G. STUART

OF COUNSEL
W. ROBERT FOXES

January 11, 1991

BY HAND-DELIVERY

Mr. William Congdon
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road, Room 672
Tallahassee, Florida 32399-2400


Re: ITT Rayonier, Inc. v. DER
DOAH Case No. 90-2153
DER OGC Case No. 90-0332

Dear Bill:

Thanks for taking the time to speak with me earlier this week. Although I have not received an order, the Hearing Officer's secretary called me yesterday and confirmed that the administrative hearing will not convene on Monday.

Although we no longer are facing the pressure of a hearing date, I would urge you and Mr. Mitchell to review and respond to my December 12, 1990 letter, which set forth a proposed permit condition that Jim Shroads and I felt corresponded with the agreement we reached verbally on December 4. Please let me know when we may get together again and finalize this matter.

Very truly yours,


James S. Alves

/kkm:Congdon
cc: Bruce Mitchell ✓
Jim Shroads

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

ITT RAYONIER INCORPORATED)
)
 Petitioner,)
)
 vs.)
)
 STATE OF FLORIDA DEPARTMENT)
 OF ENVIRONMENTAL REGULATION,)
)
 Respondent.)
 _____)

RECEIVED
 JAN 8 1991

Dept. of Environmental Reg.
 Office of General Counsel

PETITION FOR FORMAL
 ADMINISTRATIVE PROCEEDING

This is a petition for formal administrative proceeding pursuant to Sec. 120.57(1), Florida Statutes (1990).

1. The Petitioner is ITT Rayonier Incorporated, a Delaware corporation authorized for and doing business within Florida at its Fernandina Mill Division, P.O. Box 2002, Fernandina Beach, Florida 32034. The petitioner's phone number is (904) 261-3611. The Fernandina Mill Division, and all facilities at issue in this matter, are located in Nassau County, Florida.

2. The Respondent is the State of Florida Department of Environmental Regulation, whose address is 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

3. On December 26, 1990, Petitioner received, by certified mail sent from the Florida Department of Environmental Regulation, an Order Modifying Permit Conditions, dated December 20, 1990 and filed with the Department Clerk December 21, 1990. The Order Modifying Permit Conditions, (a copy of which, marked EXHIBIT A, is attached hereto and incorporated herein by this reference) orders modification of the following existing DER permits held by Petitioner:

- a) Permit Number AO45-183504 (No. 1 Power Boiler)
- b) Permit Number AO45-183506 (No. 2 Power Boiler)
- c) Permit Number AO45-183507 (No. 3 Power Boiler)

Petitioner owns and operates the power boiler facilities and is the holder of the three permits referenced above, and has an obvious and substantial interest which will be affected by the Order Modifying Permit Conditions issued by the Florida Department of Environmental Regulation.

4. With reference to the numbered paragraphs of the "Findings of Fact" of the Order Modifying Permit Conditions, Petitioner alleges:

- a) Paragraph Number 1 is admitted.
- b) Paragraph Number 2 is admitted.
- c) Paragraph Number 3 is admitted.
- d) Paragraph Number 4 is denied.

5. In denying paragraph number 4 of the Order Modifying Permit Conditions, the petitioner specifically denies the factual allegation of the Florida DER that emissions of sulfur dioxide under or by reason of the three existing permits for which modification is ordered "...cause or contribute to violations of the state ambient air quality standards for sulfur dioxide."

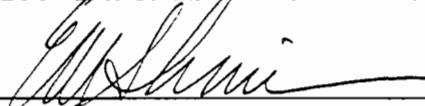
6. In denying paragraph number 4 of the Order, Petitioner alleges that the Order of the Florida DER, by its express terms, is predicated upon a model or hypothesis from which a violation of ambient air quality standards is then presumed, and corrective action ordered. Petitioner challenges as a probable disputed issue of fact the undisclosed "atmosphere dispersion model" upon which the Order Modifying Permits is predicated. Furthermore, and without admitting the factual propriety of the model, Petitioner challenges the presumption of a violation, and the requirement of corrective action ordered in consequence of such a presumption of a violation, as being unwarranted and improper.

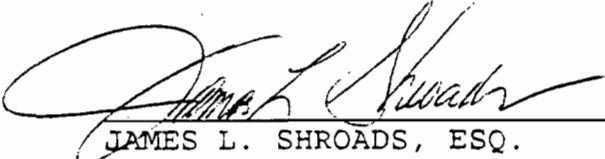
7. Petitioner demands as relief the rescission of the Order Modifying Permit Conditions, and the ratification and reaffirmation of the three Power Boiler Permits. (AO45-183504, AO45-183506 and AO45-183507) as presently issued.

RESPECTFULLY SUBMITTED this date:

JANUARY 7, 1991.

ITT RAYONIER, INCORPORATED


M. L. SHIRLEY, Manager
Environmental & Community Affairs


JAMES L. SHROADS, ESQ.
(FL Bar No 212474)
as Southeast Regional Counsel,
ITT RAYONIER INCORPORATED
P.O. Box 723
Fernandina Beach, FL 32034
Voice phone (904) 261-0828
Fax phone (904) 261-2107

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

DEC 26 1990

DEC. 26, 1990
RECEIVED

IN THE MATTER OF)
)
ITT Rayonier Inc.,)
)
Permittee.)
_____)

ORDER MODIFYING PERMIT CONDITIONS

TO: Mr. Stephen D. Olsen
General Manager
ITT Rayonier Inc.
Fernandina Division
Post Office Box 2002
Fernandina Beach, FL 32034-2002

RECEIVED
JAN 8 1991

Dept. of Environmental Reg.
Office of General Counsel

Certified Mail Number: P 274 006 865

Pursuant to the authority in Section 403.061, Florida Statutes (F.S.), and Rule 17-4.080, Florida Administrative Code (F.A.C.), the State of Florida Department of Environmental Regulation ("Department") serves this Order Modifying Permit Conditions on ITT Rayonier Inc. ("Permittee").

FINDINGS OF FACT

1. The Department is the administrative agency of the State of Florida which has the authority to administer and enforce the provisions of Chapter 403, F.S., and rules promulgated thereunder in Title 17, F.A.C.

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and FL/DER

2. Permittee is a Delaware corporation that is authorized to transact business in the State of Florida.

3. Permittee owns and operates a pulp mill (facility) located in Fernandina Beach, Florida.

4. Modeling results from approved EPA atmosphere dispersion models indicate that emissions of sulfur dioxide from the Permittee's facility cause or contribute to violations of the state ambient air quality standards for sulfur dioxide if the facility is operated at some currently permitted levels.

MODIFICATIONS OF PERMIT CONDITIONS

5. Permit Numbers A045-183504 (No. 1 Power Boiler), A045-183506 (No. 2 Power Boiler) and A045-183507 (No. 3 Power Boiler) are hereby modified, under the authority of Rule 17-4.080, Modification of Permit Conditions, to include the following additional conditions:

a. The two stacks associated with the Number 1, 2, and 3 Power Boilers shall be raised to a height of 50 meters by February 1, 1992, or

b. As an alternative, Permittee shall implement a study within 30 days of receipt of this order that evaluates other methods that will reduce modeled sulfur dioxide levels so that the emissions of sulfur dioxide from its facility do not cause or contribute to violations of state ambient air quality standards. Permittee shall submit this

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and FL/DER

study with proposed alternative corrective action within 90 days of receipt of this order. Any proposed corrective action approved by the Department in lieu of 5.2. above shall be completed by February 1, 1992.

NOTICE OF RIGHTS

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

7. The petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the

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and FL/DER

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

8. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to

EXHIBIT

APage 4 of 6to Petition for Admin. Hearing
between ITT Rayonier
and FL/DER

request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

9. This permit modification is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit modification will not be effective until further Order of the Department.

10. When the Order (permit modification) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by 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 at the above address; 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 the Final Order is filed with the Clerk of the Department.

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A

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to Petition for Admin Hearing

between ITT Rayonier

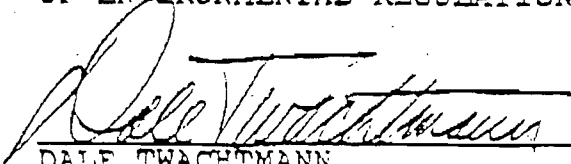
and FL/DER

Executed in Tallahassee, Florida, this 20 day of December, 1990.

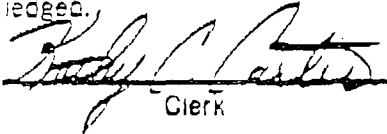
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



DALE TWACHTMANN
Secretary


Clerk

12.21.90
Date

CERTIFICATE OF SERVICE

This is to certify that this ORDER MODIFYING PERMIT CONDITIONS was mailed by certified mail before the close of business on December 21, 1990.



GARY C. SMALLRIDGE
Assistant General Counsel

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to Petition for Admin Hearing
between ITT Rayonier
and FL/DER

Department of Environmental Regulation
Routing and Transmittal Slip

To: (Name, Office, Location)

1. *Bruce Mitchell*
2. *Air Quality Room 310D*
- 3.
- 4.

Remarks:

RECEIVED

JAN 31 1991

DER-BAQ₁₀₁

From:

Bill Congdon / d

Date

1/30/91

Phone

8-9730