

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

ITT RAYONIER, INC.,

Petitioner,

vs.

OGC CASE NOS. 91-0072  
91-0073

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

DOAH CASE NO. 90-0862

Respondent.

---

FINAL ORDER MODIFYING PERMIT CONDITIONS

Petitioner, ITT Rayonier, Inc., (ITT Rayonier) owns and operates a pulp mill (facility) located in Fernandina Beach, Florida. On December 21, 1990, the Department issued an Order Modifying Permit Conditions pertaining to facility permits AO45-183504, AO45-183506, and AO45-183507. ITT Rayonier timely filed a Petition for Formal Administrative Proceedings in January, 1991.

On March 25, 1992, ITT Rayonier and the Department entered into a Stipulation and Motion for Continuance of the Administrative Hearing. On June 18, 1992, ITT Rayonier and the Department filed a Stipulation for the Dismissal of the Formal Administrative Hearing. (Exhibit 1) After receipt of the Stipulation of the Dismissal, the assigned Hearing Officer issued an Order which closed the Division of Administrative Hearings file and relinquished jurisdiction back to the Department. (Exhibit 2) There being no further matters to consider,

IT IS ORDERED:

Permit Numbers AO45-183504 (No. 1 Power Boiler),  
AO45-183506 (No. 2 Power Boiler), and AO45-183507 (No. 3  
Power Boiler) are amended to include the following:

Permittee shall undertake to raise the  
stacks associated with Number 1, 2, and 3  
Power Boilers to a height of 55 meters above  
mean sea level (51.27 meters above grade) by  
no later than September, 1993, according  
to the schedule previously submitted by ITT  
Rayonier to the Department.

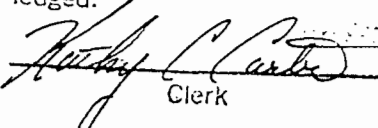
Any party to this Order has the right to seek judicial  
review of the Order pursuant to Section 120.68, Florida  
Statutes, by the filing of a Notice of Appeal pursuant to  
Rule 9.110, Florida Rules of Appellate Procedure, with the  
clerk of the Department in the Office of General Counsel,  
2600 Blair Stone Road, Tallahassee, Florida 32301; and by  
filing a copy of the Notice of Appeal accompanied by the  
applicable filing fees with the appropriate District Court of  
Appeal. The Notice of Appeal must be filed within 30 days  
from the date this Order is filed with the clerk of the  
Department.

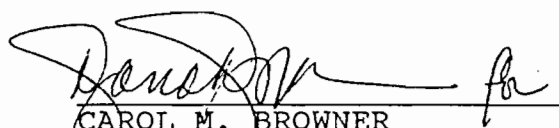
DONE AND ORDERED this 24<sup>th</sup> day of October, 1992, in  
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52  
Florida Statutes, with the designated Depart-  
ment Clerk, receipt of which is hereby acknow-  
ledged.

  
Clerk      10-26-92      Date

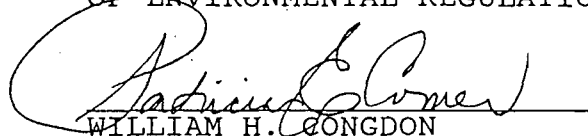
  
CAROL M. BROWNER  
Secretary

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Telephone: (904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copies of the foregoing have been sent by Hand-delivery to the Clerk, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550; and by U.S. Mail to James S. Alves, Hopping, Boyd, Green & Sams, 123 South Calhoun Street, Post Office Box 6526, Tallahassee, Florida 32314, on this 27<sup>th</sup> day of October, 1992.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION



WILLIAM H. GONGDON  
Deputy General Counsel  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Telephone: (904) 488-9730

BEFORE THE STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

ITT RAYONIER INC. )  
 )  
 Petitioner, )  
 )  
 vs. ) DOAH Case No. 90-862  
 ) OGC Case Nos. 91-0072  
 STATE OF FLORIDA DEPARTMENT ) 91-0073  
 OF ENVIRONMENTAL REGULATION, )  
 )  
 Respondent. )  
 )  
 \_\_\_\_\_ )

STIPULATION FOR DISMISSAL

Pursuant to Florida Administrative Code Rule 22I-6.033, Petitioner ITT Rayonier, Inc. and Respondent State of Florida Department of Environmental Regulation ("DER") jointly file this Stipulation for Dismissal in order to resolve this case in accordance therewith. The parties jointly agree:

1. This proceeding relates to the DER's December 21, 1990 Order Modifying Permit Conditions.

2. Representatives of ITT Rayonier, Inc. and DER previously conferred regarding the issues in this matter, and entered into a March 25, 1992 Stipulation and Motion For Continuance, which is appended hereto as Attachment A.

3. Pursuant to paragraph 8 in the Stipulation and Motion For Continuance, on May 18, 1992 ITT Rayonier, Inc. filed with DER a letter (Attachment B) setting forth a construction schedule for raising the power boiler stacks at the Fernandina Mill to a height of 55 meters. Pursuant to paragraph 9 in the Stipulation and Motion For Continuance, DER, by letter dated May 28, 1992 (Attachment C), approved that construction schedule. By its

counsel's signature below, ITT Rayonier, Inc. hereby makes its "binding decision" to raise the aforementioned boiler stacks, as contemplated pursuant to paragraph 10 of the Stipulation and Motion For Continuance.


4. Accordingly, this case is settled and resolved in that ITT Rayonier, Inc. and DER have agreed that air operation permits AO45-183504, AO45-183506, and AO45-183507 are amended as follows:

Permittee shall undertake to raise the stacks associated with the Number 1, 2, and 3 Power Boilers to a height of 55 meters by no later than September, 1993.

WHEREFORE, Petitioner, ITT Rayonier, Inc. and Respondent, DER, respectfully request entry of a Recommended Order dismissing this proceeding in accordance with the foregoing terms and conditions.

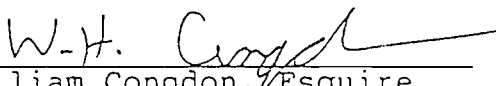
Dated this 18<sup>th</sup> day of June, 1992.

For the Petitioner

  
James S. Alves, Esquire  
HOPPING BOYD GREEN & SAMS  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

Respectfully submitted,

For the Respondent

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

/kkm:ITTstipdis

BEST AVAILABLE COPY

Attachment A

HOPPING BOYD GREEN & SAMS

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

RECEIVED  
MAR 25 4 35 PM '92  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

C. ALLEN CULP, JR.  
RALPH A. DEMEO  
JAMES C. GOODLETT  
RICHARD W. MOORE  
ANGELA R. MORRISON  
MARIBEL N. NICHOLSON  
LAURA BOYD PEARCE  
GARY V. PERKO  
MICHAEL P. PETROVICH  
DOUGLAS S. ROBERTS  
JULIE B. ROME  
KRISTIN C. RUBIN  
CECELIA C. SMITH  
OF COUNSEL  
W. ROBERT FOXES

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

March 26, 1992

BY HAND-DELIVERY

Mr. P. Michael Ruff  
Hearing Officer  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550

Re: ITT Rayonier, Inc. v. DER  
Case No. 91-862

Dear Mr. Ruff:

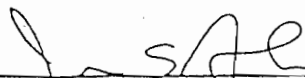
Enclosed is the parties' Stipulation for Motion and Continuance.

As you will see, we have achieved substantial progress in resolving this matter; the issues have been narrowed, and a clear path to ultimate resolution has been carved out.

Please provide us an opportunity to confer with you if you have any questions or concerns regarding the relief requested in this Motion.

Very truly yours,

HOPPING BOYD GREEN & SAMS

BY:   
James S. Alves  
(904) 222-7500

Attorneys for ITT Rayonier, Inc.

/kkm:Ruff  
Enclosure  
cc: William Congdon, Esquire

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

RECEIVED  
MAR 26 4 35 PM '92  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

ITT RAYONIER INC.,

Petitioner,

vs.

DOAH CASE NO. 91-0862  
OGC CASE NOS. 91-0072  
91-0073

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION,

Respondent.

---

STIPULATION AND MOTION  
FOR CONTINUANCE

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 and Motion for Continuance, in order to narrow the issues in this matter and facilitate bringing it to a conclusion. The parties jointly agree:

1. ITT Rayonier presently operates an ammonia base sulfite pulp mill ("the facility") in Nassau County, Florida. Among the facility's permits are Permit Numbers A045-183504 (No. 1 Power Boiler), A045-183506 (No. 2 Power Boiler) and A045-183507 (No. 3 Power Boiler). Pursuant to the referenced permits, these sources are allowed to emit a total of 6,044 tons of sulfur dioxide ("SO<sub>2</sub>") per year based on 1,384 lbs/hr at 8,760 hrs/yr.

2. This proceeding relates to the Department's December 21, 1990 Order Modifying Permit Conditions ("Order"). The Order asserted that atmospheric dispersion modeling, using the EPA

approved Industrial Source Complex-short term version model ("ISCST") and data from "the facility", along with data from other nearby air pollution sources, resulted in predicted exceedances of the Florida twenty-four hour ambient air quality standard for SO<sub>2</sub>.

3. The location of these predicted exceedances is reflected on attached Exhibit A. Petitioner, for purposes of this proceeding only, admits that Exhibit A accurately reflects the location of predicted SO<sub>2</sub> exceedances that would be caused or contributed to by the facility. The ISCST predicted SO<sub>2</sub> exceedances are projected to occur if all pollution sources in the area are operating at maximum capacity under worst case meteorological conditions.

4. As a result of the ISCST modeling, the Order mandated that

5. Permit Numbers AO45-183504 (No. 1 Power Boiler), AO45-183506 (No. 2 Power Boiler) and AO45-183507 (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 Numbers 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 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.a. above shall be completed by February 1, 1992.



5. ITT Rayonier has, during the pendency of this proceeding, evaluated methods to reduce modeled SO<sub>2</sub> levels. In addition to raising the two stacks as described in Paragraph 5.a of the Order ("the tall stacks option"), ITT Rayonier has determined that modeled SO<sub>2</sub> exceedances can be eliminated through accepting federally enforceable permit conditions that would reduce its allowable SO<sub>2</sub> emissions to a point where the ISCST model does not show any SO<sub>2</sub> exceedances ("the emission reduction option").

6. "Ambient air," for purposes of determining violations of the Department's twenty-four hour ambient air quality standards, denotes ground level air that can be breathed by members of the general public. "Ambient air" does not include ground level air at a facility, if public access to that ground level air is physically limited through a fence or its functional equivalent. The ITT Rayonier facility is not fenced, although a fence exists over a portion of the northeast corner of the property. However the ITT Rayonier facility contains a marshy area to the southwest. The Parties do not as yet agree upon the appropriate location of a "fenceline" for use in determining public access to the specific sites of modeled ambient air SO<sub>2</sub> exceedances. Nevertheless, the parties do agree that it may not be necessary to resolve this issue, for it is relevant only in the context of the emission reduction option.

7. In order to allow ITT Rayonier to continue to assess the feasibility of the tall stacks option and to provide the Department with details concerning the area in the vicinity of the facility to which access by the public is physically limited,

the Parties agree that the hearing presently scheduled for April 6, 1992, should be continued.

8. By May 18, 1992, ITT Rayonier will file with the Department (1) a reasonably expeditious construction schedule, for construction and completion of the tall stacks option, or (2) a map of the facility and surrounding area upon which is drawn a fenceline, reflecting the area into which public access is physically limited. In conjunction with this map, ITT Rayonier will provide written documentation describing how the claimed fenceline serves to exclude public access.

9. By May 28, 1992, the Department will inform ITT Rayonier (1) whether it agrees that the tall stacks construction schedule is reasonably expeditious or (2) whether it agrees that the proposed fenceline actually controls public access to the area within the fenceline.

10. By June 18, 1992, ITT Rayonier will make a binding decision as to whether it will utilize the tall stacks option or the emission reduction option.

11. If the proposed construction schedule or proposed fenceline submitted to the Department pursuant to Paragraph 8 above are acceptable to the Department, then the case will be settled as follows: (a) If the tall stacks option is chosen, the permits will be modified to include a provision which states, "The two stacks associated with No. 1, 2, and 3 Power Boilers shall be raised to a height of 50 meters, or greater, in accordance with the attached construction schedule," and ITT Rayonier will dismiss its petition herein. (b) If ITT Rayonier elects the emission reduction option, the permit will be

modified, in a federally enforceable manner, to reduce allowable SO<sub>2</sub> emissions to a point where the ISCST model does not show SO<sub>2</sub> exceedances beyond the fenceline established by the Parties, and ITT Rayonier will dismiss its petition herein.

12. If the Department does not approve the construction schedule or the proposed fenceline, submitted pursuant to Paragraph 8 above, then the issue at hearing will be whether the construction schedule is reasonably expeditious or whether the proposed fenceline adequately limits public access, depending upon the option chosen by ITT Rayonier.

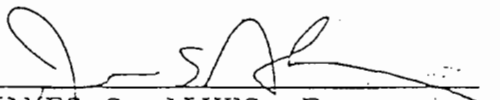
13. As an interim measure, effective only until such time as ITT Rayonier officially elects and implements an alternative as described above, ITT Rayonier shall ensure that actual SO<sub>2</sub> emissions from Power Boilers 1, 2, and 3 shall not exceed 70% of the currently allowable emission rates.

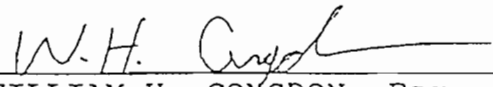
WHEREFORE, Petitioner and Respondent respectfully request that the hearing set for April 6 be continued until as soon as possible after June 18, 1992.

Dated this 25th day of March, 1992.

For the Petitioner:

For the Respondent:

  
JAMES S. ALVES, Esq.  
HOPPING BOYD GREEN & SAMS  
Post Office Box 6526  
Tallahassee FL 32314  
904/222-7500

  
WILLIAM H. CONGDON, Esq.  
Assistant General Counsel  
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION  
2600 Blair Stone Road  
Tallahassee FL 32399-2400  
Telephone: 904/488-9730 →

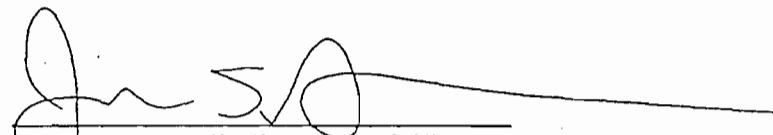
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy hereof has been furnished  
to:

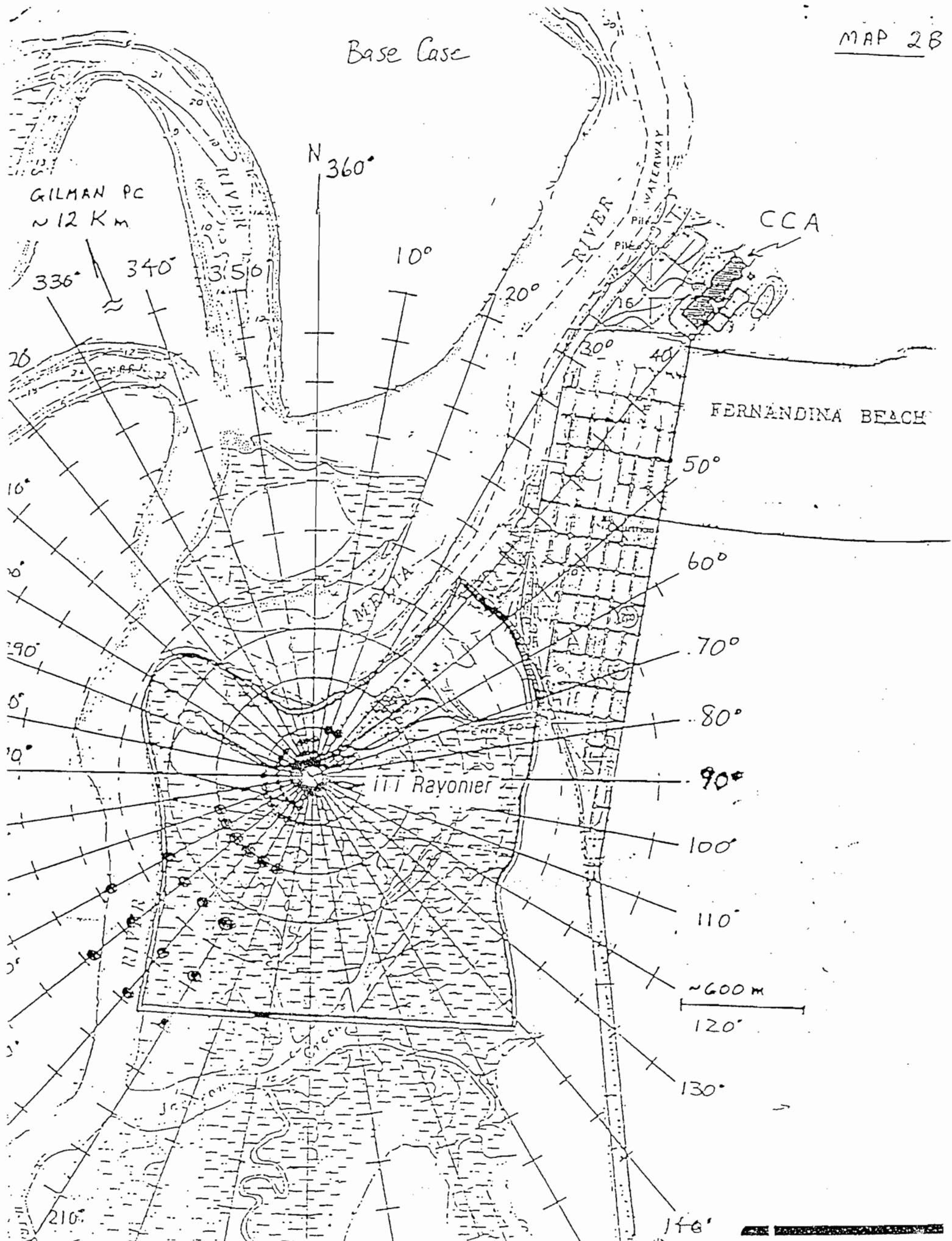
WILLIAM H. CONGDON  
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
Telephone: (904) 488-9730

by U.S. Mail this 26<sup>th</sup> day of March, 1992.

HOPPING BOYD GREEN & SAMS

  
\_\_\_\_\_  
JAMES S. ALVES, ESQUIRE  
Post Office Box 6526  
Tallahassee, Florida 32314  
Telephone: 904/222-7500

Base Case



Attachment B



ITT Rayonier

Fernandina Division

May 18, 1992

RECEIVED

MAY 21 1992

Hopping Boyd Green &amp; Sam

Mr. Tom Rogers  
 Environmental Administrator  
 Air Modeling & Assessment Section  
 Twin Towers Office Building  
 26 Blair Stone Road  
 Tallahassee, FL 32399-2400

IN RE: DOAH Case No. 91-0862  
 OGC Case Nos. 91-0072  
 91-0073

Dear Mr. Rogers:

The stipulated motion filed March 25, 1992 in the above referenced cases requires ITT Rayonier to file with the Department either a reasonably expeditious construction schedule for construction and completion of the tall stacks option, or a map of the facility and surrounding area upon which is drawn a fence line, reflecting the area into which public access is physically limited.

Attached is a construction schedule to raise the two power boiler stacks to 55 meters which is the height DER approved for modeling demonstrated compliance with sulfur dioxide ambient air quality standards. The construction work has become very costly and requires a longer construction schedule than originally anticipated because access to the foundations is extremely tight and considerable foundation work will be required even for these fiberglass stack extensions.

Rayonier appreciates the Agency's efforts to assist us in resolving this matter. We await your approval of this construction schedule.

Sincerely,

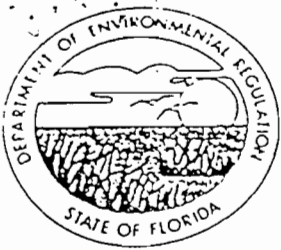
Stephen D. Olsen  
 General Manager

SDO:0885pga

cc: William Congdon - OGC  
 Clair Fancy - Bureau of Air Regulation  
 Bruce Mitchell - Permits & Standards Section  
 Robert Sistko  
 James Shroads  
 David Tudor  
 James Alves



Attachment C



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

RECEIVED

May 28, 1992

MAY 23 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Hopping Boyd Green & Sam

Mr. Stephen D. Olsen  
General Manager  
ITT Rayonier  
Post Office Box 2002  
Fernandina Beach, Florida 32034

Dear Mr. Olsen:

Re: Letter Proposing a Construction Schedule to Raise the Two Associated Stacks of the Facility's Nos. 1, 2 & 3 Power Boilers

DOAH Case No. 91-0862

CGC Case Nos. 91-0072

91-0073

The Department has reviewed your letter received May 20, 1992, which requested approval of the construction schedule to raise the two associated stacks of the facility's three power boilers to 55 meters [note: Condition No. 5.a. of the December 21, 1990 "Order Modifying Permit Conditions" only specified a minimum of 50 meters]. Pursuant to the March 25, 1992 "Stipulation of Motion and Continuance" (SOMAC) Agreement No. 9, the Department finds the proposed construction schedule and the proposal to raise the two associated power boiler stacks to 55 meters acceptable. The Department, therefore, looks forward to receiving the binding decision pursuant to the SOMAC Agreement No. 10.

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

Sincerely,

*Barry D. A. Law*

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

CHF/BM/rbm

cc: A. Kutyna, NED  
W. Congdon, Esq., DER  
J. Alves, Esq., HBG&S



STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

ITT RAYONIER, INC., )  
 )  
 ) Petitioner, )  
 )  
 vs. ) CASE NO. 91-862  
 )  
 ) DEPARTMENT OF ENVIRONMENTAL )  
 ) REGULATION, )  
 )  
 ) Respondent. )  
 )

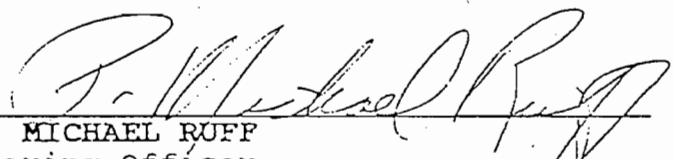
ORDER OF DISMISSAL

THIS CAUSE comes before the undersigned upon the parties' joint Stipulation for Dismissal, and the Hearing Officer being advised in the premises, it is, therefore,

ORDERED:

That Case No. 91-862 is hereby DISMISSED, and the file of the Division of Administrative Hearings is hereby CLOSED.

DONE AND ORDERED this 18<sup>th</sup> day of July, 1992, in Tallahassee, Leon County, Florida.



P. MICHAEL RUFF  
Hearing Officer  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550  
(904) 488-9675

**RECEIVED**  
JUL 14 1992  
Dept. of Environmental Reg.  
Office of General Counsel

Filed with the Clerk of the Division of Administrative Hearings this 13<sup>th</sup> day of July, 1992.

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  
KATHLEEN BLIZZARD  
ELIZABETH C. BOWMAN  
WILLIAM L. BOYD, IV  
RICHARD S. BRIGHTMAN  
PETER C. CUNNINGHAM  
THOMAS M. DE ROSE  
WILLIAM H. GREEN  
WADE L. HOPPING  
FRANK E. MATTHEWS  
RICHARD D. MELSON  
WILLIAM D. PRESTON  
CAROLYN S. RAEPFLE  
GARY P. SAMS  
ROBERT P. SMITH  
CHERYL G. STUART

C. ALLEN CULP, JR.  
RALPH A. DEMEO  
JAMES C. GOODLETT  
RICHARD W. MOORE  
ANGELA R. MORRISON  
MARIBEL N. NICHOLSON  
LAURA BOYD PEARCE  
GARY V. PERKO  
MICHAEL P. PETROVICH  
DOUGLAS S. ROBERTS  
JULIE B. ROME  
KRISTIN C. RUBIN  
CECELIA C. SMITH  
OF COUNSEL  
W. ROBERT FOKES

August 7, 1992

RECEIVED

AUG 07 1992

Division of Air  
Resources Management

**BY HAND-DELIVERY**

Mr. Bruce Mitchell, P.E.  
Division of Air Resources Management  
Department of Environmental Regulation  
Twin Towers Office Building, Room 310D  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Re: ITT Rayonier, Inc.  
Air Permit Nos. A045-183504, A045-183506, and A045-183507

Attached is a memorandum from Bob Sistko of ITT Rayonier, Inc. summarizing the circumstance that I described in our telephone conversation earlier this week. As I understand it, Bob's analysis confirms that ITT Rayonier will not cause exceedances of the ambient SO<sub>2</sub> standard assuming that the adjusted height of the stacks will be 55 meters above mean sea level, which equates to 51.27 meters above grade.

Please give me a call after you and Tom Rogers have had an opportunity to consider this information. Assuming that you and Tom are comfortable, I will then contact Bill Congdon regarding the appropriate mechanism for reflecting our understanding in the Department's Final Order.

Again, thank you for your courtesy and cooperation in this matter.

Sincerely,



James S. Alves

/kkm

Enclosure

cc: Dave Tudor  
Bob Sistko

**RAYONIER RESEARCH CENTER FAX**

August 6, 1992

**To:** Dave Tudor - Fernandina  
**cc:** Jim Alves - Hopping Boyd Green & Sams (804-224-8551)  
**From:** R. J. Sisko - RRC *RJS*  
**Subject:** FBD Power Boiler Stacks

I have completed an investigation of increased power boiler stack heights at Fernandina. The final dispersion model includes receptors in the marsh and the Amelia River at 0.0 meters above mean sea level. The receptors on land and the base elevation of the stacks are modeled at 3.73 meters above mean sea level. The tops of the stacks are modeled at 55 meters above mean sea level. The attached table indicates that the predicted worst case SO<sub>2</sub> concentrations are all well below the desired 244 µg/M<sup>3</sup> value. This means that the boiler stacks must be at least 55 meters above mean sea level or 51.27 meters above grade.

car  
Attachment

MAX 50  
24-HR  
GROUP# 1

\*\*\* DER92.IN 1983 31JUL92 55 meter \* 3.7 meter GRIDZ \*\*\*

\* 50 MAXIMUM 24-HOUR AVERAGE CONCENTRATION (MICROGRAMS/CUBIC METER) \*

\* FROM SOURCES: 1,-99999,

RANK	CON.	PER. DAY	X OR RANGE (METERS)	Y(METERS) OR DIRECTION (DEGREES)	RANK	CON.	PER. DAY	X OR RANGE (METERS)	Y(METERS) OR DIRECTION (DEGREES)
1	224.63360	1 162	300.0	260.0	26	174.31440	1 19	300.0	260.0
2	214.66540	1 162	800.0	240.0	27	169.69870C	1 283	800.0	230.0
3	213.17420	1 162	300.0	250.0	28	168.74930C	1 167	500.0	280.0
4	212.49130	1 162	1400.0	230.0	29	168.46380C	1 291	300.0	260.0
5	212.21700	1 162	860.0	240.0	30	168.24070	1 44	1230.0	220.0
6	209.87570	1 162	1100.0	230.0	31	167.91410	1 44	1400.0	220.0
7	202.48970	1 162	940.0	230.0	32	166.98980	1 44	1100.0	220.0
8	191.49650	1 162	1100.0	240.0	33	166.71110	1 294	800.0	210.0
9	191.31810	1 162	800.0	230.0	34	166.20840	1 19	1100.0	240.0
10	190.46580	1 162	500.0	240.0	35	166.14980	1 19	840.0	240.0
11	188.73540C	1 267	300.0	250.0	36	165.84130C	1 161	800.0	240.0
12	188.61230	1 163	1400.0	240.0	37	165.68980C	1 161	860.0	240.0
13	188.37900	1 294	1230.0	220.0	38	164.96670C	1 291	300.0	250.0
14	187.81570	1 294	1400.0	220.0	39	164.26180C	1 267	500.0	240.0
15	187.12730	1 294	1100.0	220.0	40	162.92220C	1 213	1100.0	320.0
16	184.88550C	1 283	1100.0	230.0	41	162.66980C	1 267	300.0	260.0
17	184.83820	1 162	500.0	250.0	42	162.36260	1 19	800.0	240.0
18	184.78810C	1 283	1400.0	230.0	43	160.65440	1 162	1400.0	220.0
19	184.33620	1 294	1400.0	210.0	44	160.05320C	1 267	1100.0	230.0
20	184.08510	1 294	1330.0	210.0	45	159.66360C	1 267	1400.0	230.0
21	179.88350	1 294	1100.0	210.0	46	159.37670	1 162	1400.0	240.0
22	179.24630C	1 283	940.0	230.0	47	159.19390C	1 283	300.0	250.0
23	177.49210	1 162	300.0	270.0	48	158.67830C	1 161	1400.0	230.0
24	176.77910	1 163	1100.0	240.0	49	157.55060C	1 291	800.0	240.0
25	176.66480	1 294	800.0	220.0	50	157.07920	1 44	800.0	220.0

Stop - Program terminated.

*maximum predicted concentrations*

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS

123 SOUTH CALHOUN STREET

POST OFFICE BOX 6526

TALLAHASSEE, FLORIDA 32314

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June 8, 1992

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BY HAND-DELIVERY

Mr. William H. Congdon  
Deputy General Counsel  
Office of General Counsel  
Department of Environmental Regulation  
Room 672  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RECEIVED  
JUN 8 1992

Dept. of Environmental Reg.  
Office of General Counsel

Re: ITT Rayonier, Inc. v. DER, DOAH Case No. 90-862  
OGC Case Nos: 91-0072, 91-0073

Dear Bill:

As discussed, enclosed is a draft of the Stipulation for Dismissal that would set forth ITT Rayonier's "binding decision" to raise the boiler stacks and also serve as an instrument for settling this case.

As discussed by telephone this morning, ITT Rayonier would appreciate the Department's recognition that events beyond ITT Rayonier's control could interfere with the tall stacks construction schedule. More specifically, we ask that the Department recognize this "force majeure" language as applying to the construction schedule:

The Parties recognize that notwithstanding ITT Rayonier, Inc.'s compliance with the construction commitments contained herein, events beyond their control may prevent or delay one or more phases of the construction schedule and the actual completion date. Such events may include, but are not limited to, natural disasters, contractual or labor difficulties, or technical complications. In the event of force majeure circumstances, ITT Rayonier shall be excused from performance for the period of time necessary to remedy the effects thereof.

Mr. William H. Congdon  
June 8, 1992  
Page 2

As I explained to you this morning, ITT Rayonier remains committed to completing the stack extensions in a timely manner. Such "force majeure" provisions are common in legal agreements; frankly, we simply forgot to include this language in the original construction schedule.

Please let me know if you (or anybody in the Air Office) have a problem with this Stipulation for Dismissal or force majeure language.

Sincerely,

A handwritten signature in black ink, appearing to read "James S. Alves". The signature is fluid and cursive, with a prominent loop at the beginning.

James S. Alves

JSA/cla  
Enclosure  
/cla:Congdon

BEFORE THE STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

**DRAFT**  
**FOR DISCUSSION ONLY**

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

DOAH Case No. 90-862  
OGC Case Nos. 91-0072  
91-0073

**RECEIVED**

JUN 8 1992

Dept. of Environmental R  
Office of General Couns

STIPULATION FOR DISMISSAL

Pursuant to Florida Administrative Code Rule 22I-6.033, ITT Rayonier, Inc. ("Petitioner") and Respondent State of Florida Department of Environmental Regulation ("DER") jointly file this Stipulation for Dismissal in order to resolve this case in accordance therewith. The parties jointly agree:

1. This proceeding relates to the DER's December 21, 1990 Order Modifying Permit Conditions.

2. Representatives of ITT Rayonier, Inc. and DER previously conferred regarding the issues in this matter, and entered into a March 25, 1992 Stipulation and Motion For Continuance, which is appended hereto as Attachment A.

3. Pursuant to paragraph 8 in the Stipulation and Motion For Continuance, on May 18, 1992 ITT Rayonier, Inc. filed with DER a letter (Attachment B) setting forth a construction schedule for raising the power boiler stacks at the Fernandina Mill to a height of 55 meters. Pursuant to paragraph 9 in the Stipulation and Motion For Continuance, DER, by letter dated May 28, 1992 (Attachment C), approved that construction schedule. By its

counsel's signature below, ITT Rayonier, Inc. hereby makes its "binding decision" to raise the aforementioned boiler stacks, as contemplated pursuant to paragraph 10 of the Stipulation and Motion For Continuance.

4. Accordingly, this case is settled and resolved in that ITT Rayonier, Inc. and DER have agreed that air operation permits AO45-183504, AO45-183506, and AO45-183507 are amended as follows:

Permittee shall undertake to raise the stacks associated with the Number 1, 2, and 3 Power Boilers to a height of 55 meters by no later than September, 1993.

WHEREFORE, Petitioner, ITT Rayonier, Inc. and Respondent, DER, respectfully request entry of a Recommended Order dismissing this proceeding in accordance with the foregoing terms and conditions.

Dated this \_\_\_\_ day of June, 1992.

For the Petitioner

Respectfully submitted,

For the Respondent

James S. Alves, Esquire  
HOPPING BOYD GREEN & SAMS  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

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

/kkm:ITTstipdis



P 710 058 537



### Certified Mail Receipt

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1990

Sent to	
Mr. Stephen D. Olsen	
Street & No. Gen. Mgr.	
ITT Rayonier	
P.O. State & ZIP Code P.O. Box 2002	
Fernandina Beach, FL 32034	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date mailed: 5/28/92	
DOAH Case No. 91-0862	
OGC Case Nos. 91-0072 & 91-0073	

#### SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Stephen D. Olsen  
Gen. Mgr.  
ITT Rayonier  
P.O. Box 2002  
Fernandina Beach, FL 32034

5. Signature (Addressee)

6. Signature (Agent)

*Linda Nash*

4a. Article Number  
P 710 058 537

- 4b. Service Type
- Registered
  - Certified
  - Express Mail
  - Insured
  - COD
  - Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)



# Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

May 28, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Stephen D. Olsen  
General Manager  
ITT Rayonier  
Post Office Box 2002  
Fernandina Beach, Florida 32034

Dear Mr. Olsen:

Re: Letter Proposing a Construction Schedule to Raise the Two Associated Stacks of the Facility's Nos. 1, 2 & 3 Power Boilers

DOAH Case No. 91-0862

OGC Case Nos. 91-0072

91-0073

The Department has reviewed your letter received May 20, 1992, which requested approval of the construction schedule to raise the two associated stacks of the facility's three power boilers to 55 meters [note: Condition No. 5.a. of the December 21, 1990 "Order Modifying Permit Conditions" only specified a minimum of 50 meters]. Pursuant to the March 25, 1992 "Stipulation of Motion and Continuance" (SOMAC) Agreement No. 9, the Department finds the proposed construction schedule and the proposal to raise the two associated power boiler stacks to 55 meters acceptable. The Department, therefore, looks forward to receiving the binding decision pursuant to the SOMAC Agreement No. 10.

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

Sincerely,

*Barry D. Anheer*  
for C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

CHF/BM/rbm

cc: A. Kutyna, NED  
W. Congdon, Esq., DER  
J. Alves, Esq., HBG&S pickup 5-28-92 RBM

Reading file }  
By: Cleve } 5-24-92 RBM  
Cleve }  
Printed with Soy Based Inks



**ITT Rayonier**

*Fernandina Division*

May 18, 1992  
**RECEIVED**  
MAY 20 1992  
Division of Air  
Resources Management

Mr. Tom Rogers  
Environmental Administrator  
Air Modeling & Assessment Section  
Twin Towers Office Building  
26 Blair Stone Road  
Tallahassee, FL 32399-2400

IN RE:           DOAH Case No.     91-0862  
                  OGC Case Nos.   91-0072  
  91-0073


Dear Mr. Rogers:

The stipulated motion filed March 25, 1992 in the above referenced cases requires ITT Rayonier to file with the Department either a reasonably expeditious construction schedule for construction and completion of the tall stacks option, or a map of the facility and surrounding area upon which is drawn a fence line, reflecting the area into which public access is physically limited.

Attached is a construction schedule to raise the two power boiler stacks to 55 meters which is the height DER approved for modeling demonstrated compliance with sulfur dioxide ambient air quality standards. The construction work has become very costly and requires a longer construction schedule than originally anticipated because access to the foundations is extremely tight and considerable foundation work will be required even for these fiberglass stack extensions.

Rayonier appreciates the Agency's efforts to assist us in resolving this matter. We await your approval of this construction schedule.

Sincerely,

  
Stephen D. Olsen  
General Manager

SDO:0885pga

cc:     William Congdon - OGC  
          Clair Fancy - Bureau of Air Regulation  
          Bruce Mitchell - Permits & Standards Section  
          Robert Sistko  
          James Shroads  
          David Tudor  
          James Alves

PROJECT NO: S-92/14

ITT RAYONIER INC. - SOUTHEAST CENTRAL ENGINEERING

DATE: 5-18-92

PROJECT ENGINEER: J. W. Shuman

PROJECT SCHEDULE

PAGE: 1 OF 1

PROJECT TITLE: Raise Fernandina Power Boiler Scrubber Stacks

ITEM NO	DESCRIPTION	1992										1993									
		APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV
1	PAR Preparation		*****																		
2	PAR Approval			*****																	
3	Design Engineering				***	*****	*****														
4	Permitting				*****																
5	Equipment Bidding					*****															
6	Construction Bidding					*****	*****														
7	Bid Analysis & Award						***	*****													
8	Construction																				
	Piling								*****	*****											
	Concrete								*****	*****											
	Structural Steel								***	*****	*****	*****	*****	*****	*****	*****	*****				
	Lighting														****						
	Painting													****		****	****				
	Cleanup																****				
	Stack Extensions														****						
9	Tie In / Startup (SD Req'd)													***							

HOPPING BOYD GREEN & SAMS

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JULIE B. ROME  
KRISTIN C. RUBIN  
CECELIA C. SMITH  
OF COUNSEL  
W. ROBERT FOKES

March 26, 1992

BY HAND-DELIVERY

Mr. P. Michael Ruff  
Hearing Officer  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550

Re: ITT Rayonier, Inc. v. DER  
Case No. 91-862

Dear Mr. Ruff:

Enclosed is the parties' Stipulation for Motion and Continuance.


As you will see, we have achieved substantial progress in resolving this matter; the issues have been narrowed, and a clear path to ultimate resolution has been carved out.

Please provide us an opportunity to confer with you if you have any questions or concerns regarding the relief requested in this Motion.

Very truly yours,

HOPPING BOYD GREEN & SAMS

BY:

  
James S. Alves  
(904) 222-7500

Attorneys for ITT Rayonier, Inc.

/kkm:Ruff  
Enclosure  
cc: William Congdon, Esquire

RECEIVED

MAR 26 1992

Dept. of Environmental Reg.  
Office of General Counsel

RECEIVED

MAR 26 1992

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGSDept. of Environmental Reg.  
Office of General Counsel

ITT RAYONIER INC.,

Petitioner,

vs.

DOAH CASE NO. 91-0862  
OGC CASE NOS. 91-0072  
91-0073STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION,Respondent.  

---

**STIPULATION AND MOTION  
FOR CONTINUANCE**

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 and Motion for Continuance, in order to narrow the issues in this matter and facilitate bringing it to a conclusion. The parties jointly agree:

1. ITT Rayonier presently operates an ammonia base sulfite pulp mill ("the facility") in Nassau County, Florida. Among the facility's permits are Permit Numbers A045-183504 (No. 1 Power Boiler), A045-183506 (No. 2 Power Boiler) and A045-183507 (No. 3 Power Boiler). Pursuant to the referenced permits, these sources are allowed to emit a total of 6,044 tons of sulfur dioxide ("SO<sub>2</sub>") per year based on 1,384 lbs/hr at 8,760 hrs/yr.

2. This proceeding relates to the Department's December 21, 1990 Order Modifying Permit Conditions ("Order"). The Order asserted that atmospheric dispersion modeling, using the EPA

approved Industrial Source Complex-short term version model ("ISCST") and data from "the facility", along with data from other nearby air pollution sources, resulted in predicted exceedances of the Florida twenty-four hour ambient air quality standard for SO<sub>2</sub>.

3. The location of these predicted exceedances is reflected on attached Exhibit A. Petitioner, for purposes of this proceeding only, admits that Exhibit A accurately reflects the location of predicted SO<sub>2</sub> exceedances that would be caused or contributed to by the facility. The ISCST predicted SO<sub>2</sub> exceedances are projected to occur if all pollution sources in the area are operating at maximum capacity under worst case meteorological conditions.

4. As a result of the ISCST modeling, the Order mandated that

5. Permit Numbers AO45-183504 (No. 1 Power Boiler), AO45-183506 (No. 2 Power Boiler) and AO45-183507 (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 Numbers 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 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.a. above shall be completed by February 1, 1992.

5. ITT Rayonier has, during the pendency of this proceeding, evaluated methods to reduce modeled SO<sub>2</sub> levels. In addition to raising the two stacks as described in Paragraph 5.a of the Order ("the tall stacks option"), ITT Rayonier has determined that modeled SO<sub>2</sub> exceedances can be eliminated through accepting federally enforceable permit conditions that would reduce its allowable SO<sub>2</sub> emissions to a point where the ISCST model does not show any SO<sub>2</sub> exceedances ("the emission reduction option").

6. "Ambient air," for purposes of determining violations of the Department's twenty-four hour ambient air quality standards, denotes ground level air that can be breathed by members of the general public. "Ambient air" does not include ground level air at a facility, if public access to that ground level air is physically limited through a fence or its functional equivalent. The ITT Rayonier facility is not fenced, although a fence exists over a portion of the northeast corner of the property. However the ITT Rayonier facility contains a marshy area to the southwest. The Parties do not as yet agree upon the appropriate location of a "fenceline" for use in determining public access to the specific sites of modeled ambient air SO<sub>2</sub> exceedances. Nevertheless, the parties do agree that it may not be necessary to resolve this issue, for it is relevant only in the context of the emission reduction option.

7. In order to allow ITT Rayonier to continue to assess the feasibility of the tall stacks option and to provide the Department with details concerning the area in the vicinity of the facility to which access by the public is physically limited,



the Parties agree that the hearing presently scheduled for April 6, 1992, should be continued.

8. By May 18, 1992, ITT Rayonier will file with the Department (1) a reasonably expeditious construction schedule, for construction and completion of the tall stacks option, or (2) a map of the facility and surrounding area upon which is drawn a fenceline, reflecting the area into which public access is physically limited. In conjunction with this map, ITT Rayonier will provide written documentation describing how the claimed fenceline serves to exclude public access.

9. By May 28, 1992, the Department will inform ITT Rayonier (1) whether it agrees that the tall stacks construction schedule is reasonably expeditious or (2) whether it agrees that the proposed fenceline actually controls public access to the area within the fenceline.

10. By June 18, 1992, ITT Rayonier will make a binding decision as to whether it will utilize the tall stacks option or the emission reduction option.

11. If the proposed construction schedule or proposed fenceline submitted to the Department pursuant to Paragraph 8 above are acceptable to the Department, then the case will be settled as follows: (a) If the tall stacks option is chosen, the permits will be modified to include a provision which states, "The two stacks associated with No. 1, 2, and 3 Power Boilers shall be raised to a height of 50 meters, or greater, in accordance with the attached construction schedule," and ITT Rayonier will dismiss its petition herein. (b) If ITT Rayonier elects the emission reduction option, the permits will be

modified, in a federally enforceable manner, to reduce allowable SO<sub>2</sub> emissions to a point where the ISCST model does not show SO<sub>2</sub> exceedances beyond the fenceline established by the Parties, and ITT Rayonier will dismiss its petition herein.

12. If the Department does not approve the construction schedule or the proposed fenceline, submitted pursuant to Paragraph 8 above, then the issue at hearing will be whether the construction schedule is reasonably expeditious or whether the proposed fenceline adequately limits public access, depending upon the option chosen by ITT Rayonier.

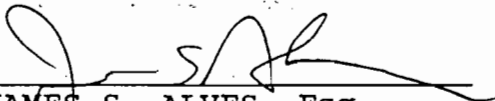
13. As an interim measure, effective only until such time as ITT Rayonier officially elects and implements an alternative as described above, ITT Rayonier shall ensure that actual SO<sub>2</sub> emissions from Power Boilers 1, 2, and 3 shall not exceed 70% of the currently allowable emission rates.

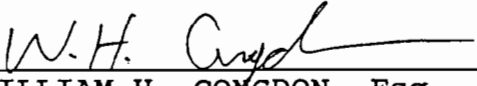
WHEREFORE, Petitioner and Respondent respectfully request that the hearing set for April 6 be continued until as soon as possible after June 18, 1992.

Dated this 25th day of March, 1992.

For the Petitioner:

For the Respondent:

  
JAMES S. ALVES, Esq.  
HOPPING BOYD GREEN & SAMS  
Post Office Box 6526  
Tallahassee FL 32314  
904/222-7500

  
WILLIAM H. CONGDON, Esq.  
Assistant General Counsel  
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION  
2600 Blair Stone Road  
Tallahassee FL 32399-2400  
Telephone: 904/488-9730

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy hereof has been furnished  
to:

WILLIAM H. CONGDON  
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
Telephone: (904) 488-9730

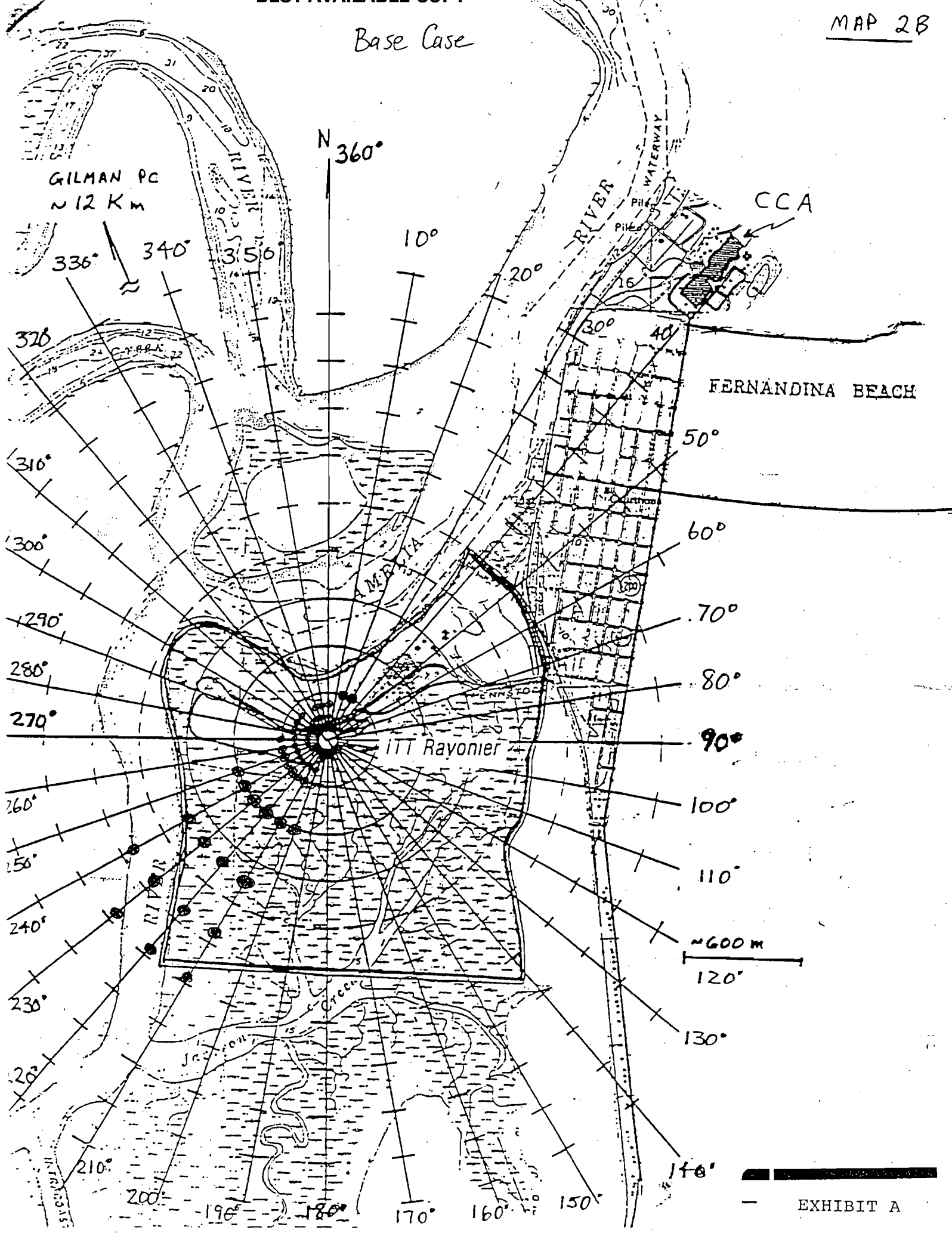
by U.S. Mail this 26<sup>th</sup> day of March, 1992.

HOPPING BOYD GREEN & SAMS



JAMES S. ALVES, ESQUIRE  
Post Office Box 6526  
Tallahassee, Florida 32314  
Telephone: 904/222-7500

Base Case



## 2.2 AMBIENT AIR

### 2.2.1 General

Ambient air is defined at 40 CFR 50.1(e) as "that portion of the atmosphere, external to buildings, to which the general public has access." Generally, this definition signifies that ambient air would constitute any air to which the public could be exposed, even for a short period of time. The only exemption from the ambient air provision is the atmosphere over land that is owned or controlled by the source and to which public access (and, therefore, exposure) is precluded by a fence or other physical barrier.<sup>1</sup> It should be noted that for sources operating on leased property, ambient air is considered to exclude only the atmosphere over that land leased and controlled by the source.<sup>2</sup>

### 2.2.2 Location Aspects

The EPA considers ambient air to include such areas as elevated building sites and parking lots for public arenas. Although it may not be practical to analyze the air quality at every such location, the State should evaluate the air quality impact at these sites if it seems necessary to protect health and welfare.<sup>3,4</sup>

For modeling purposes, ambient air is considered to be air everywhere outside of contiguous plant property to which public access is precluded by an effective physical barrier. Therefore, modeling receptors should be placed anywhere outside of inaccessible plant property, including over bodies of water, unfenced plant property, on buildings, over roadways, and over property owned by other sources.<sup>5,6</sup>

A few examples should clarify potential uncertainties regarding receptor location. In the case of waterways, receptors should be placed over any body of water not privately owned and to which public access is allowed. Even where public recreational traffic is limited, the air above a body of water should be considered ambient air as long as the potential for public exposure exists.<sup>7</sup> With respect to roadways dividing plant property, the air above the road should have a receptor, even if the road separates otherwise inaccessible private property owned by a single source.<sup>8,9</sup> Regarding property owned by other sources, current policy requires that receptors be placed over neighboring property regardless of public

(c) EPA will pay tuition and fees in a lump payment directly to the sponsoring institution only after EPA has received the signed EPA Form 5770-7. (The information collection requirements contained in paragraph (a) were approved by the Office of Management and Budget under control number 2010-0004)

APPENDIX A—ENVIRONMENTAL PROTECTION AGENCY FELLOWSHIP PROGRAMS

	Administering office	
	Headquarters	Regional
Office of Air, Noise, and Radiation: Air Pollution Control Fellowships.	X	
Office of Water: Water Pollution Control Fellowships.	X	
Safe Drinking Water Fellowships.	X	
Office of Research and Development: Interdisciplinary Fellowships.	X	
Office of Solid Waste and Emergency Response: Hazardous Waste Fellowships.	X	

PART 50—NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS

- Sec.
- 50.1 Definitions.
  - 50.2 Scope.
  - 50.3 Reference conditions.
  - 50.4 National primary ambient air quality standards for sulfur oxides (sulfur dioxide).
  - 50.5 National secondary ambient air quality standards for sulfur oxides (sulfur dioxide).
  - 50.6 National primary and secondary ambient air quality standards for particulate matter.
  - 50.7 [Reserved]
  - 50.8 National primary ambient air quality standards for carbon monoxide.
  - 50.9 National primary and secondary ambient air quality standards for ozone.
  - 50.10 [Reserved]
  - 50.11 National primary and secondary ambient air quality standard for nitrogen dioxide.
  - 50.12 National primary and secondary ambient air quality standards for lead.

APPENDICES TO PART 50

- APPENDIX A—REFERENCE METHOD FOR THE DETERMINATION OF SULFUR DIOXIDE IN THE ATMOSPHERE (PARAROSANILINE METHOD)
- APPENDIX B—REFERENCE METHOD FOR THE DETERMINATION OF SUSPENDED PARTICULATE MATTER IN THE ATMOSPHERE (HIGH-VOLUME METHOD)
- APPENDIX C—MEASUREMENT PRINCIPLE AND CALIBRATION PROCEDURE FOR THE MEASUREMENT OF CARBON MONOXIDE IN THE ATMOSPHERE (NON-DISPERSIVE INFRARED PHOTOMETRY)
- APPENDIX D—MEASUREMENT PRINCIPLE AND CALIBRATION PROCEDURE FOR THE MEASUREMENT OF OZONE IN THE ATMOSPHERE
- APPENDIX E—REFERENCE METHOD FOR DETERMINATION OF HYDROCARBONS CORRECTED FOR METHANE
- APPENDIX F—MEASUREMENT PRINCIPLE AND CALIBRATION PROCEDURE FOR THE MEASUREMENT OF NITROGEN DIOXIDE IN THE ATMOSPHERE (GAS PHASE CHEMILUMINESCENCE)
- APPENDIX G—REFERENCE METHOD FOR THE DETERMINATION OF LEAD IN SUSPENDED PARTICULATE MATTER COLLECTED FROM AMBIENT AIR
- APPENDIX H—INTERPRETATION OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE

SUBCHAPTER C—AIR PROGRAMS

- APPENDIX I—[RESERVED]
- APPENDIX J—REFERENCE METHOD FOR THE DETERMINATION OF PARTICULATE MATTER AS PM<sub>10</sub> IN THE ATMOSPHERE
- APPENDIX K—INTERPRETATION OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR PARTICULATE MATTER

AUTHORITY: Secs. 109 and 301(a), Clean Air Act, as amended (42 U.S.C. 7409, 7601(a)).

SOURCE: 36 FR 22384, Nov. 25, 1971, unless otherwise noted.

§ 50.1 Definitions.

(a) As used in this part, all terms not defined herein shall have the meaning given them by the Act.

(b) *Act* means the Clean Air Act, as amended (42 U.S.C. 1857-18571, as amended by Pub. L. 91-604).

(c) *Agency* means the Environmental Protection Agency.

(d) *Administrator* means the Administrator of the Environmental Protection Agency.

(e) *Ambient air* means that portion of the atmosphere, external to buildings, to which the general public has access.

(f) *Reference method* means a method of sampling and analyzing the ambient air for an air pollutant that is specified as a reference method in an appendix to this part, or a method that has been designated as a reference method in accordance with part 53 of this chapter; it does not include a method for which a reference method designation has been cancelled in accordance with § 53.11 or § 53.16 of this chapter.

(g) *Equivalent method* means a method of sampling and analyzing the ambient air for an air pollutant that has been designated as an equivalent method in accordance with part 53 of this chapter; it does not include a method for which an equivalent method designation has been cancelled in accordance with § 53.11 or § 53.16 of this chapter.

(h) *Traceable* means that a local standard has been compared and certified either directly or via not more than one intermediate standard, to a primary standard such as a National

accessibility. In other words, the atmosphere above neighboring property is considered "ambient air" in relation to emissions from a given source.<sup>10</sup>

#### 2.2.3 Time Aspects

Even if public access to a given site is time-limited, the site should not be excluded from the ambient air definition as long as the other conditions apply. Regardless of the period of exposure at a given site (or receptor), ambient air is defined in terms of public access not frequency of access, length of stay, age of the person or other factors.<sup>11</sup>

#### 2.2.4 Public Access

If an area is owned or leased by the source and public access is prevented, the area is not ambient air with respect to the source's own emissions. However, there should be sufficient barriers to prevent public access. Barriers considered sufficient to prevent public access are generally limited to fences. However, a clearly posted area alongside a river that is regularly patrolled by security guards would qualify as sufficient protection.<sup>12</sup>

#### 2.2.5 PSD Considerations

Unlike the NAAQS, PSD increments do not apply to building rooftops, but only to the ground level. The PSD system, unlike the NAAQS system, does not aim at achieving one single goal. Rather, it represents a balance determined by Congress between economic growth and deterioration of air quality. If building rooftops were included in PSD permitting strategy, the PSD system would be appreciably more stringent than Congress had contemplated.<sup>13</sup>

#### 2.2.6 Land Acquisition

Land acquisition and removal of the area from ambient air is not automatically considered a dispersion technique prohibited by Section 123; it is a situation that will be reviewed on a case-by-case basis. (Also see discussion on stack height regulations, Section 5.) In only a few instances has the EPA tolerated land acquisition to contain modeled violations of the NAAQS.<sup>14</sup>

BEST AVAILABLE COPY

PM-123-80-12-19-001

DEC 19 1980

Honorable Jennings Randolph  
Chairman, Committee on Environment  
and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for your letter of October 23, 1980 expressing your continued interest in the Agency's definition of "ambient air." During the time since David Hawkins, my Assistant Administrator for Air, Noise, and Radiation, met with you last February, the definition has been extensively reviewed and debated.

After reviewing the issues and alternatives, I have determined that no change from the existing policy is necessary. We are retaining the policy that the exemption from ambient air is available only for the atmosphere over land owned or controlled by the source and to which public access is precluded by a fence or other physical barriers. EPA will continue to review individual situations on a case-by-case basis to ensure that the public is adequately protected and that there is no attempt by sources to circumvent the requirement of Section 123 of the Clean Air Act.

I hope that this has been responsive to your needs.

Sincerely yours,

/s/ Douglas M. Costle

Douglas M. Costle



BEST AVAILABLE COPY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

MAY 16 1985

DATE

SUBJECT: Ambient Air

FROM: Michael Koehler for  
Regional Meteorologists, Regions I-X

TO: Joseph Tikvant, Chief (MD-14)  
Source Receptor Analysis Branch

At the recent Regional Meteorologists' meeting in Dallas, we identified inconsistencies among the Regional Offices on what areas are to be considered as ambient air for regulatory purposes. The existing inconsistency on ambient air is due to both the lack of clear National guidance and the allowed Regional Office discretion. A standardized approach is necessary both to satisfy the consistency requirements of Section 301 of the Clean Air Act and in order for those responsible for Regional modeling activities to provide effective and efficient review of and guidance on modeling analyses. Accordingly, the Regional Meteorologists have decided to address the problem at the working level through the use of a consistent modeling approach.

40 CFR Part 50.1(e) defines ambient air as "... that portion of the atmosphere, external to buildings, to which the general public has access." A letter dated December 19, 1980, from Douglas Costle to Senator Jennings Randolph, clarified this definition by stating that the exemption from ambient air is available only for the atmosphere over land owned or controlled by the source and to which public access is precluded by a fence or other physical barriers." The codified definition plus the 1980 clarification essentially constitute the National policy on ambient air.

The Regional Meteorologists propose that for modeling purposes the air everywhere outside of contiguous plant property to which public access is precluded by a fence or other effective physical barrier should be considered in locating receptors. Specifically, for stationary source modeling, receptors should be placed anywhere outside inaccessible plant property. For example, receptors should be included over bodies of water, over unfenced plant property, on buildings, over roadways, and over property owned by other sources. For mobile source modeling (i.e., CO modeling), receptors should continue to be sited in accordance with Volume 9 of the "Guidelines for Air Quality Maintenance Planning".

Unless you disagree with our position, we will require new actions with modeling analyses submitted to EPA after January 1, 1986, to conform to this modeling policy. Please note that all 10 Regional Meteorologists have reviewed and concur with this memo.

cc: Regional Meteorologists, Regions I-X

in the region.

(b) A record of the public hearing, including a list of witnesses together with the text of each presentation, shall be made available to the Administrator of EPA upon his request.

(c) Each SIP revision submitted to EPA shall include a certification that the hearing was held in accordance with the notice required by Section 17-2.220(3)(a)1.

*Specific Authority 403.051 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—New 11-1-81, Formerly 17-2.03(2), 17-2.091, Amended 8-26-81, 8-14-85, 10-20-86.*

#### ANNOTATIONS

##### *Affected parties*

*Court reversed Commission order denying petitioner construction permit for solid sulphur-handling facilities, on ground that petitioner's business competitors were erroneously granted standing to interfere in Department of Environmental Regulation's permitting procedure; while competitors were able to show high degree of potential economic injury, they were wholly unable to show that nature of injury was one under protection of F. S. A. Chapter 403. *Agrico Chemical Company v. Department of Environmental Regulation, App., (2nd) 403 So. 2d 478 (1981).**

**17-2.240 Circumvention.** No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

*Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.051, 403.087 FS. History—New 11-1-81, Formerly 17-2.03(12), Amended 8-26-81.*

##### **17-2.250 Excess Emissions.**

(1) Excess emissions resulting from startup, shutdown or malfunction of any source shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

(2) Excess emissions from existing fossil fuel steam generators resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

(3) Excess emissions from existing fossil fuel steam generators resulting from boiler cleaning (soot blowing) and load change shall be permitted provided the duration of such excess emissions shall not exceed 3 hours in any 24-hour period and visible emissions shall not exceed Number 3 of the Ringelmann Chart (60 percent opacity), and providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

Visible emissions above shall be allowed for not more than 3 periods, during the 3-hour period of excess emissions allowed by this subparagraph during the 3-hour period of excess emissions allowed by this subparagraph.

cleaning and load changes, as installed and are operating, or during the 3-hour period of excess emissions allowed by this subparagraph.

Particulate matter emissions shall not exceed an average of 0.3 lbs. per million BTU during the 3-hour period of excess emissions allowed by this subparagraph.

(4) Excess emissions which are caused in whole or in part by poor maintenance, poor operation, or any other equipment or process failure which reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

(5) Considering operational variations in types of industrial equipment operations affected by this rule, the Department may adjust maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest.

(6) In case of excess emissions resulting from malfunctions, each source shall notify the Department or the appropriate Local Program in accordance with Section 17-4.130, Florida Administrative Code. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

*Specific Authority 403.051 FS. Law Implemented 403.021, 403.031, 403.051, 403.087 FS. History—New 11-1-81, Formerly 17-2.05(14), Amended 8-26-81.*

**17-2.260 Air Quality Models.** For any provision of Chapter 17-2, F.A.C., which requires that an estimate of concentrations of pollutants in the ambient air be made, the estimates shall be based on the applicable air quality models, data bases, and other requirements approved by the Department and specified in the "Guideline on Air Quality Models (Revised)" EPA 450/2-78-027R, July 1986, including "Supplement A (1987)." Any substitution for or modification of a model specified in the "Guideline on Air Quality Models (Revised)" or "Supplement A (1987)" shall be approved in writing by the Department and the Administrator of EPA, and shall be subject to the public comment procedures contained in Rule 17-2.220(1), F.A.C. Copies of the above referenced documents may be obtained from the U. S. Dept. of Commerce, National Technical Information Service, Washington, D. C., and may be inspected at the Department's Tallahassee office.

*Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—New 11-1-81, Amended 8-26-81, 7-9-89.*

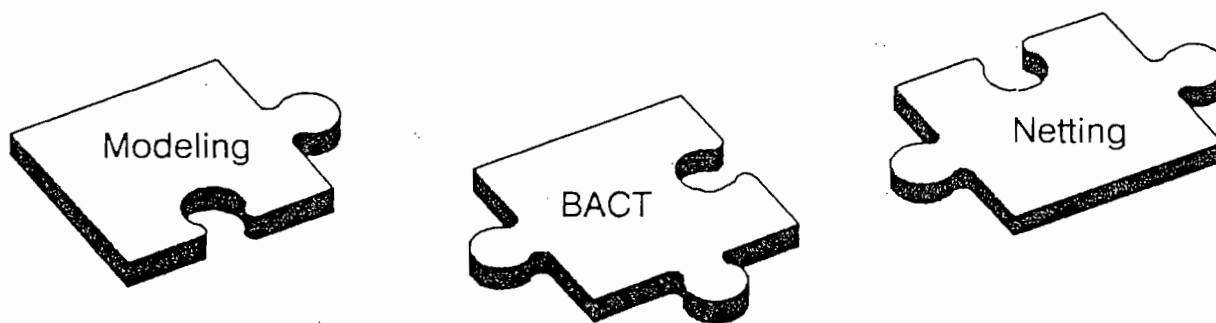
##### **17-2.270 Stack Height Policy.**

(1) General.

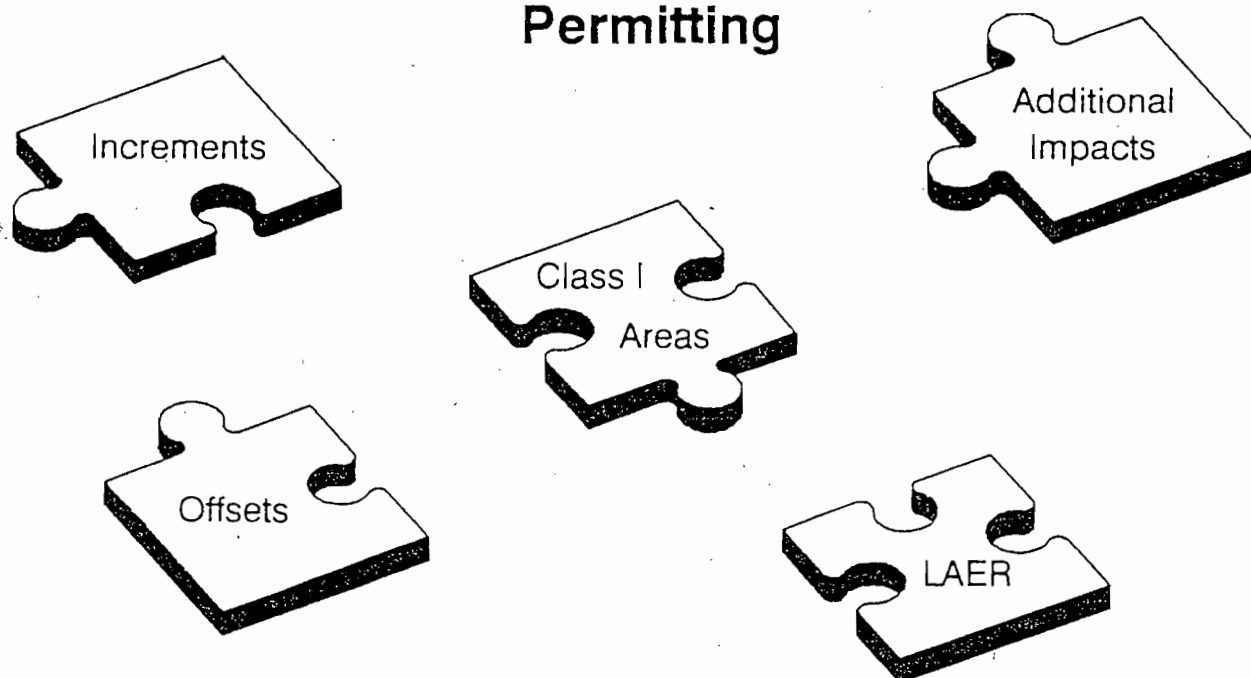
The degree of emission limitation required of any source for control of any air pollutant on a continuous basis shall not be affected by so much of any source's stack height that exceeds good engineering practice, as provided in Rule 17-2.270(3), F.A.C. or by any other dispersion



# New Source Review Workshop Manual



## Prevention of Significant Deterioration and Nonattainment Area Permitting



Some air quality models allow the user to input discrete receptors at user-specified locations. The selection of receptor sites should be a case-by-case determination, taking into consideration the topography, the climatology, the monitor sites, and the results of the preliminary analysis. For example, receptors should be located at:

- *the fenceline of a proposed facility;*
- *the boundary of the nearest Class I or nonattainment area;*
- *the location(s) of ambient air monitoring sites; and*
- *locations where potentially high ambient air concentrations are expected to occur.*

In general, modeling receptors for both the NAAQS and the PSD increment analyses should be placed at ground level points anywhere except on the applicant's plant property if it is inaccessible to the general public. Public access to plant property is to be assumed, however, unless a continuous physical barrier, such as a fence or wall, precludes entrance onto that property. In cases where the public has access, receptors should be located on the applicant's property. It is important to note that ground level points of receptor placement could be over bodies of water, railroad tracks, roadways, and property owned by other sources. For NAAQS analyses, modeling receptors may also be placed at elevated locations, such as on building rooftops. However, for PSD increments, receptors are limited to locations at ground level.

#### IV.D.3 GOOD ENGINEERING PRACTICE (GEP) STACK HEIGHT

Section 123 of the Clean Air Act limits the use of dispersion techniques, such as merged gas streams, intermittent controls, or stack heights above GEP, to meet the NAAQS or PSD increments. The GEP stack height is defined under Section 123 as "the height necessary to insure that emissions from the stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source as a result of atmospheric downwash,

P 832 538 786



**Certified Mail Receipt**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
Mr. Stephen D. Olsen, ITT	
Street & No. Rayonier, Inc.	
P. O. Box 2002	
P.O., State & ZIP Code	
Fernandina Beach, FL 32034-	
Postage	\$ 200
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	
Mailed: 2-28-92	

PS Form 3800, June 1990

**SENDER**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Mr. Stephen D. Olsen  
 General Manager  
 ITT Rayonier, Inc.  
 P. O. Box 2002  
 Fernandina Beach, FL 32034-2002

4a. Article Number  
 P 832 538 786

4b. Service Type  
 Registered     Insured  
 Certified     COD  
 Express Mail     Return Receipt for Merchandise

7. Date of Delivery  
 3-2-92

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)  
*[Signature]*



# Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

February 28, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

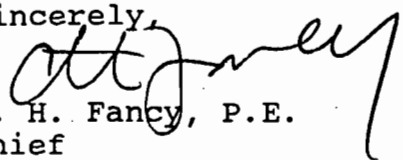
Mr. Stephen D. Olsen  
General Manager  
ITT Rayonier, Inc.  
Fernandina Division  
P. O. Box 2002  
Fernandina Beach, Florida 32034-2002

Dear Mr. Olsen:

Re: SO<sub>2</sub> Modeling of ITT Rayonier Due to Order Modifying  
Permit Conditions

We have received your February 13, 1992 response to our January 28, 1992 letter requesting additional information. We have not yet completed our review of this response. However, we did not find the requested actual fence line modeling in the response. Was this modeling inadvertently omitted from your response? If it was, please provide this information as quickly as possible, since there is a pending administrative hearing scheduled for April 6, 1992.

Sincerely,

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

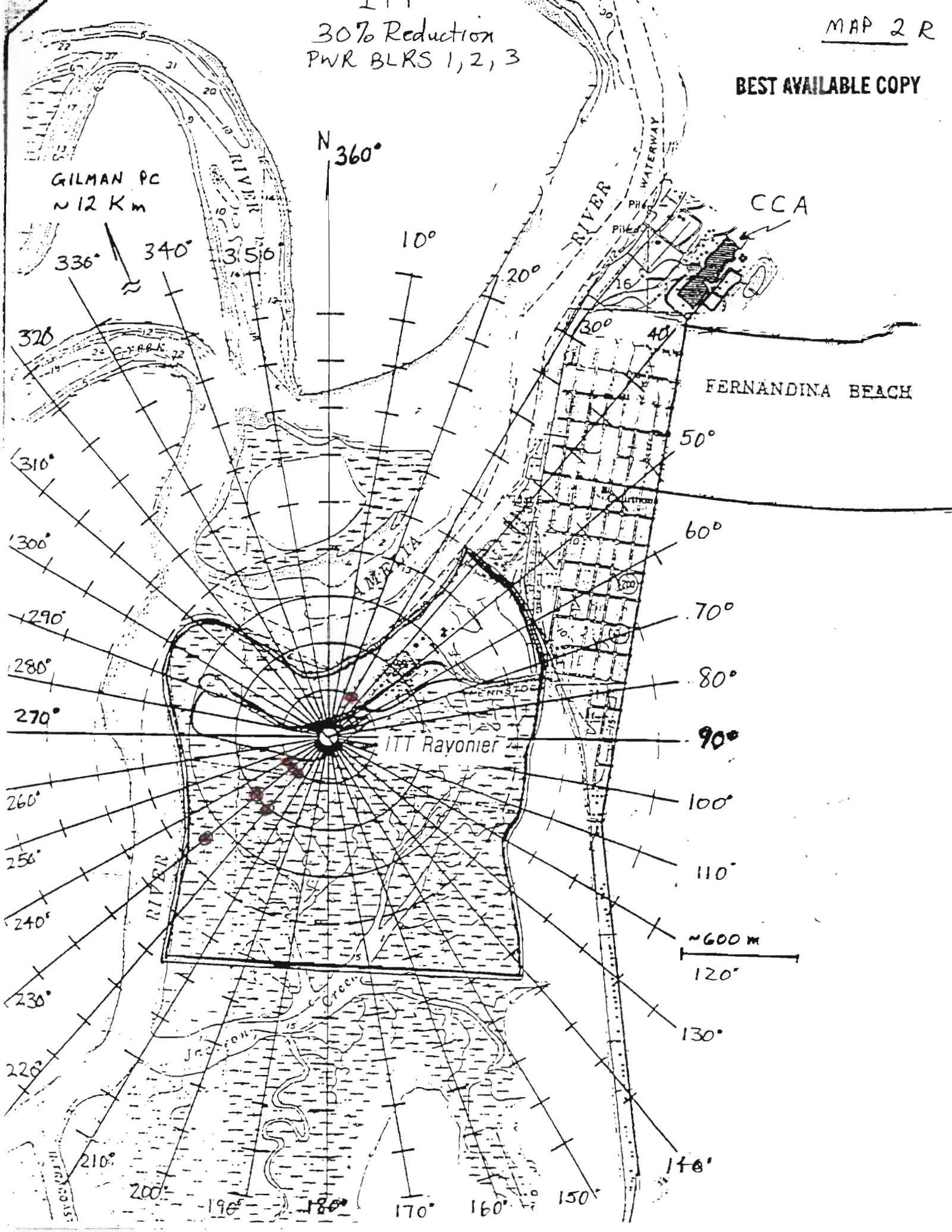
CHF/CH/t

cc: S. Smallwood, DARM  
T. Rogers, BAMA  
G. Smallridge, OGC  
B. Congdon, OGC  
A. Kutyna, NED  
R. Sistko, RRC  
J. Alves, HBG&S

ITT  
30% Reduction  
PWR BLRS 1, 2, 3

MAP 2 R

BEST AVAILABLE COPY



GILMAN PC  
N 12 Km

N 360°

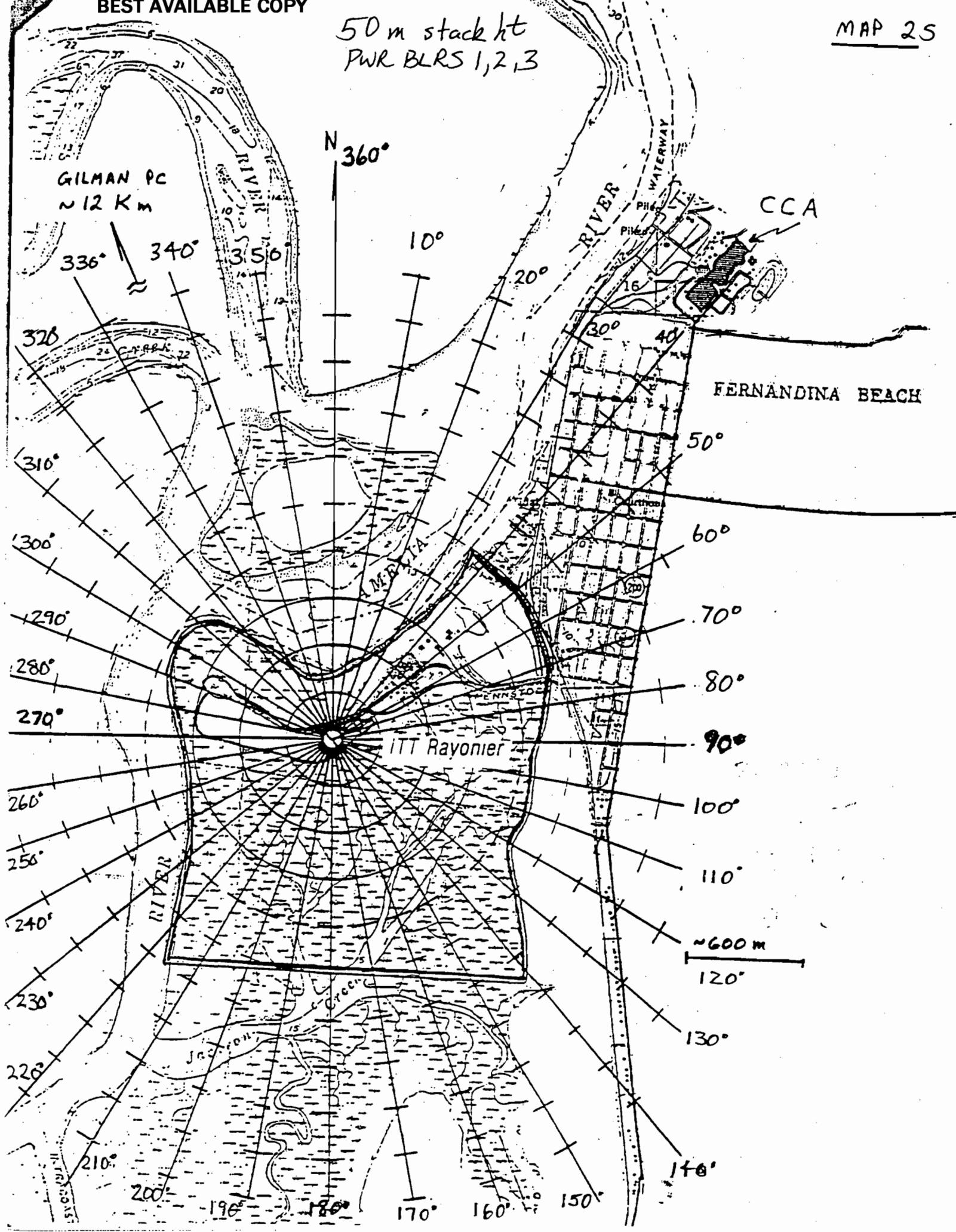
CCA

FERNANDINA BEACH

ITT Rayonier

~600 m  
120'

50 m stack ht  
PWR BLRS 1,2,3



GILMAN PC  
~ 12 Km

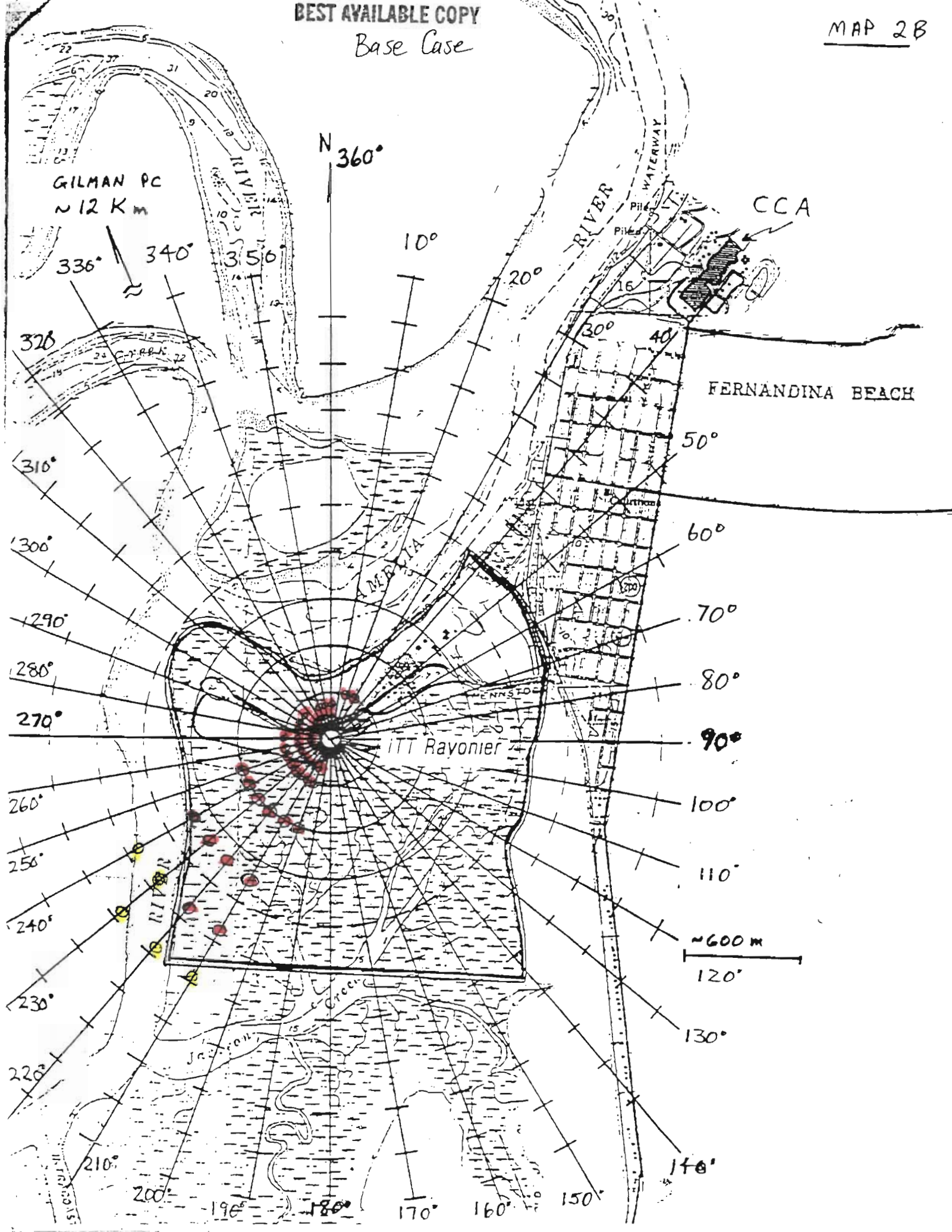
FERNANDINA BEACH

CCA

ITT Rayonier

~ 600 m  
120





12-10-91

100

① cut emissions, but not raise the stacks

② DER wants real ("actual") emissions ↓

ITT ↑ caustic

90

70

60

③ there was an actual SO<sub>2</sub> monitor exceedance

④ Submitted modeling approach ~~had~~ had some problems  
↓ modeling came in at the time of the proposal, (Oct '91)

⑥

①

all ↓

10

②

↑



# Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

January 28, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Stephen D. Olsen  
General Manager  
ITT Rayonier, Inc.  
Fernandina Division  
P. O. Box 2002  
Fernandina Beach, Florida 32034-2002

Dear Mr. Olsen:

Re: SO<sub>2</sub> Modeling of ITT Rayonier Due to Order Modifying  
Permit Conditions

We have reviewed your SO<sub>2</sub> modeling report submitted in October 1991 concerning ITT's proposal to modify permit conditions for Power Boilers 1, 2, and 3 or to raise the stacks associated with these boilers in order to correct modeled violations predicted in the vicinity of ITT. We have the following comments concerning some of the emission source characteristics and the receptor grid used in the modeling.

1. ITT source 805 (part of the lagoon) is used as the center of the modeling grid. According to the ISC Model User's Guide, the point (0,0) should be the southwest corner of this portion of the lagoon. With this as the center all other sources are placed relative to it. The other area sources should also be defined by the x, y coordinates of their respective southwest corners. This was not done correctly. In addition to redefining the location of the area sources, please provide a diagram and a table displaying the location of all sources so that the x, y coordinates for sources used in the modeling can be verified.
2. ITT estimated that 25% of the SO<sub>2</sub> evolves from source 809, an additional 45% evolves from sources 808, 807, and 806, and the remaining 30% evolves from source 805. How were these estimates obtained?
3. The stack exit velocities and stack diameters were apparently switched in the modeling input for the Gilman sources.

Mr. Stephen D. Olsen

Page Two

4. Some of the Gilman sources were combined. For example, source 93 is a combination of Recovery Boilers (RBs) 2, 3, and 4. The stack height used in the modeling is the height for RB 4. This stack is approximately 22 meters higher than the stack of the other two RB's. The same type of combining is used for source 94. As was done for source 93, the highest stack height was used to model the combined sources. The appropriate combination uses the most conservative characteristics of each source being combined. For example, normally the smallest stack height, the largest diameter, the slowest exit velocity and the coolest exit temperature would be used for the combined stack. Please redefine the appropriate stack input for each of the combined sources or provide a demonstration that the characteristics chosen are, in fact, the most conservative ones.
5. Please redo the modeling with the correct input data as requested above. This modeling should contain additional receptors placed at the plant boundary along each 10° radial and at the actual fence line along each 10° radial. In addition, the physical barriers that constitute the plant boundary should be described.

Please respond to the deficiencies cited above as soon as possible since the requested remodeling may contribute to ITT's final decision on eliminating modeled violations and the pending administrative hearing scheduled for February 20 and 21, 1992 in Fernandina Beach, Florida. Mr. Cleve Holladay has communicated the above concerns to Mr. Robert Sistko by telephone on January 24, 1992. If there are any questions, please call Cleve Holladay at (904)488-1344.

Sincerely,

*Barry D. Andrews*

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

CHF/CH/t

cc: S. Smallwood, DARM  
T. Rogers, BAMA  
G. Smallridge, OGC  
B. Congdon, OGC  
A. Kutyna, NED  
R. Sistko, RRC  
J. Alves, HBG&S

red 2-10-92 PAM

HOPPING, BOYD GREEN & SAMS

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JAMES S. ALVES  
BRIAN H. BIBEAU  
KATHLEEN BLIZZARD  
ELIZABETH C. BOWMAN  
WILLIAM L. BOYD, IV  
RICHARD S. BRIGHTMAN  
PETER C. CUNNINGHAM  
THOMAS M. DE ROSE  
WILLIAM H. GREEN  
WADE L. HOPPING  
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ANGELA R. MORRISON  
MARIBEL N. NICHOLSON  
LAURA BOYD PEARCE  
GARY V. PERKO  
MICHAEL P. PETROVICH  
DAVID L. POWELL  
DOUGLAS S. ROBERTS  
JULIE B. ROME  
KRISTIN C. RUBIN  
CECELIA C. SMITH

OF COUNSEL  
W. ROBERT FOXES

January 27, 1992

BY HAND-DELIVERY

Mr. Steven Dow, Esquire  
Florida Department of Environmental  
Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Re: ITT Rayonier, Inc. v. DER  
OGC Case Nos. 91-72, 91-73  
DOAH Case No. 91-862

RECEIVED  
JAN 27 1992

Dept. of Environmental Reg.  
Office of General Counsel

Dear Steve:

As discussed last week, this letter will summarize the status of the referenced case, which concerns the Department's initiative to modify ITT Rayonier, Inc.'s ("Rayonier's") air operation permits relating to its pulp mill in Nassau County. Your input in the ongoing settlement discussions would be greatly appreciated.

Attachment 1 to this letter is a copy of the Department's December 21, 1990 "Order Modifying Permit Conditions," in which the Department cited recent modeling analyses indicating that emissions from Rayonier's mill could contribute to violations of the 24 hour ambient air quality standard for SO<sub>2</sub>. Consequently, the Order stated, Rayonier's air operation permits should be modified as follows:

- 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

Mr. Steven Dow, Esquire  
January 27, 1992  
Page 2

contribute to violations of state ambient air quality standards. Permittee shall submit this 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.a. above shall be completed by February 1, 1992.

Rayonier timely initiated administrative proceedings in opposition to the Department's Order. The Department assigned the case to DOAH, which appointed Hearing Officer Michael Ruff in mid-February, 1991. Mr. Ruff has been quite accommodating in holding this case in abeyance while the parties attempt to work out a settlement. However, the case currently is set for hearing on February 20-21, 1992, and Mr. Ruff is unlikely to grant another continuance.

On October 21, 1991 Rayonier conveyed to the Department, as a settlement offer (Attachment 2), proposed permit conditions requiring the addition of a caustic stream to the scrubber mixing tanks and associated 30% reductions in allowable SO<sub>2</sub> emissions from the pulp mill power boilers. Rayonier's modeling data demonstrated that this scenario would result in predicted compliance with the SO<sub>2</sub> standards. Rayonier also proposed, in the October 21 letter, that it be permitted, at its option, to implement the "tall stacks" scenario, in which case the permitted maximum SO<sub>2</sub> emission rates would remain at the current (higher) allowable levels. In essence, Rayonier requested that it be afforded some flexibility in ensuring compliance with the SO<sub>2</sub> standards: In the short run it would accept lower permit limitations (the second option identified in the Department's Order); in the long run, Rayonier would have the option of retaining its current SO<sub>2</sub> emission limitations and raising its stacks to achieve predicted compliance with the SO<sub>2</sub> standard (the first option in the Department's Order). Under this approach, the objective of the Department's Order would be accomplished, and Rayonier would preserve some operational flexibility.

The staff in the Department's Bureau of Air Regulation have been somewhat hesitant in accepting Rayonier's proposed permit conditions. The staff have no objection to Rayonier's caustic stream (SO<sub>2</sub> reduction) option, provided that Cleve Holladay (DER) and Bob Sistko (Rayonier) work out

Mr. Steven Dow, Esquire  
January 27, 1992  
Page 3

some remaining details concerning the modeling analysis. However, the staff appears to be lukewarm to the concept of permit conditions that entail "interim" SO<sub>2</sub> limits, and higher allowable SO<sub>2</sub> limitations that remain in the permit and become operable if and when Rayonier decides to implement the tall stacks option. Staffers have questioned whether EPA would accept this approach as adequately ensuring compliance with the SO<sub>2</sub> standards, and asked how future applicants for air permits could effectively model air quality impacts with "interim" SO<sub>2</sub> limitations in place.

Although these concerns are legitimate, neither is insurmountable.

With respect to the first issue, I am not aware of any EPA rules or guidelines that would disallow Rayonier's proposal. To the contrary, it is logical to deduce that if either approach (SO<sub>2</sub> reduction or tall stacks) is acceptable, as indicated in the Department's original Order, then a permit condition combining these approaches is acceptable as well.

The second concern -- i.e., impacts on future modeling exercises -- is addressed by the following language, as set forth in Rayonier's proposed condition:

However, reliance upon this [tall stacks] alternative is subject to the Department's affirmative written concurrence that this alternative shall be sufficient to meet the referenced standard. Denial of concurrence shall constitute a point of entry under Chapter 120, Florida Statutes.

It seems clear that any future permit applicant would need to demonstrate that its proposed SO<sub>2</sub> emissions would not cause predicted exceedances based on the circumstances then existent. In the immediate future, then, Rayonier's "interim" limitations would be addressed in modeling work undertaken by applicants. If, at a later date, Rayonier wishes to utilize the tall stacks option, Rayonier would be required to show that "this alternative is sufficient to meet the referenced standard." Thereafter, any future permit applicant submitting modeling data would be required to include Rayonier's "maximum" SO<sub>2</sub> emissions. The

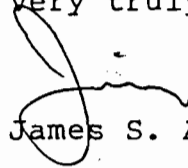
Mr. Steven Dow, Esquire  
January 27, 1992  
Page 4

possibility of confusion regarded changed circumstances could be obviated if we add this sentence to the above-quoted language:

The Department's written concurrence shall become part of this permit and shall be duly noted in the APIS inventory of air emissions.

Thank you for considering our thoughts on this issue. The folks at Rayonier and I would be pleased to meet with you or speak with you by telephone to answer any questions that you may have.

Very truly yours,



James S. Alves

/kkm:Dow  
Attachments  
cc: Bill Congdon

Tom Rogers }  
Cleve Holladay } 2/11/92 ran



ECEIVED

JAN 18 1992

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS  
Division of Air  
Resources Management

ITT RAYONIER, INC., )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 DEPARTMENT OF ENVIRONMENTAL )  
 REGULATION, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

CASE NO. 91-862

RECEIVED  
JAN 18 1992

Dept. of Environmental Res.  
Office of General Counsel

SECOND NOTICE OF HEARING  
AND ORDER

A hearing will be held in this case in the City Commission Chambers, at City Hall, 101 South 2nd Street (corner of 2nd and Ash Streets), Fernandina Beach, Florida, on February 20 and 21, 1992, at 10:30 a.m., or as soon thereafter as can be heard. Continuances will be granted only by order of the Hearing Officer for good cause shown.

ISSUES: As stated in the original Notice of Hearing dated April 17, 1991.

AUTHORITY: As stated in the original Notice of Hearing dated April 17, 1991.

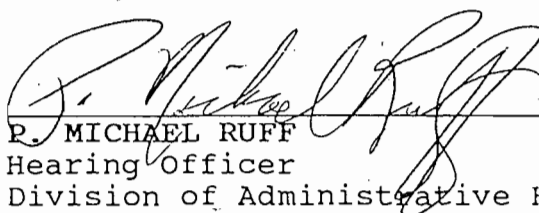
The parties shall arrange to have all witnesses and evidence present at the time and place of hearing. Subpoenas will be issued by the Hearing Officer upon request of the parties. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right

to be represented by counsel or other qualified representative,  
in accordance with Rule 22I-6.08, Florida Administrative Code.

IT IS ORDERED that all parties are hereby directed to  
contact the Division by telephone on February 10, 1992 to confirm  
their desire to proceed to hearing as scheduled. Failure to do  
so may result in the rescheduling of this case in the interest of  
economy.

Date

1/9/92

  
P. MICHAEL RUFF  
Hearing Officer  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550  
(904) 488-9675

Copies furnished to:

James S. Alves, Esq.  
HOPPING, BOYD, ET AL.  
P.O. Box 6526  
Tallahassee, FL 32314-6526

William H. Congdon, Esq.  
Department of Environmental Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Hearing Room Confirmation Copy:

Ms. Cassandra Mitchell  
City Hall  
P.O. Box 668  
Fernandina Beach, FL 32034  
(904) 277-7305

R

Department of Environmental Regulation  
**Routing and Transmittal Slip**

To: (Name, Office, Location)

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

Remarks:

*Please Circulate*

**RECEIVED**

JAN 13 1992

Division of Air  
Resources Management

From

*Ans - OGC*

Date

*1/10/92*

Phone

*8-9730*

POLLUTANT: SULFUR DIOXIDE

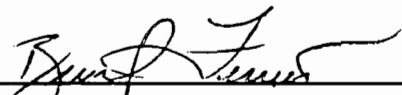
STATE: 10 FLORIDA

YEAR: 1991

CNTY	AREA	SITE	LOCATION	SMP LNG PERIOD	NUM METH OBS	M A X I M A				EXCEEDANCES *						
						1-HOUR 1ST	2ND	3-HOUR 1ST	2ND	24-HOUR 1ST	2ND	ARTH MEAN	GSD	3HR #>1300	24HR #>260	ANNL AM>60
BRWRD	1260	004	G01 FT LAUDERDALE/ 500 SW 14TH COURT #12, F	APR-SEP	20 4261	307	223	163	149	42	41	9	2.56			
CTRUS	0580	003	J02 CRYSTAL RIVER/ TWIN RIVERS MARINA DPN H	JAN-MAR	20 2157	210	168	137	119	30	28	5	1.83			
	0580	005	J02 CRYSTAL RIVER/ E OF FPC PLT, NEAR RT-0-	JAN-MAR	20 2153	183	168	126	114	38	21	5	1.96			
DADE	0860	019	G02 MIAMI/ DOT2US 27 & SR 821 #34, DADE CO	JAN-SEP	20 6212	47	45	37	28	9	9	3	1.46			
DUVAL	1960	032	H02 JACKSONVILLE/ KOOKER PARK 2900 BENNETT	JAN-SEP	20 6204	115	102	89	79	31	27	7	2.17			
	1960	080	H02 JACKSONVILLE/ 1605 MINERVA ST JACKSONVI	JAN-SEP	20 6238	121	105	100	73	34	30	5	1.99			
	1960	081	H02 JACKSONVILLE/ CEDAR BAY STP, 1840 CEDAR	JAN-SEP	20 6358	272	246	190	187	47	41	8	2.25			
	1960	093	H02 JACKSONVILLE/ 5060 CEDAR POINT ROAD	JAN-SEP	20 6336	341	259	215	206	55	45	5	1.92			
	1960	094	H02 JACKSONVILLE/ 9501 AUGUST RD.	JAN-SEP	20 6248	236	231	174	169	59	55	7	2.14			
ESCAM	3540	004	F01 PENSACOLA/ ELLYSON INDUSTRIAL PARK, PE	JAN-SEP	20 6504	647	610	556	456	151	111	15	2.73			
HAMIL	1660	015	F02 WHITE SPRINGS/ COUNTY RD 137 AT ENTRANC	JAN-SEP	20 6449	1224	262	616	156	60	59	11	2.64			
HILLS	1800	021	G02 / TECO =2 BB CD BARN ON BIG BEND RD, HI	JAN-SEP	20 6073	199	165	113	91	43	34	4	1.75			
	1800	095	G02 TAMPA/ 5012 CAUSEWAY BLVD TAMPA(GANNON)	JAN-SEP	20 6459	739	629	601	423	117	77	14	2.77			
	1800	106	J02 NORTH RUSKIN/ BIG BEND RD. 1.5 MI EAST	JAN-JUN	20 4149	532	527	286	283	77	76	9	2.49			
	1800	107	J02 NORTH RUSKIN/ BULLFROG CREEK COUNTY PAR	JAN-JUN	20 4082	516	453	272	249	73	57	10	2.46			
	4360	035	G02 TAMPA/ COAST GUARD STA DAVIS IS, TAMPA,	JAN-SEP	20 6523	1035	642	632	347	137	125	26	2.96			
	4360	053	G02 TAMPA/ BALLAST PT PARK, INTERBAY BLVD,	JAN-SEP	20 6474	438	419	323	308	89	77	18	2.76			
NASSA	1200	005	F02 FERNANDINA BEACH/ WWTP, STH ST N OF LIM	JAN-SEP	20 6408	967	794	575	470	271	195	16	3.15		1	
	1200	009	F02 FERNANDINA BEACH/ FERNANDINA BEACH LIFT	JAN-SEP	20 6500	215	118	91	80	34	33	8	2.27			
ORANG	4900	002	G01 WINTER PARK/ LAKE ISLE ESTATES, WINTER	JAN-SEP	20 6382	105	105	77	63	18	17	4	1.71			
PALM	3420	017	J02 BELLE GLADE/ DUDA RD. 1MI S. OF OLD SR8	JAN-JUN	20 3805	47	45	34	30	16	13	4	1.68			
	3840	004	G02 RIVIERA BEACH/ 1050 15TH ST. WEST	JAN-SEP	20 6143	170	152	150	104	33	30	7	1.97			
PINEL	3620	002	G05 PINELLAS PARK/ 11500 43RD AVE N PINELLA	JAN-SEP	20 6282	521	495	305	303	80	77	10	2.55			
	3980	023	G02 ST PETERSBURG/ DERBY LANE 10100 SAN MAR	JAN-SEP	20 6346	527	506	401	335	160	105	19	3.45			
	4380	001	G02 TARPON SPRINGS/ 303A ANCLOTE RD, TARPON	JAN-SEP	20 6421	139	134	110	99	21	21	4	1.73			
	4380	002	G03 TARPON SPRINGS/ BROOKER CREEK PK TARPON	JAN-SEP	20 6373	301	257	241	195	49	33	7	2.34			
POLK	2160	004	F02 LAKELAND/ 3333 TENOROC MINE RD. (TENORO	JAN-JAN	20 252	45	26	31	16	7	5	3	1.40			
	2860	006	F02 MULBERRY/ MULBERRY HIGH SCHOOL, NE 4TH	FEB-SEP	20 5438	432	210	176	135	42	40	11	2.63			
	3680	010	F02 / ANDERSON & PINE-CREST RD, NICHOLS PO	JAN-SEP	20 6357	286	262	179	167	67	58	9	2.45			
PUTNM	3780	004	J02 PALATKA/ PPL =1 1.1 MI NE OF PALATKA P	APR-JUN	97 15					4	4	2	1.00			
	3780	005	J02 PALATKA/ SW CORNER OF MASTERS ST/ AND F	MAY-JUN	97 9					8	4	3	1.47			
	3780	007	J02 PALATKA/ WEST RIVER RD AND SR17 (PUMPIN	APR-JUN	20 2173	165	144	96	79	21	19	4	1.56			
	3780	008	F02 PALATKA/ 100 FT W. OF INTERSEC OF COMFO	JAN-SEP	20 6483	249	194	166	141	64	46	7	2.12			
SARAS	4080	002	G01 SARASOTA/ 3636 S. SHADE AVE. (SHADE & B	JAN-SEP	20 6382	194	176	148	110	52	40	5	1.84			
	4100	012	G01 SARASOTA COUNTY/ VERNA WELL FIELD (35FT	JAN-SEP	20 6197	233	210	152	147	43	35	5	1.78			

\* THE AIR QUALITY STANDARDS FOR SO2 ARE AN ANNUAL ARITHMETIC AVERAGE OF 60 UG/M3, A MAXIMUM 24-HOUR CONCENTRATION OF 260 UG/M3 NOT TO BE EXCEEDED MORE THAN ONCE PER YEAR, AND A MAXIMUM 3-HOUR CONCENTRATION OF 1300 UG/M3 NOT TO BE EXCEEDED MORE THAN ONCE PER YEAR.

# EXCEEDANCE REPORT

1. SAROAD Site Number 10-1200-005-F02 Dist./L.P. Office Northeast
2. Pollutant SO2
3. Readings that exceed the standards  
103.5 ppb. 24 hr. average
4. Date and Time(s) of Exceedance(s) 2/07/91 2200 hrs. through 2/08/91  
2100 hrs.
5. Prevailing Wind Direction and Wind Speed.  
290°, 5.5 mph.
6. Source of Exceedance ITT Rayonier
7. Probable Cause Emmissions, cold weather  
  
(use additional sheet of paper if necessary).
8. Source Contact(s) Milt Shirley by Mort Benjamin on 2-11-91
9. Follow-up Action Jim Pennington is requesting EPA write a 114 letter  
to ITT Rayonier on exceedance.
10. Exceedance Investigator Bruce Ferrier / Richard Bowman / Hilda Grover  
Phone Number (904) 448-4310 ext. 381
11. Attachments Recorder SO2 charts, Recorder wind charts, Data logger print outs.
12.   
Signature of person in charge of air monitoring.

#### Distribution

- White & Canary - BAQM w/attachments
- Pink - Dist. ofc. from Loc. Prog.  
when applicable
- Gold - Dist/Loc. Prog. file

**BEST AVAILABLE COPY**

PREVIOUS DAILY SUMMARY

02/08/91

39

FBH WWTP

\*\*\*\*\*

COLUMN NUMBER	01	02	03	04	05	06	07
CHANNEL NUMBER	01	04	05	06	96	98	99
CHANNEL NAME	S02	WDR	WSP	INT	REF	LAC	BAT
CHANNEL UNITS	PPB	DEG	MPH	DGC	VDC	VAC	VDC
FULL SCALE VALUE	1000	540	50.0	38.5	1.000	240	-7.5
ZERO VALUE	0	0	.0	-19.4	.000	0	.0
INPUT RANGE	1	1	1	1			
INPUT TYPE	S	S	S	S			

				<i>bb</i>	<i>bb</i>	<i>bb</i>	<i>bb</i>
01:00	121	295	4.8	23.9	.499	126	3.2
02:00	104	289	4.1	23.6	.499	126	3.2
03:00	79	281	3.2	23.6	.499	125	3.2
04:00	109	299	4.3	23.5	.499	125	3.2
05:00	185	300	4.2	23.5	.499	125	3.2
06:00	129	313	6.4	23.5	.499	125	3.2
07:00	49	290	6.1	23.5	.499	125	3.2
08:00	138	303	6.4	23.5	.499	125	3.2
09:00	147	299	5.7	23.5	.499	125	3.2
10:00	109	303	6.2	23.6	.499	125	3.2
11:00	141	301	6.8	23.7	.499	125	3.2
12:00	119	299	6.2	23.6	.499	125	3.2
13:00	156	305	6.2	23.8	.499	125	3.2
14:00	111	305	7.0	23.8	.499	125	3.2
15:00	89	304	7.5	23.8	.499	125	3.2
16:00	122	305	7.0	23.9	.499	126	3.2
17:00	102	309	5.8	23.9	.499	126	3.2
18:00	58	312	6.4	23.7	.499	126	3.2
19:00	24	313	6.3	23.7	.499	125	3.2
20:00	18	318	5.3	23.6	.499	125	3.2
21:00	72	314	5.2	23.7	.499	125	3.2
22:00	9<	328	5.7	23.6	.499	125	3.2
23:00	7<	337	6.4	23.6	.499	125	3.2
00:00	7<	342	5.7	23.7	.499	125	3.2
AVERAGE	92<	308	5.6	23.7	.499	125	3.2

SITE : FBH WWTP

PARAMETERS READ : 4  
 RECORDS READ : 24  
 RECORDS WRITTEN : 8

*24hr ave*  
*2/07/91*  
*22:00.*  
*through*  
*2/08/91*  
*21:00*

*0.1035 ppm*  
*10.3.5 PPB*

# BEST AVAILABLE COPY

PREVIOUS DAILY SUMMARY

02/07/91

35

FBH WWTP

COLUMN NUMBER	01	02	03	04	05	06	07
CHANNEL NUMBER	01	04	05	06	96	98	99
CHANNEL NAME	S02	WDR	WSP	INT	REF	LAC	BAT
CHANNEL UNITS	PPB	DEG	MPH	DGC	VDC	VAC	VDC
FULL SCALE VALUE	1000	540	50.0	38.5	1.000	240	-7.5
ZERO VALUE	0	0	.0	-19.4	.000	0	.0
INPUT RANGE	1	1	1	1			
INPUT TYPE	S	S	S	S			
-----							
				<i>pb</i>	<i>pb</i>	<i>pb</i>	<i>pb</i>
01:00	1	356	.7	24.0	.499	126	3.2
02:00	1	53	.1	23.9	.499	126	3.2
03:00	1	94	.4	23.9	.499	126	3.2
04:00	1	201	.2	23.9	.499	126	3.2
05:00	1	214	.7	23.9	.499	126	3.2
06:00	1	179	1.2	23.9	.499	126	3.2
07:00	2	172	3.5	23.8	.499	126	3.2
08:00	3<	166<	5.6<	23.8<	.499<	126<	3.2<
09:00	4	190	5.2	24.0	.499	126	3.2
10:00	14	272	5.0	23.9	.499	126	3.2
11:00	5	242	6.0	24.6	.499	126	3.2
12:00	4	235	7.4	25.7	.499	126	3.2
13:00	2<	244	5.5	26.2	.499	126	3.2
14:00	3<	243	6.0	25.6	.499	126	3.2
15:00	1	251	6.3	25.4	.499	126	3.2
16:00	1	234	4.0	26.1	.499	126	3.2
17:00	0	202	2.2	26.2	.499	126	3.2
18:00	0	192	2.3	25.4	.499	126	3.2
19:00	0	207	1.5	25.4	.499	126	3.2
20:00	0	231	1.9	25.1	.499	126	3.2
21:00	60	285	3.6	24.7	.499	126	3.2
22:00	74<	309	5.3	24.2	.499	126	3.2
23:00	117<	281	2.8	24.2	.499	126	3.2
00:00	111<	283<	3.7<	24.0<	.499<	126<	3.2<
AVERAGE	17<	238<	2.6<	24.6<	.499<	126<	3.2<

SITE : FBH WWTP

PARAMETERS READ : 4  
 RECORDS READ : 24  
 RECORDS WRITTEN : 8

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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WILLIAM L. BOYD, IV  
RICHARD S. BRIGHTMAN  
PETER C. CUNNINGHAM  
THOMAS M. DE 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.  
CHERYL G. STUART

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

OF COUNSEL  
W. ROBERT FOXES

October 21, 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

Dear Bill:

Enclosed is a redraft of the air permit conditions that I believe would mutually satisfy the interests of the Department and ITT Rayonier, Inc. (Rayonier).

As you will see, under this rewrite Rayonier would be obligated to proceed with the "caustic stream" approach, but would be permitted to implement the "tall stacks" option after notice and approval from the Department. This version of the permit conditions continues to recognize the current SO<sub>2</sub> emission limitations as the "maximum potential" to emit, but would require compliance with 30% lower emission limits for so long as the "caustic stream" requirement remains in place. This iteration of the permit conditions would ensure that Rayonier does not contribute to a predicted exceedance of the SO<sub>2</sub> standard.

I have not included a specific time limitation for the "tall stacks" option in this draft. The time limitation, in effect, would be the life of the air operation permits.

The second condition ("posting signs," etc.) is appropriate in order to enhance the status of the referenced portion of the plant site as not consisting of ambient air. The measures set forth in the second condition would be supplemental to the natural and effective barrier to public access: this is extremely inhospitable marshland. In this regard, it is noteworthy that the few projected exceedances of the SO<sub>2</sub> standard are well within the plant site boundaries.



Mr. William Congdon  
October 21, 1991  
Page 2

We appreciate the Department's willingness to work with us on this matter.

Very truly yours,



James S. Alves

/kkm

Enclosure

cc: Tom Rogers (w/ encl.) ✓  
Cleve Holladay (w/ encl.)

Additional specific conditions to be added to each operation permit and construction permit:

1. a. Effective February 1, 1992, Permittee shall undertake the following measure to obviate the installation's potential contribution to exceedances of the state 24 hour ambient air quality standard for SO<sub>2</sub>:

An additional caustic stream shall continuously be added to the mixing tanks of the A and B scrubbers, so as to enable the power boilers to meet the interim limits in section 1.c., below.

- b. Upon advance notice to the Department, the Permittee shall be permitted to undertake the following alternative measure to obviate the installation's potential contribution to exceedances of the state 24 hour ambient air quality standard for SO<sub>2</sub>:

The two stacks associated with the Nos. 1, 2, and 3 Power Boilers shall be raised to a height of 50 meters, or such other height that is suitable and necessary.

However, reliance upon this alternative is subject to the Department's affirmative written concurrence that this alternative shall be sufficient to meet the referenced standard. Denial of concurrence shall constitute a point of entry under Chapter 120, Florida Statutes.

- c. The maximum permitted SO<sub>2</sub> emissions for these installations shall remain as follows:

Power Boiler No. 1- 440 lb/hr  
Power Boiler No. 2- 481 lb/hr  
Power Boiler No. 3- 459 lb/hr

However, while option a. is in place, the permittee shall meet these binding, interim SO<sub>2</sub> emission limitations:

Power Boiler No. 1- 308 lb/hr  
Power Boiler No. 2- 337 lb/hr  
Power Boiler No. 3- 321 lb/hr

2. The permittee shall take measures, including posting signs and undertaking periodic security patrols, to prohibit public access to the marshland located within the southern portion of the facility site.

kkm:ITTRAYmeet

BEST AVAILABLE COPY

DATE 91/03/14

COMPARISON OF AIR QUALITY DATA WITH  
THE NATIONAL AMBIENT AIR QUALITY STANDARDS

PAGE # 2

POLLUTANT: SULFUR DIOXIDE

STATE: 10 FLORIDA

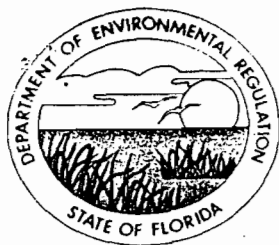
YEAR: 1990

CNTY	AREA	SITE	LOCATION	SAMPLNG PERIOD	NUM METH OBS	M A X I M A				EXCEEDANCES *						
						1-HOUR 1ST	1-HOUR 2ND	3-HOUR 1ST	3-HOUR 2ND	24-HOUR 1ST	24-HOUR 2ND	ARTH GSD MEAN	3HR #>1300	24HR #>260	ANNL AM>60	
HOLME	1860	002	JO2	CARRYVILLE/ ELLIS S REMOTE, CARRYVILLE, OCT-DEC	20	2115	215	134	74	47	19	14	4	1.56		
	1860	002	JO2	CARRYVILLE/ ELLIS S REMOTE, CARRYVILLE, JAN-SEP	16	5840	34	34	31	25	13	8	3	1.29		
JACKS	1940	001	JO2	SNEADS/ SCHOLZ W REMOTE, SNEADS, JACKSO JAN-JUN	16	4319	867	679	563	550	202	127	8	2.09		
	1940	001	JO2	SNEADS/ SCHOLZ W REMOTE, SNEADS, JACKSO OCT-DEC	20	2120	427	406	308	285	76	74	13	2.90		
	1940	002	JO2	SNEADS/ SCHOLZ N REMOTE, SNEADS, JACKSO OCT-DEC	20	2110	406	333	209	206	62	53	6	2.01		
	1940	002	JO2	SNEADS/ SCHOLZ N REMOTE, SNEADS, JACKSO JAN-JUN	16	4104	781	770	598	556	259	222	16	3.05		
NASSA	1200	005	FO2	FERNANDINA BEACH/ WWTP, 5TH ST N OF LIM JAN-DEC	20	8669	2272	2122	1752	1682	683	471	20	3.12	4	5
	1200	009	FO2	FERNANDINA BEACH/ FERNANDINA BEACH LIFT JAN-DEC	20	8689	244	228	173	143	47	45	8	2.27		
ORANG	4900	002	GO1	WINTER PARK/ LAKE ISLE ESTATES, WINTER JAN-DEC	20	8564	68	65	62	53	33	28	4	1.70		
PALM	3420	017	JO2	BELLE GLADE/ DUDA RD. 1MI S. OF OLD SR8 JAN-SEP	20	5611	73	65	67	53	30	21	8	2.06		
	3840	004	GO2	RIVIERA BEACH/ 1050 15TH ST. WEST JAN-DEC	20	8146	162	139	103	93	26	20	5	1.77		
PINEL	3620	002	GO5	PINELLAS PARK/ 11500 43RD AVE N PINELLA JAN-DEC	20	8395	587	540	503	342	80	67	12	2.67		
	3980	023	GO2	ST PETERSBURG/ DERBY LANE 10100 SAN MAR JAN-DEC	20	8592	791	707	526	487	118	116	23	3.24		
	4380	001	GO2	TARPON SPRINGS/ 303A ANCLOTE RD, TARPON JAN-DEC	20	8502	165	147	114	105	30	29	5	1.94		
	4380	002	GO3	TARPON SPRINGS/ BRDOKER CREEK PK TARPON JAN-DEC	20	8577	351	312	198	172	56	53	9	2.43		
POLK	2160	004	FO2	LAKELAND/ 3333 TENOROC MINE RD. (TENORU JAN-DEC	20	8683	191	157	122	122	42	27	5	1.83		
	3680	010	FO2	/ ANDERSON & PINE-CREST RD, NICHOLS PD JAN-DEC	20	8612	466	453	341	252	66	62	9	2.43		
PULNM	3780	004	JO2	PALATKA/ PPL =1 1.1 MI NE OF PALATKA P JAN-DEC	97	43					9	9	3	1.45		
	3780	005	JO2	PALATKA/ SW CORNER OF MASTERS ST/ AND F JAN-DEC	97	44					10	9	3	1.48		
	3780	007	JO2	PALATKA/ WEST RIVER RD AND SR17 (PUMPIN JAN-DEC	20	8644	335	314	246	152	66	37	5	1.81		
	3780	008	FO2	PALATKA/ 100 FT W. OF INTERSEC OF COMFO JAN-DEC	20	8494	267	241	165	144	46	34	10	2.48		
SARAS	4080	002	GO1	SARASOTA/ 3636 S. SHADE RD. (SHADE & B JAN-DEC	20	7865	314	272	245	224	62	42	6	1.99		
	4100	012	GO1	SARASOTA COUNTY/ VERNA FIELD (35FT JAN-DEC	20	8595	186	152	103	98	45	43	8	2.33		

NOTE: DATA WITH THE AGENCY CODE "J" MAY NOT MEET ALL QUALITY ASSURANCE STANDARDS.

Bruce,  
If you need The  
exceedance reports for  
1990, I have Them.  
Brian

\* THE AIR QUALITY STANDARDS FOR SO2 ARE AN ANNUAL ARITHMETIC AVERAGE OF 60 UG/M3, A MAXIMUM 24-HOUR CONCENTRATION OF 200 UG/M3 NOT TO BE EXCEEDED MORE THAN ONCE PER YEAR, AND A MAXIMUM 3-HOUR CONCENTRATION OF 1300 UG/M3 NOT TO BE



ITT File

## Florida Department of Environmental Regulation

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

~~Bob Martinez, Governor~~

Lawton Chiles, Governor

~~Dale Trachtmann, Secretary~~

January 11, 1991

~~John Shearer, Assistant Secretary~~

Carol M. Browner, Secretary

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

Dear Mr. Olsen:

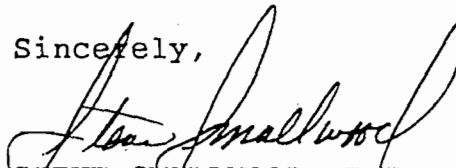
Re: Modeled and Monitored Violations of SO<sub>2</sub> Standard Near ITT

We have reviewed your December 14, 1990 response to Secretary Twachtmann's December 5, 1990 letter to you concerning the correction of the 1990 Fernandina Beach area sulfur dioxide ambient air violations.

Your response was received after the Department had issued an Order modifying permit conditions for power boilers 1, 2, and 3. The order directed ITT to raise the two stacks associated with these boilers to a height of 50 meters by February 1, 1992. It also included an alternative condition which allows ITT to submit to the Department within 90 days after receipt of the order a study that evaluates and proposes other methods that will reduce modeled sulfur dioxide levels so that the emissions of sulfur dioxide from ITT do not cause or contribute to violations of state ambient air quality standards. The order is based on dispersion modeling performed by the Department using the best available source specific dispersion parameters from ITT and CCA. The modeling indicated that emissions of sulfur dioxide from the ITT 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.

We welcome the interest stated in your December 14 letter to perform a modeling study to aid in determining what corrective action is appropriate and we look forward to reviewing the results of your study if you choose this alternative.

Sincerely,

  
STEVE SMALLWOOD, P.E.  
Director

SS/CH/t



DIVISION OF AIR RESOURCE MANAGEMENT

(For Internal Use Only)

**ROUTING AND TRANSMITTAL SLIP**

ACTION NO  
12-040

AST  
ACTION DUE DATE  
1-7-90

1. TO: (NAME, OFFICE, LOCATION)

*Clair Jancy*

Initial

Date

2.

*Cleve*

Initial

Date

3.

*measured & Predicted  
Re: Exceedances of SO<sub>2</sub>*

Initial

Date

4.

Initial

Date

REMARKS:

*Prepare response for  
Steve's signature*

*Return to CHF 1-15-91*

*copy Andy  
Kutynski and  
full name to  
give ERIC  
From a copy of  
this letter  
Steve*

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

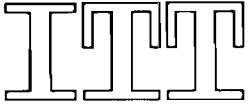
FROM:

*LAG*

DATE

*12-27-90*

PHONE



*Certified Mail*

*S. Smallwood  
handle*

**ITT Rayonier Inc.**

*Fernandina Division*

*Post Office Box 2002*

*Fernandina Beach, Florida 32034-2002*

*(904) 261-3611*

December 14, 1990

**Dale Twachtmann**

Secretary

Florida Department of Environmental Regulation

Twin Towers Office Building

2600 Blair Stone Road

Tallahassee, Florida 32399-2400

**RECEIVED**

DEC 24 1990

Office of the Secretary

**Dear Mr. Twachtmann:**

Your letter of December 5, 1990 raises two issues, namely measured exceedances of SO<sub>2</sub> ambient air quality standards and predicted exceedance bases on modeling done for Container Corporation (CCA).

The first issue was addressed in a meeting scheduled with Mr. Frey, Milt Shirley our mill Environmental Manager, Dana Dolloff Rayonier's Corporate Director, Environmental Affairs, and me on November 30. Mr Frey did not attend but the issues and Rayonier's completed and intended future actions were reviewed with Mr. Kutyna. These discussions were confirmed by Milt Shirley's letter of December 4, copy attached.

In short, while there is no conclusive evidence that SSL lagoon emissions caused the subject ambient exceedances and without the need for official orders, Rayonier has voluntarily taken the position that this could be a source of ambient exceedance and is taking steps to eliminate the SSL lagoon as a likely source. Initial investigations indicate that the Rayonier mills elevated point sources would not be significant contributors to monitored exceedances given the prevailing meteorological conditions and time of day. For this reason, we feel that the modeled exceedance mentioned in your letter would bear no relation to the actual exceedances. ✓

Issues raised solely by modeled exceedances are a different matter altogether. We have recently received a copy of the KBN report prepared for CCA and after initial review have several comments:

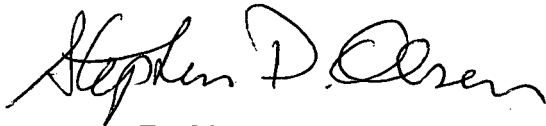
- 1) The report indicates one state ambient air standard exceedance would occur over the modeled five year period. Considering the conservative nature of the modeling exercise (full permitted emission rates, five years of data from off-site locations, lack of source specific dispersion parameters from ITT Rayonier and lack of any attempt to calibrate modeling to actual monitoring data), it's very questionable whether the predicted exceedance would actually occur.

*4 exceedances from KBN with background value added*

- 2) It seems highly irregular to expect one company to make facility or emission rate changes based on another company's modeling.
- 3) We have not yet had an opportunity to refine KBN's modeling effort to include Rayonier's specific data or to evaluate changes at the mill that might eliminate calculated exceedances.
- 4) Notwithstanding the issues identified above, we would like to perform modeling studies and determine whether changes in the ITT Rayonier operations are, in fact, warranted and, if so what changes would be appropriate. Those studies should be completed in about 60 days and we would like to meet with you at that time to discuss what action is appropriated.

Sincerely,

**ITT RAYONIER INC.**

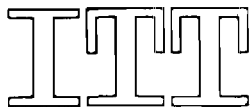


Stephen D. Olsen  
GENERAL MANAGER

cc: D. Doffoff  
E. Frey  
R. Watts

SDO54

DEC 04 1990



*ITT Rayonier Inc.*

*Fernandina Division*

*Post Office Box 2002  
Fernandina Beach, Florida 32034-2002  
(904) 261-3611*

December 4, 1990

**Mr. Andy Kutyna**  
Supervisor - Air Section  
Department of Environmental Regulation  
Northeast District  
Suite B-200  
7825 Baymeadows Way  
Jacksonville, FL 32256-7577

**Dear Mr. Kutyna:**

We appreciate the opportunity to meet with you on Friday, November 30 to discuss recent exceedances in ambient SO<sub>2</sub> recorded by the DER monitor at the Fernandina Beach Waste Treatment Plant.

In our investigations over the last several months, we have tried to identify any point or fugitive SO<sub>2</sub> source that might contribute to an exceedance in the ambient limits. As we discussed with you in our meeting, a source that could have contributed to these exceedances is the spent sulfite liquor holding lagoon (SSL). This lagoon is used intermittently to store SSL, which cannot be immediately evaporated and burned, when operational swings occur. An estimated 5 - 10% of the SSL liquor produced is sent to this lagoon for storage and pumped back under normal operating conditions.

Ambient SO<sub>2</sub> emissions from this lagoon normally run 2 - 10 ppm. On occasions SSL has been discharged to this lagoon for extended periods (several days). This has been standard procedure since this system went on-line in 1976. Our investigation has shown that during extended discharges of unstripped liquor to this lagoon, temperature increases



as well as SO<sub>2</sub>. During these periods, SO<sub>2</sub> emissions can reach as high as 25 ppm. The level of this lagoon is less than 10 ft. above ground level. When meteorological conditions exist, such as little or no wind during inversion conditions, there is very poor dispersion. During these conditions, the monitor, which is approximately 3500 feet from the lagoon could see higher than normal ambient SO<sub>2</sub>.

The following measures are being taken to correct this problem:

- 1) When the SSL lagoon was identified as a possible source, we took immediate action to modify the lagoon piping to reduce discharges.
- 2) Replacement of the existing wooden weak SSL tank with a 450,000 gallon 317-L stainless steel tank. This new tank will greatly minimize the amount of SSL which is presently sent to the lagoon. SO<sub>2</sub> vented from this tank will be either scrubbed or reused in the process. We expect to have the tank on-line by April 1991 at an approximate cost of \$850,000.
- 3) Plans such as reducing the temperature as well as the SO<sub>2</sub> concentration in the SSL sent to the lagoon are being formulated. As we stated in our meeting, we will have this plan to you in 60 days.
- 4) During this interim period, additional monitoring will be done in the area around the lagoon. Our preliminary investigations reveal that maintaining lagoon temperatures in the 80 - 100°F range will reduce SO<sub>2</sub> emissions to the 2 - 5 ppm range. We believe at this low concentration, even at worst meteorological conditions, ambient limits will be met.

- 5) A new ambient SO<sub>2</sub> monitor is expected to be on-line by January 1, 1991. Up to the minute ambient SO<sub>2</sub> data is transmitted from this monitor to the mill. This real-time data will enable mill operations to make changes if ambient conditions are in danger of being exceeded.
- 6) The final stainless steel blow pit was put on-line in April and the last wooden blowpit was taken out of service in October insuring less fugitive SO<sub>2</sub> emissions during digester blows.
- 7) All conditions of the consent order received September 25, 1990 are being complied with.

We trust that after reviewing the corrective measures we are taking to prevent or reduce SO<sub>2</sub> emissions, no action by the DER is warranted.

Sincerely,

**ITT RAYONIER INC.**



E. M. Shirley  
MANAGER OF ENVIRONMENTAL  
AND COMMUNITY AFFAIRS

EMS90/ldv

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

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

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.

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

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.a. 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

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

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.

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

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52  
Florida Statutes, with the designated Depart-  
ment Clerk, receipt of which is hereby acknow-  
ledged.

*Fredy C. Carter* 12.21.90  
Clerk Date

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

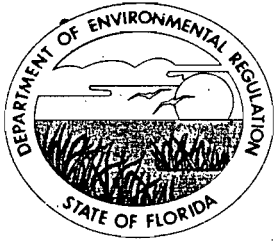
*Dale Twachtman*  
DALE TWACHTMANN  
Secretary

**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*  
GARY C. SMALLRIDGE  
Assistant General Counsel





# Florida Department of Environmental Regulation

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

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

December 5, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Steven D. Olsen, General Manager  
ITT Rayonier Inc.  
P. O. Box 2002  
Fernandina Beach, Florida 32034-2002

Dear Mr. Olsen:

Re: Correction of Fernandina Beach Area Sulfur Dioxide  
Ambient Air Violations

There have been two measured exceedances of the state's 24-hour SO<sub>2</sub> ambient air quality standard of 260 ug/m<sup>3</sup> at the Fernandina Beach monitoring site during 1990, both of which the Department has reason to believe were caused by emissions from the ITT Rayonier facility. In addition, as a result of a recent air construction permit application for Container Corporation of America (CCA), air quality modeling was performed. This modeling predicts other sulfur dioxide exceedances near ITT Rayonier, with CCA contributing approximately 20% and ITT about 80%. To correct these problems, the Department intends to modify the affected air permits for ITT by issuing a corrective order within approximately ten days, and to modify the pending air construction permit for the CCA facility.

The Department has developed the following list of possible strategies to be employed to resolve the actual and modeled SO<sub>2</sub> violations of the state's 24-hour ambient air quality standard of 260 ug/m<sup>3</sup> in the Fernandina Beach area:

1. Raising stacks as necessary (consistent with Rule 17-2.270, F.A.C.);
2. Lowering sulfur content of fossil fuel(s) burned;
3. Switching to alternative fuels; and
4. Adjusting hourly or daily operating conditions, including possible shutdowns.

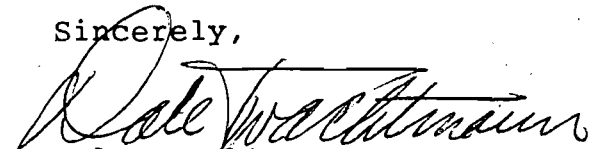


Mr. Steve D. Olsen  
Page Two  
December 5, 1990

If you would like to have input into the specific provisions to be included in the corrective order, please write to me at the above address. I will consider all recommendations received prior to noon Friday, December 14, 1990.

To be acceptable, your recommendations need to ensure that each sulfur dioxide concentration that is in excess of the standard, at each ground level location where the approved models predict a violation, will be reduced, as a minimum, in proportion to your facility's contribution to the violation. The reduction may be achieved as a result of raising stack heights (within allowable limits) and/or establishing new federally enforceable maximum allowable emission limits for the affected sources. The actual stack height increases and sulfur dioxide emission reductions must occur as soon as technically possible.

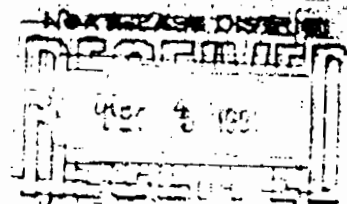
Sincerely,



Dale Twachtmann  
Secretary

DT/kt

cc: S. Smallwood, DARM  
E. Frey, NE District



ITT-Rayonier

Fernandina Division

Post Office Box 2002  
Fernandina Beach, Florida 32034-2002  
(904) 251-3611

December 4, 1990

Mr. Andy Kutyna  
Supervisor - Air Section  
Department of Environmental Regulation  
Northeast District  
Suite B-200  
7825 Baymeadows Way  
Jacksonville, FL 32256-7577

RECEIVED  
DEC 05 1990  
DER - BAQM

Dear Mr. Kutyna:

We appreciate the opportunity to meet with you on Friday, November 30 to discuss recent exceedances in ambient SO<sub>2</sub> recorded by the DER monitor at the Fernandina Beach Waste Treatment Plant.

In our investigations over the last several months, we have tried to identify any point or fugitive SO<sub>2</sub> source that might contribute to an exceedance in the ambient limits. As we discussed with you in our meeting, a source that could have contributed to these exceedances is the spent sulfite liquor holding lagoon (SSL). This lagoon is used intermittently to store SSL, which cannot be immediately evaporated and burned, when operational swings occur. An estimated 5 - 10% of the SSL liquor produced is sent to this lagoon for storage and pumped back under normal operating conditions.

Ambient SO<sub>2</sub> emissions from this lagoon normally run 2 - 10 ppm. On occasions SSL has been discharged to this lagoon for extended periods (several days). This has been standard procedure since this system went on line in 1976. Our investigation has shown that during extended discharges of unstripped liquor to this lagoon, temperature increases

Post-it™ brand fax transmittal memo 7671		# of pages	3
LAIR FANCY		From	ANDY KUTYNA
		Co.	
Dept. DER M		Phone	AKED
		Fax	

as well as  $\text{SO}_2$ . During these periods,  $\text{SO}_2$  emissions can reach as high as 25 ppm. The level of this lagoon is less than 10 ft. above ground level. When meteorological conditions exist, such as little or no wind during inversion conditions, there is very poor dispersion. During these conditions, the monitor, which is approximately 3500 feet from the lagoon could see higher than normal ambient  $\text{SO}_2$ .

The following measures are being taken to correct this problem:

- 1) When the SSL lagoon was identified as a possible source, we took immediate action to modify the lagoon piping to reduce discharges.
- 2) Replacement of the existing wooden weak SSL tank with a 450,000 gallon 317-L stainless steel tank. This new tank will greatly minimize the amount of SSL which is presently sent to the lagoon.  $\text{SO}_2$  vented from this tank will be either scrubbed or reused in the process. We expect to have the tank on-line by April 1991 at an approximate cost of \$850,000.
- 3) Plans such as reducing the temperature as well as the  $\text{SO}_2$  concentration in the SSL sent to the lagoon are being formulated. As we stated in our meeting, we will have this plan to you in 60 days.
- 4) During this interim period, additional monitoring will be done in the area around the lagoon. Our preliminary investigations reveal that maintaining lagoon temperatures in the 80 - 100°F range will reduce  $\text{SO}_2$  emissions to the 2 - 5 ppm range. We believe at this low concentration, even at worst meteorological conditions, ambient limits will be met.

- 5) A new ambient SO<sub>2</sub> monitor is expected to be on-line by January 1, 1991. Up to the minute ambient SO<sub>2</sub> data is transmitted from this monitor to the mill. This real-time data will enable mill operations to make changes if ambient conditions are in danger of being exceeded.
- 6) The final stainless steel blow pit was put on-line in April and the last wooden blowpit was taken out of service in October insuring less fugitive SO<sub>2</sub> emissions during digester blows.
- 7) All conditions of the consent order received September 25, 1990 are being complied with.

We trust that after reviewing the corrective measures we are taking to prevent or reduce SO<sub>2</sub> emissions, no action by the DER is warranted.

Sincerely,

ITT RAYONIER INC.



E. M. Shirley  
MANAGER OF ENVIRONMENTAL  
AND COMMUNITY AFFAIRS

EMS90/ldv