



Jeb Bush
Governor

Department of Environmental Protection

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

April 26, 2002

David B. Struhs
Secretary

CERTIFIED MAIL – Return Receipt Requested

Mr. John C. Folks
Environmental Administrator
Florida Department of Agriculture and Consumer Services
DACS Office of Agriculture Water Policy
1203 Governor's Square Boulevard
Tallahassee, Florida 32301

Dear Mr. Folks:

RE: Temporary Air Operation Permit No.: 0930111-001-AO
Limited Authorization to Conduct a Feasibility Study on the Use of an Air Curtain Incinerator (ACI)
to Burn Diseased Animals

The Department has reviewed the application request provided on April 18, 2002 (date the processing fee money transfer was received). We have considered the Department's legal authority to allow the Florida Department of Agriculture and Consumer Services, Division of Forestry, to conduct a feasibility study on the use of an ACI to burn diseased animals. Since it has been alleged that the burying of animals will lead to ground water contamination, the purpose of the demonstration tests is to see if diseased animals can be properly incinerated in an ACI, instead of burying them. The animals to be tested in this demonstration are cows and chickens. The location of the test burn demonstrations will be at Mr. Larry Lorenz' property located at 30653 Center Avenue, North, Fort Drum, Okeechobee County. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Rule 62-256.600(1), Florida Administrative Code (F.A.C.), authorizes the Department to determine if open burning (in this case, the use of an ACI) is the only feasible method of operation to get rid of diseased animals "when an emergency exists which requires immediate action to protect human health and safety."

In accordance with the provisions of Paragraph 403.061(18), F.S., and Rule 62-256.600(1), F.A.C., you are hereby authorized to conduct the feasibility demonstration tests. The demonstration will include; 1) the burning of several cows, in order to determine the timeframe it takes to completely destroy the animals by burning them in an ACI; and, 2) the burning of several chickens, in order to determine the timeframe it takes to completely destroy the animals by burning them in an ACI.

The demonstration tests shall be subject to the following conditions:

1. Unless waived, the permittee shall notify the Department's Southeast District and Bureau of Air Regulation at least seven (7) days prior to the commencement of the demonstration tests. A copy of any written report shall be provided to the Department's Bureau of Air Regulation.

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2. The total limited timeframe authorized for the demonstration is 14-days, which are consecutive and starts on the initiation of the first test demonstration. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete any additional testing, measurements, and/or monitoring.
3. The demonstration tests shall be conducted while the ACI is being properly operated and in accordance with the manufacturer's specifications and/or guidelines.
4. The ACI shall be operated such that the integrity of the air curtain is properly maintained and allowed to be broken only when the ACI is being charged with more animals and/or fuel. Nothing shall be allowed to protrude through the air curtain during operation.
5. The release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C., is not authorized for this activity.
6. Demonstration testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to the public health or welfare. Demonstration testing shall not resume until appropriate measures to correct the problem have been implemented.
7. There will be no visible emissions testing required; in addition, there are no pollutant emissions testing required.
8. The demonstration tests and monitoring of operation shall be under the direct supervision and responsible charge of a professional engineer registered in Florida. In this case, the P.E. of Record is Mr. Steve Smallwood, Air Quality Services.
9. This Department action is to only authorize the demonstration testing and operation monitoring for the purpose of burning cows and chickens in an ACI for the timeframe established in Condition #2, above.
10. Complete documentation of the activity shall be kept on file for future reference and use.
11. The Department shall be notified in writing on the date of the last demonstration test completion. If after work hours, notification shall occur on the next work day.
12. The ACI should be slightly tilted away from the doors to prevent any leakage of any liquid materials.
13. For safety and security reasons, the following persons must be notified to gain permission to attend and observe any demonstration tests:

Mr. Frank LeTeux, Project Officer
FDACS
1203 Governor's Square Blvd.
Tallahassee, Florida 32301
Telephone: 850/414-0200
Cell Phone: 850/591-8760
Fax: 850/921-2153
E-mail: leteuxf@doacs.state.fl.us

Mr. Steve Smallwood, P.E. of Record
Air Quality Services
1640 Eagles Landing, Unit 103
Tallahassee, Florida 32308-1560
Telephone: 850/385-0002
Cell Phone: 850/570-5177
Fax: 850/385-8715
E-mail: ssm97@comcast.net

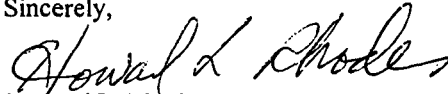
Mr. John C. Folks
FDACS
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14. Attachment Section.

- a. Application request received April 16, 2002, from Mr. Steve Smallwood, P.E., that was hand delivered, but without the processing fee.
- b. Processing fee money transfer received April 18, 2002.

The Department has relied on the information referenced in the Attachment Section and conversations with representatives of the Florida Department of Agriculture and Consumer Services and Division of Forestry, and Mr. Steve Smallwood, P.E., Air Quality Services (P.E. of Record), in authorizing this activity.

Sincerely,



Howard L. Rhodes

Director

Division of Air Resource Management

HLR/rbm

Enclosures

cc: Clair Fancy, DEP - BAR
Scott Sheplak, DEP - BAR
Tom Tittle, SED
Frank LeTeux, FDACS
Steve Smallwood, P.E., AQS
Bruce Mitchell, DEP - BAR

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DIVISION OF AIR RESOURCES MANAGEMENT
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TALLAHASSEE, FLORIDA 32399-2400

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. John C. Folks, EA
 F. Dept. of Ag & Consumer Services
 DACS Office of Ag Water Policy
 1203 Governor's Square Blvd.
 Tallahassee, Fla 32301

2. Article Number (Copy from service label)

7000 0520 0020 9371 2783

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Mr. John C. Folks, EA, FDAC, Office of Ag. Water Pol.
Street, Apt. No.; or PO Box No.

1203 Governor's Square Blvd
City, State, ZIP+4

Tallahassee, Fla 32301

7000 0520 0020 9371 2783
7266 0200 0250 0002