



Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
March 31, 1999

David B. Struhs
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. George D. Woodward
Plant Manager
Wheelabrator Ridge Energy, Inc.
3131 K-Ville Avenue
Auburndale, Florida 33823

RE: DEP File No. AC53-206244 (PSD-FL-183A)
Permit Modifications

Dear Mr. Woodward:

This is in response to your letter dated February 19, 1999 requesting changes to the subject construction permit. The Department considered the requests and agrees to modify the permit conditions as indicated below. The request for averaging maximum megawatt production on a 24-hour basis was not approved due to the fact that short-term operation above the permitted output could result in excessive short-term emissions. Averaging the tire feed rate daily was allowed due to the variability in instrumentation sensitivity, however, the megawatt output is not subject to such instrumentation variability. Visible emissions tests by EPA Method 9 must be done annually since calibration of the COMS can vary as well. The permit is hereby modified as shown below:

SPECIFIC CONDITION NO. 3:

Fuel for firing the RGS boiler shall consist only of wood, yard waste, landfill gas, and tires. ~~up to 16.1 percent tires (percent by weight equivalent to 40 percent tires based on heat content and. The tire firing rate shall be limited to 18,505 pounds of tires per hour, based on a 24-hour block average). The 16.1 percent tire weight limitation is equivalent to a tire firing rate of 18,505 pounds of tires per hour.~~ Propane may be used as a startup, shutdown, and combustion stabilization fuel and shall not exceed an annual capacity factor of 10 percent of total heat input. [Rule 62-210.200(223), F.A.C.]

SPECIFIC CONDITION NO. 5:

The RGS boiler exhaust gases shall not exceed the following limits [Rule 62-212.400, F.A.C.]:

Pollutant	lbs/hr	tons/yr	Basis for Compliance
SO ₂	65.0	284.7	30-day rolling average CEMS
NO _x	90.0	394.2	30-day rolling average CEMS
CO	200.0	876.0	30-day rolling average CEMS
VOC	22.1	96.8	EPA Method 25A if test required
HCl	5.0	21.9	EPA Method 26 <u>or</u> 26A if test required
Hg	0.022	0.096	EPA Method 29 <u>or</u> 101A if test required
Pb	0.25	1.1	EPA Method 12 <u>or</u> 29 if test required
Be	0.0063	0.028	EPA Method 104 if test required
VE	10% opacity		EPA Method 9 - annual
PM/PM ₁₀	0.0080 gr/SCF (corrected to 7% O ₂)		EPA Method 5 if test required

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

SPECIFIC CONDITION NO. 6:

Visible emissions from the ~~ash handling area vent filter, the lime silo vent filter, and the fuel transfer building vent filter~~ shall not exceed 10 percent opacity. [Rule 62-212.400, F.A.C.]

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the Rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that 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 such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular Rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state Rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each Rule or portion of a Rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the Rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the Rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

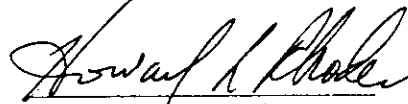
Mr. George D. Woodward
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The Department will grant a variance or waiver when the petition demonstrates both that the application of the Rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

A copy of this letter shall be filed with the referenced permit and certification and shall become part of the permit.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Permit Modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 4-6-99 to the person(s) listed:

George D. Woodward, WESI *
Matt Killeen, WESI
Bill Thomas, SWD
Joe King, Polk County
Gregg Worley, EPA
John Bunyak, NPS

Clerk Stamp

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

Kurt Jober
(Clerk)

4-6-99
(Date)

Florida Department of
Environmental Protection

Memorandum

TO: Howard Rhodes

THRU: Al Linero *al*
Clair Fancy *CF*

FROM: John Reynolds *JR*

DATE: March 29, 1999

SUBJECT: Request for Amendment – Wheelabrator Ridge Energy PSD-FL-183

KJ

Attached is a permit amendment requested by Wheelabrator Ridge Energy for their tire and wood burning power generation facility in Auburndale. The amendment modifies and updates compliance test methods and makes minor changes to the language limiting the feed rate of tires. It also deletes two minor emission points that are no longer operated.

Your approval and signature is recommended for this minor amendment.

is your RETURN ADDRESS completed on the reverse of this form so that we can return this card to you.

- Complete items 3, 4a, and 4b.
- 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 will show to whom the article was delivered and the date delivered.

extra fee):

- 1. Addressee's Address
 - 2. Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to: Mr. George Woodward, Plant Mgr Wheelabrator Ridge Energy 3131 K-ville Avenue Auburndale, FL 33823	4a. Article Number 2 333 618 093
	4b. Service Type <input type="checkbox"/> Registered- <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Insured <input type="checkbox"/> COD
5. Received By: (Print Name)	7. Date of Delivery DEC 1 1994
6. Signature: (Addressee or Agent) X L. Colon	8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 333 618 093

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sender's Name George Woodward	
Address Wheelabrator Ridge	
Post Office, State, & ZIP Code Auburndale, FL	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date PSD-FI-183A	4-6-94

PS Form 3800, April 1995