



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

October 8, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

Re: DRAFT Amended Air Construction Permit No.: AC53-206244 (PSD-FL-183)
Ridge Generating Station

Dear Mr. Woodward:

Enclosed is one copy of the DRAFT Amended Air Construction Permit and BACT Determination for the Ridge Generating Station located at 3131 K-ville Avenue, Auburndale, Polk County. The Department's Intent to Issue Amended Air Construction Permit and the "PUBLIC NOTICE OF INTENT TO ISSUE AMENDED AIR CONSTRUCTION PERMIT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AMENDED AIR CONSTRUCTION PERMIT" must be published within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Mr. A. A. Linero, P.E. at the above letterhead address. If you have any questions, please contact John Reynolds at 904/488-1344.

Sincerely,

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

CHF/hh

Enclosures

In the Matter of an
Application for Permit by:

Wheelabrator Ridge Energy, Inc.
3131 K-Ville Avenue
Auburndale, Florida 33823/

Permit No.: AC53-206244, (PSD-FL-183)
Ridge Generating Station
Polk County

INTENT TO ISSUE AMENDED AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an amended air construction permit (copy of DRAFT Amended Permit enclosed) as detailed in the permit file specified above, for the reasons stated below.

The applicant, Wheelabrator Ridge Energy, Inc., applied on April 6, 1992, to the Department for an air construction permit to construct a wood and tire-firing power generation facility known as the Ridge Generating Station located at 3131 K-Ville Avenue, Polk County. The original construction permit was issued on September 29, 1992, and amended on August 8, 1995, allowing an increase in the tire firing rate from 20% to 40% of total heat input. An emissions testing program was required by the original permit so the final emission limits could be established in a final BACT determination and amended construction permit.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212. This source is not exempt from permitting procedures. The Department has determined that an amended air construction permit is required to operate the facility as proposed.

The Department intends to issue this amended air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AMENDED AIR CONSTRUCTION PERMIT." The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400

(Telephone: 904/488-1344; Fax: 904/922-6979), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C.

The Department will issue the FINAL Amended Permit, in accordance with the conditions of the enclosed DRAFT Amended Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Amended Permit issuance action for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AMENDED AIR CONSTRUCTION PERMIT." Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Amended Permit, the Department shall issue a Revised DRAFT Amended Permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9730, fax: 904/487-4938. Petitions 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. A petitioner must 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 (or a request for mediation, as discussed below) 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county

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

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 of intent. 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.

A person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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.

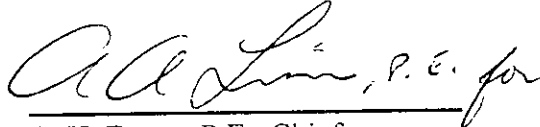
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) F.S., and that the purpose of the underlying statute will 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.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AMENDED AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE, revised BACT Determination, and the DRAFT amended permit) and copies were mailed by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 10-10-96 to the persons listed:

Mr. George D. Woodward, Wheelabrator Ridge Energy, Inc. *
Mr. Bill Thomas, SWD
Mr. Roy Harwood, Polk County
Mr. Brian Beals, EPA
Mr. John Bunyak, NPS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Kendal Jones 10-10-96
(Clerk) (Date)

**NOTICE TO BE PUBLISHED
IN THE NEWSPAPER**

PUBLIC NOTICE OF INTENT TO ISSUE AMENDED AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Amended Permit No.: AC53-206244, (PSD-FL-183)
Ridge Generating Station
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an amended air construction permit to Wheelabrator Ridge Energy, Inc. for the Ridge Generating Station located at 3131 K-Ville Avenue, Auburndale, Polk County. A Best Achievable Control Technology (BACT) determination was required. The applicant's name and address are: Wheelabrator Ridge Energy Inc., 3131 K-Ville Avenue, Auburndale, Florida 33823.

This company applied on April 6, 1992, to construct a wood and tire-fired power generation facility. The original construction permit was issued on September 29, 1992, and amended on August 8, 1995, allowing an increase in the tire firing rate from 20% to 40% of total heat input. Sulfur dioxide, hydrogen chloride and particulate emissions from this facility are controlled by a spray dryer and fabric filter system. Nitrogen oxide emissions are controlled by selective non-catalytic reduction. Efficient combustion is employed to minimize carbon monoxide emissions. An emissions testing program was required by the original permit so the final emission limits could be established. Whereas the final emission limits are more stringent than the interim emission limits, this final permit will not result in any increase in air pollution from this facility.

The Department will issue the FINAL Amended Permit, in accordance with the conditions of the enclosed DRAFT Amended Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Amended Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Amended Permit, the Department shall issue a Revised DRAFT Amended Permit and require, if applicable, another Public Notice.

The Department will issue FINAL Amended Permit with the attached conditions of the enclosed DRAFT Amended Permit unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S. or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9370, fax: 904/487-4938. Petitions must be filed within fourteen days of

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. A petitioner must 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 (or a request for mediation, as discussed below) 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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 of intent. 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.

A person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) The signatures of all parties or their authorized representatives.

**NOTICE TO BE PUBLISHED
IN THE NEWSPAPER**

As provided in section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 904/488-1344
Fax: 904/922-6979

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619
Telephone: 813/744-6100
Fax: 813/744-6084

The complete project file includes the Draft Amended Permit, the revised BACT Determination, the original permit, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.



Department of Environmental Protection

DRAFT

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

PERMITTEE:
Wheelabrator Ridge Energy, Inc.
3131 K-ville Avenue
Auburndale, FL 33823

Permit Number: AC 53-206244
PSD-FL-183
Expiration Date: May 31, 1997
County: Polk
Project: Wood/Tire Burning
Power Generation
Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-204 through 62-297, and 62-4, Florida Administrative Code (F.A.C.). The above named permittee is hereby authorized to perform the work or operate the emission unit shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department of Environmental Protection (Department) and specifically described as indicated below:

For the construction of a 50 Megawatt power generation facility to be known as the Ridge Generating Station located at State Road 5 and Taylor Road near Auburndale, Polk County Florida. The UTM coordinates are 416.7 km East and 3,100.4 km North.

Construction of this facility shall be in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. DEP letter dated 1-17-92.
2. WRE letter dated 3-19-92.
3. WRE letter dated 3-27-92.
4. WRE letter dated 4-6-92.
5. NPS letter dated 6-12-92.
6. EPA letter dated 7-15-92.
7. WRE letter dated 8-24-92.
8. EPA letter dated 8-27-92.
9. Permit issued 9-29-92.
10. WRE letter dated 2-2-95.
11. WRE letter dated 4-27-95.
12. DEP letter dated 7-3-95.
13. DEP letter dated 7-6-95.
14. DEP letter dated 7-17-95.
15. Amendment dated 8-8-95.
16. WRE letter dated 12-26-95.
17. DEP letter dated 1-29-96.
18. WRE letter dated 5-14-96.
19. DEP letter dated 6-5-96.
20. WRE letter dated 7-31-96.

PERMITTEE:

Wheelabrator Ridge Energy Inc.

Permit Number:

AC 53-206244

PSD-FL-183

Expiration Date:

May 31, 1997

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of

DRAFT

PERMITTEE:

Wheelabrator Ridge Energy Inc.

Permit Number:

AC 53-206244

PSD-FL-183

Expiration Date:

May 31, 1997

GENERAL CONDITIONS:

credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

a. have access to and copy any records that must be kept under the conditions of the permit;

b. inspect the facility, equipment, practices, or operations regulated or required under this permit; and

c. sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

a. a description of and cause of non-compliance; and

b. the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

DRAFT

PERMITTEE:

Wheelabrator Ridge Energy Inc.

Permit Number:

AC 53-206244

PSD-FL-183

Expiration Date:

May 31, 1997

GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (X) Determination of Best Available Control Technology (BACT - Attached and incorporated into this permit)
- (X) Determination of Prevention of Significant Deterioration (PSD)
- (X) Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions; the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

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

DRAFT

PERMITTEE:

Permit Number:

AC 53-206244

Wheelabrator Ridge Energy Inc.

Expiration Date:

PSD-FL-183
May 31, 1997

SPECIFIC CONDITIONS:

1. Unless otherwise indicated, the construction and operation of the Ridge Generating Station (RGS) facility shall be in accordance with the capacities and specifications stated in the revised application. [Rule 62-210.300, F.A.C.]

2. The RGS facility shall be allowed to operate at a maximum capacity of 50 Megawatts (approximately equivalent to 630 MMBTU/hr) for 8760 hours per year. [Rule 62-210.200(223), F.A.C.]

3. Fuel for firing the RGS boiler shall consist only of wood, landfill gas, and up to 16.1 percent tires (percent by weight equivalent to 40 percent tires based on heat content). 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.]

4. No municipal type solid waste, as defined in 40CFR60, Subpart Ea (except tires, yard waste and waste wood) or hazardous waste, as defined in 40CFR261 and Rule 62-730.020, F.A.C., or medical waste as defined in 40 CFR 60.51a, or biomedical waste as defined in Rule 62-712.200, F.A.C., shall be burned at any time at the RGS facility. Yard waste shall be limited to 30 percent by weight of the total fuel fired. [Rule 62-210.200(223), F.A.C.]

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

<u>Pollutant</u>	<u>Lbs/hr</u>	<u>Tons/yr</u>	<u>Basis for Compliance</u>
SO2	65.0	284.7	30-Day Rolling Average CEMS
NOx	90.0	394.2	30-day Rolling Average CEMS
CO	200.0	876.0	30-day Rolling Average CEMS
PM/PM10	4.0	17.5	EPA Method 5 if VE>10% Opac.
VOC	22.1	96.8	EPA Method 25A (if requested)
HCL	5.0	21.9	EPA Method 26 (if requested)
Hg	0.022	0.096	EPA Method 101A (if requested)
Pb	0.25	1.1	EPA Method 12 (if requested)
Be	0.0063	0.028	EPA Method 104 (if requested)
VE	10% Opacity		EPA Method 9 - annual

6. Visible emissions from the ash handling area vent filter, the 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.]

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PERMITTEE:

Wheelabrator Ridge Energy Inc.

Permit Number:

AC 53-206244

PSD-FL-183

Expiration Date:

May 31, 1997

SPECIFIC CONDITIONS:

7. Since the performance test requirements for the RGS facility have been satisfied through completion of the emissions testing program required by the interim construction permit, no further testing shall be required other than annual compliance tests. The compliance tests shall be conducted at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum operating rate allowed by the permit. If it is impracticable to test at permitted capacity, then the emission unit may be tested at less than capacity (i.e., less than 90 percent of maximum operating rate allowed by the permit); in this case, subsequent emission unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emission unit is so limited, then operation at higher capacities is allowed for no more than 15 consecutive days for the purposes of additional compliance testing to regain the permitted capacity in the permit. [Rule 62-297.340(1)(a)]

8. The Department's Southwest District Office shall be notified at least 15 days prior to the compliance tests. Compliance test results shall be submitted to the Department's Southwest District Office within 45 days after completion of the tests. Sampling facilities, methods, and reporting shall be in accordance with Rule 62-297.310, F.A.C. and 40 CFR 60, Appendix A.

9. Continuous monitoring equipment shall be installed and operated to measure and record generator output, furnace temperature, stack opacity, and SO₂, NO_x and CO emissions. The tire feed rate in pounds per hour shall be monitored continuously by a commercially available weight detecting system with recording capability. The tire feed rate data shall be maintained and provided to the Department upon request. [Rule 62-297.310, F.A.C.]

10. All reasonable precautions set forth in Rule 62-296.320(4)(c), F.A.C., as well as all measures proposed by the permittee in the application (except that a water truck is no longer required since roads have been paved) shall be taken by the permittee to prevent fugitive emissions. [Rule 62-296.320, F.A.C.]

11. In the event of any malfunction resulting in failure of emission control equipment or emission-related process equipment to perform as required by this permit, the operator shall immediately stop the feeding of tires into the boiler and shall use propane firing to maintain a minimum of 1800 degrees F in the combustion zone until all tires in the system have been combusted. No tires may be refeed into the boiler following the malfunction until the emission control equipment has been put into proper working order. [Rule 62-210.700, F.A.C.]

12. Whenever the baghouse bypass is activated during an on-line operating situation for any reason, the permittee shall within 24

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hours provide the Department's Southwest District Office with a complete report of the circumstances and reasons for the occurrence and indicating the amounts of pollutants estimated to have been discharged during the bypass period. [Rule 62-4.130, F.A.C.]

13. No pollutants shall be discharged from the RGS facility which cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]

14. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation in Tallahassee prior to 60 days before the expiration of the permit. [Rule 62-4.090, F.A.C.]

15. An application for a Title V operation permit required under Chapter 62-213, F.A.C., must be submitted to the Department's Southwest District office at least 90 days prior to the expiration date of this construction permit. To properly apply for a Title V operation permit, the applicant shall submit the appropriate application form with certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit. [Rule 62-4.220, F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Howard L. Rhodes, Director
Division of Air Resources
Management

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Best Available Control Technology (BACT) Determination
Ridge Generating Station
Polk County
(REVISED FOR FINAL PERMIT LIMITS)

In 1992 the Department issued a permit to construct a 50 MW power generation facility named the Ridge Generating Station (RGS) and located near Auburndale in Polk County, Florida. The facility consists of a solid fuel boiler, steam turbine, generator and associated equipment. Fuel for the facility consists of a mixture of waste wood and scrap tires.

A BACT determination was required for all regulated air pollutants emitted in amounts equal to or greater than the significant emission rates listed in Table 212.400-2 of Florida Administrative Code (F.A.C.) Rule 62-212.400. The Department issued the construction permit with preliminary emission limits under the condition that final emission limits would be established following completion of a comprehensive emissions testing program conducted by the permittee. This revised BACT determination is pursuant to that permit condition.

The permittee proposed final emission limits based on a statistical analysis of the comprehensive test program results covering the period from September 1, 1994, through April 30, 1995. During this period, the full range of permitted fuels were fired ranging from 100% wood-0% tires to 60% wood-40% tires. Compared to those proposed limits below are the current "interim" permitted limits based on maximum emissions for the worst case fuel mix of 60% wood-40% tires. Also shown are the average actual and maximum emissions determined by the Department from the RGS data for operation under the worst-case condition of firing 60% wood-40% tires at 90-100% of permitted capacity (45-50 MW) during the period from March 1, 1995 through April 30, 1995.

Pollutant	<u>Maximum Allowable Emissions (All Fuels)</u>				<u>60% Wood-40% Tires</u>		
	<u>RGS Proposed</u>		<u>Final*</u>		<u>Interim Permitted</u>		
	<u>lb/hr</u>	<u>tons/yr</u>	<u>lb/hr</u>	<u>tons/yr</u>	<u>Test Program Actuals</u>		
					<u>lb/hr</u>	<u>lb/hr</u>	<u>tons/yr</u>
				<u>Avq.</u>	<u>Max.1-hr</u>	<u>Avq.</u>	
PM/PM10	12.6	55.2	12.6	55.2	1.2~	2.1~	5.3~
SO2	96.0	420.5	72.0**	315.4	75.0^	213.5^	328.5^
NOx	94.5	413.9	94.5	413.9	83.2^	153.1^	364.4^
CO	230.0	1,007.4	315.0	1,379.7	76.4^	447.2^	334.6^
VOC	22.1	96.8	22.1	96.8	1.4~	1.7~	6.1~
HCL	5.0	22.1	5.0	22.1	0.4~	0.7~	1.8~
Hg	0.022	0.097	0.022	0.097	8.6~"	9.1~"	37.7~"
Pb	0.25	1.1	0.25	1.1	9.3~"	40.0~"	40.7~"
Be	0.0063	0.03	0.0063	0.03	1.8~'	1.8~'	7.9~'

* Based on 24 hr. block averages of CEMS data over 8 month period.

** 30-day rolling average (amended for firing of 60% wood-40% tires).

~ Based on averages of two quarterly manual stack tests.

^ Based on total CEMS average for worst-case operation over 2 month period.

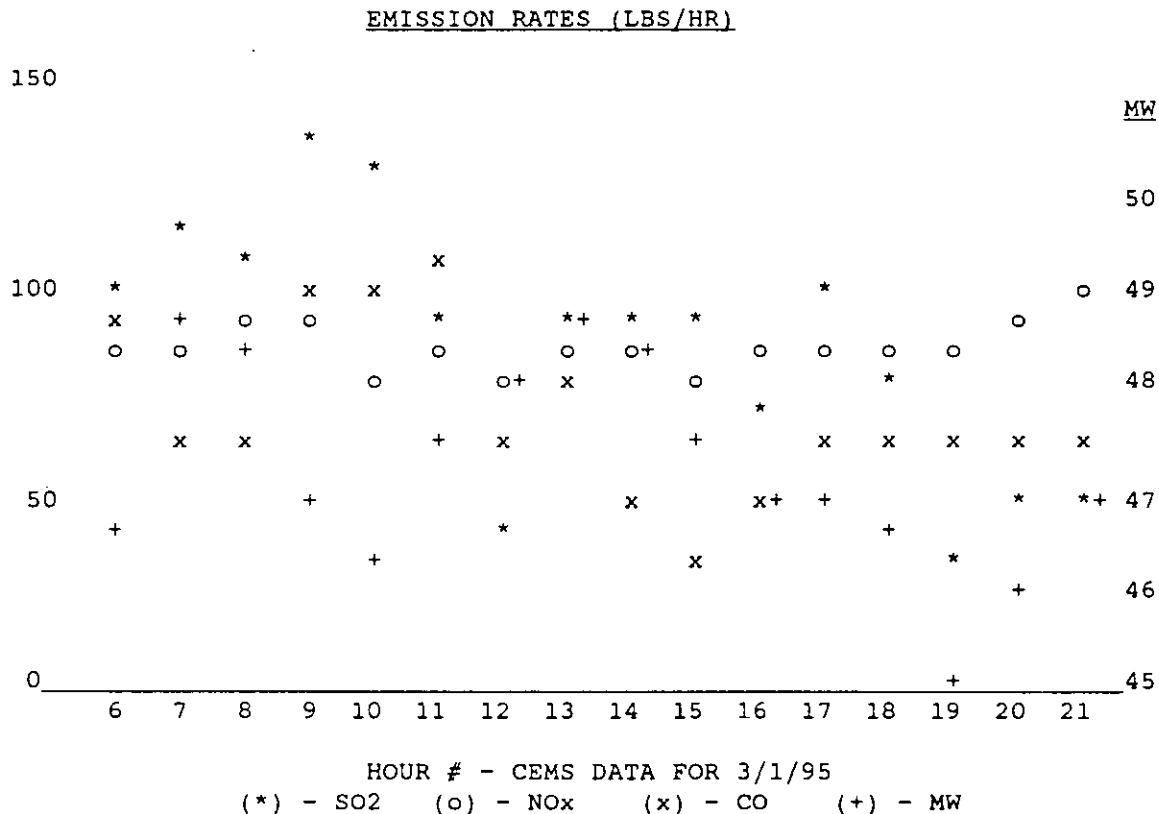
" Multiply by 0.0001.

' Multiply by 0.00001.

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Wheelabrator Ridge Energy, Inc.
 Revised BACT Determination
 Page Two

The SO2 emissions varied greatly compared to the fluctuations in NOx emissions, indicating far better response and control for the SNCR system relative to the Spray Dryer-Absorber/Fabric Filter system. Wide variation in CO emissions occurred but this was expected due to the nature of the feed. The response of the SO2 control system appears to lag considerably behind changes in megawatts produced. This can be seen below from the operating data for the longest sustained operating period at 90-100% of capacity while firing 60% wood-40% tires (about 16 hours). Other operating cycles of less duration showed similar variations:



In establishing initial limits based on 24-hour averages, the Department did not know that the fluctuation in emissions would be great enough to justify longer-term averages in setting final limits. Also, it was not known initially that periods of continuous operation of the RGS boiler at full capacity would be so short relative to boilers firing more conventional fuels. For these reasons, the Department has proposed final emission limits based on 30-day rolling averages. Listed below are the 30-day rolling averages calculated by the Department for the worst case condition (60% wood-40% tires), assuming that no interruptions had occurred in normal operation during the 30 days following initial firing with 40% tires through the final day of the test program on April 30.

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30-DAY ROLLING AVERAGE EMISSION RATE (LBS/HR)
FOR 3/30/95 - 4/30/95 (60% WOOD-40% TIRES)

<u>DATE</u>	<u>SO2</u>	<u>NOx</u>	<u>CO</u>
3/30	57.9	80.1	98.4
3/31	57.1	80.3	99.0
4/1	57.9	80.8	101.6
4/2		BOILER DOWN	
4/3		"	"
4/4		"	"
4/5		"	"
4/6		"	"
4/7		"	"
4/8		"	"
4/9		"	"
4/10	57.3*	79.1*	101.3*
4/11	56.3	78.1	99.1
4/12	56.9	76.3	98.6
4/13	56.4	74.5	95.3
4/14	54.8	73.5	94.3
4/15	54.3	72.8	95.7
4/16	53.1	71.7	95.5
4/17	52.6	70.7	93.8
4/18	52.7	69.9	91.1
4/19	53.9	69.6	89.6
4/20	53.6	68.7	88.6
4/21	52.6	68.2	89.4
4/22	52.4	67.7	89.7
4/23	52.7	67.6	89.9
4/24	52.3	67.0	92.1
4/25	51.7	67.1	95.3
4/26	52.1	67.8	95.7
4/27	51.3	67.1	94.7
4/28		BOILER DOWN	
4/29		"	"
4/30	51.6*	66.5*	93.9*

* Assumes that operation was essentially continuous over the previous 30 days.

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The Department believes that final BACT emission limits should be based on the highest of the above CEMS data plus a margin for compliance. The following shows how these final limits for SO₂ and NO_x compare on the basis of heat input with the 40 CFR 60 Subpart Db limits for boilers:

<u>Pollutant</u>	<u>Highest 30-DRA</u>	<u>Final Limit 30-DRA</u>		<u>Subpart Db</u>
	<u>lb/hr</u>	<u>lb/hr</u>	<u>lb/MMBTU*</u>	<u>lb/MMBTU</u>
SO ₂	57.9	65.0	0.10	0.5 (oil>0.5%S)
NO _x	80.8	90.0	0.14	0.3 (gas-wood-MSW)
PM	2.1 [^]	4.0 [^]	0.006 [^]	0.1 (>30% wood)
VE	-	10% opacity		20% opacity

- * Based on an average factor for MMBTU/MW of 12.8. This is presented for comparison only and is not a limit to be enforced.
- [^] Not a 30-DRA. EPA Method 5 test to be required if VE exceeded.

On the basis of data recorded through December 31, 1995, the permittee requested and was granted a greater margin for compliance in the case of CO emissions, since higher CO is tied to the uncontrollable moisture content of the wood fired.

All of the final BACT emission limits are presented in the following table. In view of the extremely low emissions of VOCs, HCl, Hg, Pb, and Be relative to the interim limits, and the fact no control measures appear to be warranted for them at this time, the Department accepts the permittee's proposal to maintain the interim limits as the final limits for these pollutants. The Department found insufficient justification for including final limits for other pollutants such as ammonia, arsenic, benzene, cadmium, chromium, PCBs, dioxins/furans, zinc oxide, and sulfuric acid.

<u>Pollutant</u>	<u>Final BACT Limit</u>	<u>Basis for Compliance</u>
SO ₂	65.0 lb/hr	30-Day Rolling Average CEMS*
NO _x	90.0 lb/hr	30-Day Rolling Average CEMS*
CO	200.0 lb/hr	30-Day Rolling Average CEMS*
PM/PM ₁₀	4.0 lb/hr	EPA Method 5 if VE>10%
VOC	22.1 lb/hr	EPA Method 25A [^] -only if requested
HCl	5.0 lb/hr	EPA Method 26 [^] -only if requested
Hg	0.022 lb/hr	EPA Method 101A [^] -only if requested
Pb	0.25 lb/hr	EPA Method 12 [^] -only if requested
Be	0.0063 lb/hr	EPA Method 104 [^] -only if requested
VE	10% Opacity	EPA Method 9-annual basis

- * A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly emission data for the preceding 30 steam generating unit operating days.
- [^] As performed during test program.

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Wheelabrator Ridge Energy, Inc.
Revised BACT Determination
Page Five

Contacts For Further Information:

John Reynolds, Permit Engineer
Al Linero, P.E. Administrator
New Source Review Section
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400
Telephone 904-488-1344

Recommended By:

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

Date

Approved By:

Howard L. Rhodes, Director
Division of Air Resources Management

Date

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and 2 for additional service.
- Complete items 3, 4, 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.

- following service (check one for extra fee):
- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:
 Mr. George Woodward, PM
 Wheelabrator Ridge Energy
 3131 - K-Ville Ave
 Auburndale, FL
 33823

4a. Article Number
 P 265 659 170

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)

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

6. Signature: (Addressor or Agent)
 X *Leolon*

PS Form 3811, D...

Thank you for using Return Receipt Service.

P 265 659 170

US Postal Service
Receipt for Certified Mail

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

Sent to <i>George Woodward</i>	
Street & Number <i>Wheelabrator</i>	
Post Office, State, & ZIP Code <i>Auburndale, FL</i>	
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 <i>PSD-FL-183</i>	<i>2-14-97</i>

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- 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.

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. John Neil, Director of
Health & Safety & Env. Comp.
Wheelabrator Ridge Energy
3131 K-ville Ave
Auburndale, AL 33523

4a. Article Number

P 265 659 312

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

03-18-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *J. L. Colon*

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

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

Domestic Return Receipt

P 265 659 312

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to		John Neil
Street & Number		Wheelabrator
Post Office, State, & ZIP Code		Ridge Energy
Postage		Auburndale, AL
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		3-12-98

PS Form 3800, April 1995

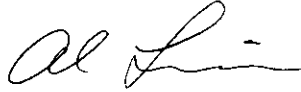
PSD-FI-183

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy

FROM: Al Linero



DATE: October 4, 1996

SUBJECT: Revised BACT Determination - Wheelabrator Ridge at Auburndale

Attached for your review and approval is the public notice package for the revised BACT Determination and Draft Amended Permit for Wheelabrator Ridge's wood waste and tire burning plant. The construction permit required a test program to determine limits achievable with the technologies of spray dryer/fabric filter, SNCR, and efficient combustion.

The revised values are based on those tests and are basically between those originally requested by Wheelabrator and those proposed by the Department. We found that the PM emissions are much lower than originally predicted.

We prepared the public notice in the new format and made it very clear that we are only setting the final BACT numbers and not reopening the construction permit for a challenge to their authority to build and run the plant.

AAL/aal/l