

Florida Department of Environmental Protection

Memorandum

TO: Joseph Kahn, Division of Air Resource Management
THROUGH: Trina Vielhauer, Bureau of Air Regulation *TV*
FROM: Jon Holtom, Title V Section *JH*
DATE: September 30, 2009
SUBJECT: Air Permit No. 1050216-012-AV
Wheelabrator Ridge Energy, Inc., Ridge Generating Station
Title V Air Operation Permit CAIR Part Revision

The final permit for this project is attached for your approval and signature, which revises the Title V permit to include the CAIR Part form as a new section added to the existing Title V air operation permit for the above referenced facility.

The attached final determination identifies issuance of the combined draft/proposed permit, summarizes the publication process, and provides the Department's response to comments (if any) on the draft permit. There are no pending petitions for administrative hearings or extensions of time to file a petition for an administrative hearing.

I recommend your approval of the attached final permit for this project.

Attachments

*Joe -
No comments & no
changes. This one is tied to
final order issuance on allowances.
Trina*

NOTICE OF FINAL PERMIT

*In the Matter of an
Application for Permit by:*

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

Designated Representative:
Mr. Rodney Williams, Plant Manager

Final Permit No. 1050216-012-AV
Facility ID No. 1050216
Ridge Generating Station
Title V Permit Revision
Polk County, Florida

Enclosed is final permit No. 1050216-012-AV. This Title V air operation permit revision is being issued to incorporate the Clean Air Interstate Rule (CAIR) provisions into Title V permit No. 1050216-008-AV. The existing facility is located in Polk County at 3131 K-Ville Avenue, Auburndale, Florida. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

TLV/jh

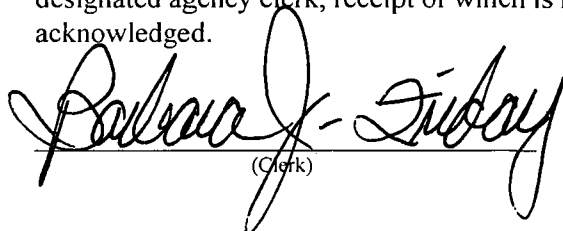
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit and Final Determination), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:


Mr. Rodney Williams, Plant Manager, Ridge Generating Station: rwilliam@wm.com
Mr Tom Rogers, DEP – OPAPM: tom.rogers@dep.state.fl.us
Ms. Cindy Zhang-Torres, DEP – SWD: cindy.zhang-torres@dep.state.fl.us
Ms. Katy Forney, U.S. EPA Region 4: forney.kathleen@epamail.epa.gov
Ms. Ana Oquendo, EPA Region 4: oquendo.ana@epamail.epa.gov
Ms. Barbara Friday, DEP - BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)
Ms. Victoria Gibson, DEP - BAR: victoria.gibson@dep.state.fl.us (for reading file)

Clerk Stamp

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



(Clerk)



(Date)

FINAL DETERMINATION

PERMITTEE

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

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Bureau of Air Regulation, Title V Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

Air Permit No. 1050216-012-AV
Ridge Generating Station

The purpose of this Title V air operation permit revision project is to incorporate the Clean Air Interstate Rule (CAIR) provisions into Title V permit No. 1050216-008-AV.

NOTICE AND PUBLICATION

The Department distributed an Intent to Issue Permit package on June 16, 2009. The applicant published the Public Notice of Intent to Issue in the News-Chief on July 15, 2009. The Department received the proof of publication on September 14, 2009.

COMMENTS

No comments on the draft/proposed permit were received from the US EPA Region 4 Office. No comments were received from the public during the 30-day public comment period.

CONCLUSION

The final action of the Department is to issue the final permit with the changes noted above.

STATEMENT OF BASIS

PROJECT DESCRIPTION

On June 1, 2009, the applicant submitted a CAIR Part Form in order to incorporate the Clean Air Interstate Rule provisions into Title V permit 1050216-008-AV.

FACILITY DESCRIPTION

The Ridge Generating Station facility, located in Auburndale, Polk County, is an electric power generation facility with a capacity of 50 megawatts of generator output. This facility consists of one boiler firing wood, yard waste, landfill gas, and tires; a lime silo; an ash handling system; a fuel building; and, associated insignificant emission sources/activities. Emissions from the boiler are controlled by a fabric filter baghouse, spray dryer absorber and selective non-catalytic reduction (SNCR). The boiler is subject to NSPS 40 CFR 60 Subpart Db. Compliance Assurance Monitoring (CAM) applies to the boiler's baghouse particulate matter control device.

PRIMARY REGULATORY REQUIREMENTS

The existing facility is:

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212, F.A.C.

NSPS: The facility operates units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60, Subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units).

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

In addition to federal rules above, this facility is subject to the following rules:

APPLICABLE REGULATIONS	EU ID
Rule 62-204, F.A.C. (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference)	001
Rule 62-210, F.A.C. (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms)	001
40 CFR 60, Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units for Which Construction is Commenced After June 19, 1984	001

PROJECT REVIEW

The CAIR Part Form is now a part of this permit and has been incorporated as Section IV., CAIR Part Form. This section identifies the units that must comply with the standard requirements and special provisions set forth in the CAIR Part Form. The CAIR Part contains a condition which recognizes that EPA may decide at some date in the future that this facility is not subject to CAIR. In the event that happens, Florida's CAIR program and this CAIR Part will not apply to Wheelabrator Ridge Energy, Inc., and Wheelabrator Ridge Energy, Inc. will be required to return all allocated allowances to the Department within 30 days of EPA's determination.

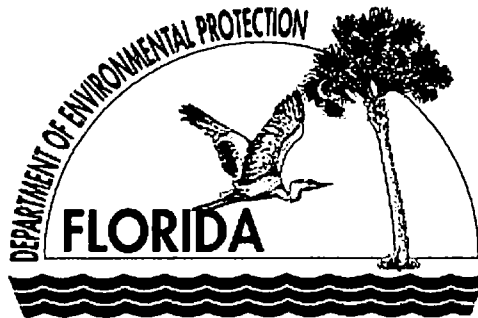
CONCLUSION

This project revises Title V air operation permit No. 1050216-008-AV, which was effective on March 14, 2006. This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210 and 62-213, F.A.C. The above named permittee is hereby authorized to perform the work or operate the facility in accordance with the terms and conditions of the attached permit.

Wheelabrator Ridge Energy, Inc.
Ridge Generating Station
Facility ID No. 1050216
Polk County

Title V Air Operation Permit Revision

Final Permit No. 1050216-012-AV
(2nd Revision to Title V Air Operation Permit No. 1050216-008-AV)



Permitting Authority

State of Florida
Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Permitting Section
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 850/488-0114
Fax: 850/921-9533

Permitting & Compliance Authority:

Florida Department of Environmental Protection
Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813/632-7600
Fax: 813/632-7668

Title V Air Operation Permit Revision
Permit No. 1050216-012-AV

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Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Permittee:

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

Permit No. 1050216-012-AV

Facility ID No. 1050216

SIC Nos.: 49,4911

Project: Title V CAIR Part Revision

This permit is for the operation of Wheelabrator Ridge Energy, Inc.'s Ridge Generating Station. The purpose of this permit is for the revision of Title V Air Operation Permit No. 1050216-008-AV to incorporate the Clean Air Interstate Rule (CAIR) Part as an enforceable section of the permit. This facility is located at 3131 K-ville Avenue, Auburndale, Polk County; UTM Coordinates: Zone 17, 416.7 km East and 3100.54 km North; Latitude: 28° 01' 38.9" North and Longitude: 81° 50' 51" West.

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to perform the work or operate the facility in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:

- Appendix U-1, List of Unregulated Emission Units and/or Activities
- Appendix I-1, List of Insignificant Emissions Units and/or Activities
- Appendix TV-6, Title V Conditions (*version dated 6/23/06*)
- Appendix CAM – Compliance Assurance Monitoring Requirements (*for EU 001*)
- Appendix NSPS 40 CFR 60 Subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units)
- Appendix NSPS 40 CFR 60, Subpart A (General Provisions for 40 CFR 60)
- Appendix SS-1, Stack Sampling Facilities (*version dated 10/07/96*)
- Table 297.310-1, Calibration Schedule (*version dated 10/07/96*)
- Figure 1 - Summary Report - Gaseous and Opacity Excess Emission and Monitoring System Performance (*version dated 7/94*)

Initial Effective Date: 03/14/2006

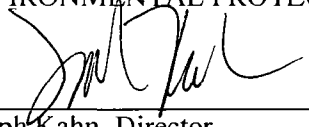
1050216-010-AV Revision Effective Date: 08/02/2008

1050216-012-AV Revision Effective Date: 09/08/2009

Renewal Application Due Date: 08/01/2010

Expiration Date: 03/14/2011

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Joseph Kahn, Director
Division of Air Resource Management

JK/tlv/jh

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

Clean Air Interstate Rule (CAIR).

Operated by: Wheelabrator Ridge Energy, Inc.

Plant: Ridge Generating Station

ORIS Code: 54529

The emissions unit below is regulated under the Clean Air Interstate Rule.

EU No.	EPA Unit ID#	Brief Description
001	001	Multi-fuel Steam Boiler

1. Clean Air Interstate Rule Application. The Clean Air Interstate Rule Part Form submitted for this facility is a part of this permit. The owners and operators of these CAIR units as identified in this form must comply with the standard requirements and special provisions set forth in the CAIR Part Form (DEP Form No. 62-210.900(1)(b)) dated March 16, 2008, which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]
2. Surrender of Allocated Allowances. In the event that that the Environmental Protection Agency determines that Wheelabrator Ridge Energy, Inc. is not or is no longer subject to the CAIR program, either through agency determination or as a result of litigation, Florida's CAIR program and this CAIR Part will not apply to Wheelabrator Ridge Energy, Inc., and all allowances allocated to Wheelabrator Ridge Energy, Inc. by DEP must be surrendered to DEP within 30 days after the final determination. [Rules 62-210.200(52) – (63), F.A.C. and 62-296.470, F.A.C.]

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

Clean Air Interstate Rule (CAIR) Part

For more information, see Instructions and refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321 and 96.322; and Rule 62-296.470, F.A.C.

This submission is: New Revised Renewal

STEP 1

Identify the source by plant name and ORIS or EIA plant code

Plant Name: Ridge Generating Station	State: Florida	ORIS or EIA Plant Code: ORIS # 54529
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STEP 2

In column "a" enter the unit ID# for every CAIR unit at the CAIR source.

In columns "b," "c," and "d," indicate to which CAIR program(s) each unit is subject by placing an "X" in the column(s).

For new units, enter the requested information in columns "e" and "f."

a	b	c	d	e	f
	Unit will hold nitrogen oxides (NO _x) allowances in accordance with 40 CFR 96.106(c)(1)	Unit will hold sulfur dioxide (SO ₂) allowances in accordance with 40 CFR 96.206(c)(1)	Unit will hold NO _x Ozone Season allowances in accordance with 40 CFR 96.306(c)(1)	New Units Expected Commence Commercial Operation Date	New Units Expected Monitor Certification Deadline
Unit ID# 001	X	X	X		

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

Plant Name (from STEP 1) Ridge Generating Station

STEP 3

**Read the
standard
requirements.**

CAIR NO_x ANNUAL TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR NO_x source and each CAIR NO_x unit at the source shall
 - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 98.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
 - (ii) [Reserved].
- (2) The owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 98, Subpart CC, and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x source and each CAIR NO_x unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 98, Subpart HH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 98, Subpart HH, shall be used to determine compliance by each CAIR NO_x source with the following CAIR NO_x Emissions Requirements.

NO_x Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall hold, in the source's compliance account, CAIR NO_x allowances available for compliance deductions for the control period under 40 CFR 98.154(a) in an amount not less than the tons of total NO_x emissions for the control period from all CAIR NO_x units at the source, as determined in accordance with 40 CFR Part 98, Subpart HH.
- (2) A CAIR NO_x unit shall be subject to the requirements under paragraph (1) of the NO_x Requirements starting on the later of January 1, 2009, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 98.170(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR NO_x allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO_x Requirements, for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.
- (4) CAIR NO_x allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Allowance Tracking System accounts in accordance with 40 CFR Part 98, Subparts FF and GG.
- (5) A CAIR NO_x allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x Annual Trading Program, the CAIR Part, or an exemption under 40 CFR 98.105 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR NO_x allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 98, Subpart EE, FF, or GG, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO_x unit.

Excess Emissions Requirements.

If a CAIR NO_x source emits NO_x during any control period in excess of the CAIR NO_x emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO_x unit at the source shall surrender the CAIR NO_x allowances required for deduction under 40 CFR 98.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 98, Subpart AA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR NO_x source and each CAIR NO_x unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
 - (i) The certificate of representation under 40 CFR 98.113 for the CAIR designated representative for the source and each CAIR NO_x unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 98.113 changing the CAIR designated representative.
 - (ii) All emissions monitoring information, in accordance with 40 CFR Part 98, Subpart HH, of this part, provided that to the extent that 40 CFR Part 98, Subpart HH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Annual Trading Program.
 - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_x Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program.
- (2) The CAIR designated representative of a CAIR NO_x source and each CAIR NO_x unit at the source shall submit the reports required under the CAIR NO_x Annual Trading Program, including those under 40 CFR Part 98, Subpart HH.

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

Plant Name (from STEP 1)	Ridge Generating Station
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**STEP 3,
Continued**

Liability.

- (1) Each CAIR NO_x source and each CAIR NO_x unit shall meet the requirements of the CAIR NO_x Annual Trading Program.
- (2) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x source or the CAIR designated representative of a CAIR NO_x source shall also apply to the owners and operators of such source and of the CAIR NO_x units at the source.
- (3) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x unit or the CAIR designated representative of a CAIR NO_x unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO_x Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 96.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x source or CAIR NO_x unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR SO₂ TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall:
 - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.222 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
 - (ii) [Reserved].
- (2) The owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CCC, for the source and operate the source and each CAIR unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR SO₂ source and each SO₂ CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH, shall be used to determine compliance by each CAIR SO₂ source with the following CAIR SO₂ Emission Requirements.

SO₂ Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions for the control period, as determined in accordance with 40 CFR 96.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHH.
- (2) A CAIR SO₂ unit shall be subject to the requirements under paragraph (1) of the Sulfur Dioxide Emission Requirements starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 99.270(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the SO₂ Emission Requirements, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.
- (4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFF and GGG.
- (5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR Part, or an exemption under 40 CFR 96.205 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR SO₂ allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR SO₂ unit.

Excess Emissions Requirements.

If a CAIR SO₂ source emits SO₂ during any control period in excess of the CAIR SO₂ emissions limitation, then:

- (1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under 40 CFR 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable state law.

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

Plant Name (from STEP 1) Ridge Generating Station

**STEP 3,
Continued**

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Department or the Administrator.
 - (i) The certificate of representation under 40 CFR 98.213 for the CAIR designated representative for the source and each CAIR SO₂ unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 98.213 changing the CAIR designated representative.
 - (ii) All emissions monitoring information, in accordance with 40 CFR Part 98, Subpart HHH, of this part, provided that to the extent that 40 CFR Part 98, Subpart HHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.
 - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.
- (2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source shall submit the reports required under the CAIR SO₂ Trading Program, including those under 40 CFR Part 98, Subpart HHH.

Liability.

- (1) Each CAIR SO₂ source and each CAIR SO₂ unit shall meet the requirements of the CAIR SO₂ Trading Program.
- (2) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source or the CAIR designated representative of a CAIR SO₂ source shall also apply to the owners and operators of such source and of the CAIR SO₂ units at the source.
- (3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit or the CAIR designated representative of a CAIR SO₂ unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR SO₂ Trading Program, a CAIR Part, or an exemption under 40 CFR 98.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO₂ source or CAIR SO₂ unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR NO_x OZONE SEASON TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall:
 - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 98.322 and Rule 82-298.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
 - (ii) [Reserved].
- (2) The owners and operators of each CAIR NO_x Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR NO_x Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 98, Subpart CCCC, for the source and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 98, Subpart HHHH, and Rule 62-298.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 98, Subpart HHHH, shall be used to determine compliance by each CAIR NO_x Ozone Season source with the following CAIR NO_x Ozone Season Emissions Requirements.

NO_x Ozone Season Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the control period under 40 CFR 98.354(a) in an amount not less than the tons of total NO_x emissions for the control period from all CAIR NO_x Ozone Season units at the source, as determined in accordance with 40 CFR Part 98, Subpart HHHH.
- (2) A CAIR NO_x Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO_x Ozone Season Emission Requirements starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 98.370(b)(1),(2), or (3) and for each control period thereafter.
- (3) A CAIR NO_x Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO_x Ozone Season Emission Requirements, for a control period in a calendar year before the year for which the CAIR NO_x Ozone Season allowance was allocated.
- (4) CAIR NO_x Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 98, Subparts FFFF and GGGG.
- (5) A CAIR NO_x Ozone Season allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR Part, or an exemption under 40 CFR 98.305 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR NO_x Ozone Season allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 98, Subpart EEEE, FFFF or GGGG, every allocation, transfer, or deduction of a

**SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS**

CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO_x Ozone Season unit.

Plant Name (from STEP 1) Ridge Generating Station

**STEP 3,
Continued**

Excess Emissions Requirements.

If a CAIR NO_x Ozone Season source emits NO_x during any control period in excess of the CAIR NO_x Ozone Season emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under 40 CFR 96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAAAA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.

(i) The certificate of representation under 40 CFR 96.313 for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_x Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Ozone Season Trading Program.

(2) The CAIR designated representative of a CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall submit the reports required under the CAIR NO_x Ozone Season Trading Program, including those under 40 CFR Part 96, Subpart HHHH.

Liability.

(1) Each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit shall meet the requirements of the CAIR NO_x Ozone Season Trading Program.

(2) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season source or the CAIR designated representative of a CAIR NO_x Ozone Season source shall also apply to the owners and operators of such source and of the CAIR NO_x Ozone Season units at the source.

(3) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season unit or the CAIR designated representative of a CAIR NO_x Ozone Season unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO_x Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x Ozone Season source or CAIR NO_x Ozone Season unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

STEP 4

Certification (for designated representative or alternate designated representative only) (See qualification to certification below)

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

I am authorized to make this submission on behalf of the owners and operators of the CAIR source or CAIR units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or

Name Rodney Williams	Title Plant Manager
Company Owner Name Wheelabrator Ridge Energy	
Phone (863) 665-2255	E-mail Address Rwilliam@wm.com
Signature <i>Rodney Williams</i>	Date 5/8/09

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

CAIR Applicability Qualification

Wheelabrator Ridge Energy Facility ("Facility") does not believe it is subject to the Clean Air Interstate Rule ("CAIR") because it is a solid waste incinerator that combusts more than 80 percent non-fossil fuels, and hence exempt under 40 C.F.R. §§96.104(b)(2), 96.204(b)(2) and 96.304(b)(2), incorporated by reference under Rules 62-204.800(27) and 62-296.470 FAC. Florida DEP included the Facility in its initial allocation of CAIR NO_x allowances on April 5, 2007, (which was withdrawn and later reissued on July 24, 2007). The Facility challenged the July 24, 2007 allocation order, as it believed it met the CAIR exemption requirements. In response to the Facility's claim that it was exempt from CAIR, Florida DEP recommended that the Facility submit a request for a non-applicability determination to EPA, which the Facility did on July 11, 2007. EPA has not yet issued the determination. As a purely precautionary matter, the Facility is submitting this CAIR application to preserve its allocation of NO_x allowances in subsequent DEP orders granting CAIR allowances that would be needed if EPA determines the Facility is subject to CAIR. If EPA determines that the Facility is not subject to CAIR, the Facility will surrender the allowances so granted. EPA has also granted three extensions of the continuous emissions monitoring systems (CEMS) certification and data reporting deadlines established under 40 C.F.R. Part 96, Subpart HH, HHH and HHHH (incorporated by reference under Rule 62-296.470, FAC) by the attached letters dated December 17, 2007, September 10, 2008, and June 1, 2009.

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN - 1 2009

OFFICE OF
AIR AND RADIATION

Rodney Williams
Wheelabrator Ridge Energy Inc.
3131 K-Ville Avenue
Auburndale, FL, 33823

Re: Ridge's May 7, 2009 Request for Alternative Deadlines for the Emissions
Monitoring and Reporting Requirements of the CAIR Trading Programs

Dear Mr. Williams:

On November 30, 2007, Wheelabrator Ridge Energy, Inc. (Ridge) requested an alternative to the provisions of the Clean Air Interstate Rule (CAIR) NO_x trading programs requiring Ridge to install and certify continuous emission monitoring systems (CEMS) on the multi-fuel boiler at Ridge's facility in Auburndale, Florida (the Ridge facility), and to begin reporting nitrogen oxides (NO_x) mass emissions and heat input, by January 1, 2008. On December 19, 2007, EPA approved and extension of the deadline, with conditions. On August 19, 2008, Ridge requested that the extension concerning NO_x monitoring and reporting be extended further and that the January 1, 2009 deadline for the requirement to certify CEMS to monitor and report sulfur dioxide (SO₂) emissions at the Ridge facility under the CAIR SO₂ trading program also be extended. On September 10, 2008, EPA extended the deadlines for installing CEMS to July 1, 2009 and for reporting emissions to July 30, 2009. On May 7, 2009, Ridge requested that the deadlines be extended further.

Background

On December 19, 2007, EPA conditionally approved Ridge's request for an extension of the January 1, 2008 deadline to certify CEMS at the Ridge facility boiler, and to begin reporting NO_x mass emissions and heat input under the CAIR NO_x annual and ozone season trading programs, to January 1, 2009. The reasons stated at the time for granting the extension were as follows:

1. EPA needs additional time to complete an applicability determination under CAIR for the Ridge facility's boiler due to the complexity of the issues raised in the determination request. If Ridge were to install and certify CEMS on the Ridge facility's boiler and EPA subsequently determined that the boiler is not a CAIR unit, Ridge would have incurred significant expense to purchase and certify CEMS that would not be required or used in the CAIR NO_x trading programs; and

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2. While the CAIR NO_x trading programs require that NO_x mass emissions and heat input be monitored and reported for 2009, the absence of CEMS on the Ridge facility boiler in 2009 will have little or no negative effect on the CAIR NO_x trading programs or the required NO_x mass reductions because Ridge will substitute conservatively high substitute data for measured emissions data.

On July 14, 2008, the U.S. Court of Appeals for the District of Columbia issued a decision in North Carolina v. EPA, 531 F.3d. 896 (D.C. Cir. 2008), vacating CAIR and the Federal Implementation Plans for CAIR and remanding them to EPA. With the Court's vacatur of CAIR, which would have made Ridge's petition for an applicability determination moot, EPA did not continue to process the determination. Subsequently, on December 23, 2008, in response to petitions for rehearing, the Court decided to remand, but not to vacate, CAIR. North Carolina v. EPA, 550 F.3d. 1176 (2008). EPA then recommenced its consideration of Ridge's petition. Because of the delay resulting from the changes in the legal status of CAIR, EPA has not yet completed its applicability determination.

In light of these circumstances, EPA is extending the deadline for Ridge to install and certify CEMS to measure NO_x mass emissions and heat input on the boiler at the Ridge facility to October 1, 2009 and is extending the deadline to begin reporting NO_x mass emissions and heat input to October 30, 2009. For similar reasons, EPA is also extending the deadline for CEMS certification, and the deadline for emissions reporting, for SO₂, to October 1 and October 30, 2009 respectively. EPA recognizes, of course, that Ridge requested longer extensions of the deadlines, e.g., until January 1, 2010. However, extensions being approved for an additional quarter will give time for further action on the applicability determination and may potentially reduce the need to use substitute data if the Ridge facility is required, as a result of an applicability determination issued in the meantime, to report NO_x and SO₂ emissions. Ridge may request additional extensions if necessary, depending on the status of EPA's response to Ridge's petition for an applicability determination. EPA intends to respond expeditiously to any such future extension requests by Ridge.

Conditions of Approval

The conditions of this approval are as follows:

1. Ridge shall install and certify the required CEMS for the Ridge facility boiler's NO_x mass emissions, SO₂ mass emissions, and heat input by October 1, 2009 and shall begin submitting to EPA electronic reports of the unit's NO_x mass emissions, SO₂ mass emissions, and heat input data to EPA, in accordance with the CAIR trading programs (40 CFR part 96, subparts HH, HHH, and HHHH) by October 30, 2009. However, Ridge's emissions report due by October 30, 2009 shall include emissions data for the first, second, and third quarters of 2009. For operating hours lacking quality-assured data, Ridge shall use the applicable substitute data provisions, but, under the CAIR

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CLEAN AIR INTERSTATE RULE PROVISIONS

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trading program regulations, may petition EPA to use alternative substitute data.

2. Notwithstanding paragraph 1 above, Ridge shall be exempt from the requirements of that paragraph if EPA determines before October 1, 2009 that the Ridge facility boiler is not subject to the CAIR NO_x annual and ozone season and SO₂ trading programs.

If you have any questions regarding this correspondence, please contact Louis Nichols of my staff, at (202) 343-9009. Thank you for your continued cooperation.

Sincerely,



Sam Napolitano, Director
Clean Air Markets Division

cc: David McNeal, EPA Region IV
Errin Pichard, Florida DEP

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 10 2008

Phil Tuohy
Plant Manager
Wheelabrator Ridge Energy, Inc.
3131 K-Ville Avenue
Auburndale, FL, 33823

OFFICE OF
AIR AND RADIATION

Re: Ridge's August 19, 2008 Request for Alternative Deadlines for the Emissions Monitoring and Reporting Requirements of the CAIR Trading Programs

Dear Mr. Tuohy:

On November 30, 2007, Wheelabrator Ridge Energy, Inc. (Ridge) requested an alternative to the provisions of the Clean Air Interstate Rule (CAIR) NO_x trading programs requiring Ridge to install and certify continuous emission monitoring systems (CEMS) on the multi-fuel boiler at the Wheelabrator Ridge Energy, Inc. Facility (the Ridge Facility) and to begin reporting nitrogen oxides (NO_x) mass emissions and heat input, by January 1, 2008. On December 19, 2007, EPA approved the petition, with conditions. On August 19, 2008, Ridge requested that the extension concerning NO_x monitoring and reporting be extended further and that the January 1, 2009 deadline for the requirement to certify CEMS to monitor and report sulfur dioxide (SO₂) emissions at the Ridge Facility under the CAIR SO₂ trading program also be extended.

Background

On December 19, 2007, EPA conditionally approved Ridge's request for an extension of the January 1, 2008 deadline to certify CEMS at the Ridge Facility boiler, and to begin reporting NO_x mass emissions and heat input under the CAIR NO_x annual and ozone season trading programs, to January 1, 2009. The reasons stated at the time for granting the extension were as follows:

1. EPA needs additional time to complete an applicability determination under CAIR for the Ridge Facility's boiler due to the complexity of the issues raised in the determination request. If Ridge were to install and certify CEMS on the Ridge Facility's boiler and the Agency subsequently determined that the boiler is not a CAIR unit, Ridge would have incurred significant expense to purchase and certify CEMS that would not be required or used in the CAIR NO_x trading programs; and
2. While the CAIR NO_x trading programs require that NO_x mass emissions and heat input be monitored and reported for 2008, the CAIR emission reduction

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requirements -- and thus the requirement to hold CAIR NO_x allowances covering emissions -- do not begin until 2009. Therefore, the absence of CEMS on the Ridge Facility boiler in 2008 will have little or no effect on the CAIR NO_x trading programs and the achievement of CAIR-required reductions. For example, although 2008 CEMS data could be used to develop substitute data if the use of substitute data became necessary starting in 2009, the CAIR NO_x trading program regulations provide for the use of other substitute data, e.g., maximum potential emissions.

However, on July 11, 2008, the U.S. Court of Appeals for the District of Columbia issued a decision in North Carolina v. EPA, No. 05-1244, vacating CAIR and the Federal Implementation Plans for CAIR and remanding them to EPA. Although the Court has not yet issued a mandate, there may be further proceedings in the case. Consequently, it is unclear whether or when EPA will be able to issue the CAIR applicability determination.

In light of these circumstances, EPA is extending the deadline for Ridge to install and certify CEMS to measure NO_x mass emissions and heat input on the boiler at the Ridge Facility to July 1, 2009 and is extending the deadline to begin reporting NO_x mass emissions and heat input to July 30, 2009 (which is the deadline for submission of the 2009 second quarter emissions report). For similar reasons, EPA is also extending the deadline for CEMS certification, and the deadline for emissions reporting, for SO₂, to July 1 and July 30, 2009 respectively. This will give time for any further proceedings in North Carolina v. EPA and for any further action on the applicability determination.

Conditions of Approval

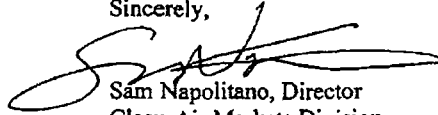
The conditions of this approval are as follows:

1. Ridge shall install and certify the required CEMS for the Ridge Boiler's NO_x mass emissions, SO₂ mass emissions, and heat input by July 1, 2009 and shall begin electronic reporting of the unit's NO_x mass emissions, SO₂ mass emissions, and heat input data to EPA, in accordance with the CAIR trading programs (40 CFR part 96, subparts HH, HHH, and HHHH) by July 30, 2009. However, Ridge's emissions reporting by July 30, 2009 shall include emissions data for both the first and second quarters of 2009. For operating hours lacking quality-assured data, Ridge shall use the applicable substitute data provisions, but, under the CAIR trading program regulations, may petition EPA to use alternative substitute data.
2. Notwithstanding paragraph 1 above, Ridge shall be exempt from the requirements of that paragraph if EPA determines before July 1, 2009 that the Ridge Facility boiler is not subject to the CAIR NO_x annual and ozone season and SO₂ trading programs.

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

Of course, the requirements under paragraph 1 of this petition approval, like all requirements under the CAIR trading programs, will be affected by, and are subject to, the final disposition of the issues in North Carolina v. EPA, No. 05-1244. If you have any questions regarding this correspondence, please contact Venu Ghanta of my staff, at (202) 343-9009. Thank you for your continued cooperation.

Sincerely,


Sam Napolitano, Director
Clean Air Markets Division

cc: David McNeal, EPA Region IV
Errin Pichard, Florida DEP
Venu Ghanta, CAMD

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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DEC 19 2007

WHEELABRATOR RIDGE
ENERGY INC.

OFFICE OF
AIR AND RADIATION

Phil Tuohy
Plant Manager
Wheelabrator Ridge Energy Inc.
3131 K-Ville Avenue
Auburndale, FL, 33823

Re: Request for an Alternative to the 2008 Emissions Monitoring and Reporting requirements of the CAIR NO_x Programs

Dear Mr. Tuohy:

This is in response to your November 30, 2007 petition under 40 CFR 97.175 and 97.375, in which Wheelabrator Ridge Energy, Inc. (Ridge) requested an alternative to the provisions of the Clean Air Interstate Regulation (CAIR) Federal Implementation Plan (FIP) requiring Ridge to install and certify continuous emission monitoring systems (CEMS) on the multi-fuel boiler at the Wheelabrator Ridge Energy, Inc. Facility (the Ridge Facility), and to begin reporting nitrogen oxides (NO_x) mass emissions and heat input, by January 1, 2008. EPA approves the petition in part and with conditions, as discussed below.

Background

In a July 11, 2007 letter to EPA, Ridge asked the Agency to make a CAIR applicability determination for the multi-fuel boiler at the Ridge Facility in Auburndale, Florida. In particular, Ridge requested that EPA decide whether the boiler is subject to the CAIR NO_x annual and ozone season and SO₂ trading programs. If the Ridge Facility boiler is subject to the CAIR trading programs, then Ridge will have to meet the requirements of these programs concerning this boiler. For example, Ridge will be required by 40 CFR 97.170(b) to install and certify CEMS on the boiler for, and begin reporting, NO_x mass emissions and heat input as of January 1, 2008. Further, Ridge will be required to hold CAIR NO_x allowances equal to the boiler's NO_x mass emissions beginning January 1, 2009 and to hold CAIR NO_x ozone season allowances equal to the unit's NO_x mass emissions beginning May 1, 2009. (The deadlines for the sulfur dioxide (SO₂) emissions monitoring and allowance holding requirements under the CAIR SO₂ trading program are January 1, 2009 and January 1, 2010 respectively.)

Ridge submitted a petition to EPA on November 30, 2007, proposing an alternative to the requirement to monitor and report NO_x mass emissions and heat input data in 2008 under the CAIR NO_x trading programs. In the petition, Ridge requested that the deadline for certifying CEMS and reporting NO_x mass emissions and heat input data

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for the boiler at the Ridge Facility be extended to 90 days after receipt of a response from EPA to the July 11, 2007 CAIR applicability determination request. According to Ridge, the facility has had insufficient time to meet the CAIR monitoring requirements, as Ridge did not learn that the boiler might be considered subject to the CAIR trading programs until it received a NO_x allocation order from the Florida Department of Environmental Protection (DEP) on April 5, 2007. Further, Ridge believes that the proposed deadline extension would have no adverse impact on the CAIR NO_x trading programs since, under these programs, CAIR NO_x allowances do not have to be held to cover 2008 NO_x mass emissions.

EPA's Determination

EPA conditionally approves Ridge's request for an extension of the January 1, 2008 deadline to certify CEMS at the Ridge Facility boiler and to begin reporting NO_x mass emissions and heat input under the CAIR NO_x annual and ozone season trading programs. For the following reasons, the Agency is extending the deadline for Ridge to install and certify CEMS on the boiler at the Ridge Facility and to begin reporting NO_x mass emissions and heat input to January 1, 2009:

1. EPA needs additional time to complete its CAIR applicability determination for the Ridge Facility's boiler due to the complexity of the issues raised in the determination request. If Ridge were to install and certify CEMS on the Ridge Facility's boiler and the Agency subsequently determined that the boiler is not a CAIR unit, Ridge would have incurred significant expense to purchase and certify CEMS that would not be required or used in the CAIR NO_x trading programs; and
2. While the CAIR NO_x trading programs require that NO_x mass emissions and heat input be monitored and reported for 2008, the CAIR emission reduction requirements -- and thus the requirement to hold CAIR NO_x allowances covering emissions -- do not begin until 2009. Therefore, the absence of CEMS on the Ridge Facility boiler in 2008 will have little or no effect on the CAIR NO_x trading programs and the achievement of CAIR-required reductions. For example, although 2008 CEMS data could be used to develop substitute data if the use of substitute data became necessary starting in 2009, the CAIR FIP regulations provide for the use of other substitute data, e.g., maximum potential emissions.

Conditions of Approval

The conditions of this approval are as follows:

1. Ridge shall install and certify the required CEMS for the Ridge Boiler's NO_x mass emissions and heat input, and shall begin electronic reporting of the unit's NO_x mass emissions, SO₂ mass emissions, and heat input data to EPA, in accordance with the CAIR trading programs (40 CFR part 97, subparts HH, HHH, and HHHH) by January 1, 2009.

SECTION IV. CAIR PART FORM
CLEAN AIR INTERSTATE RULE PROVISIONS

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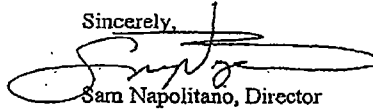
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2. Notwithstanding paragraph 1 above, Ridge shall be exempt from the requirements of that paragraph to install and certify CEMS on the Ridge Facility boiler, and begin reporting in accordance with the CAIR trading programs, if EPA determines before January 1, 2009 that the Ridge Facility boiler is not subject to the CAIR NO_x annual and ozone season and SO₂ trading programs.

EPA's determination concerning Ridge's November 30, 2007 petition is appealable under 40 CFR Part 78. In accordance with 40 CFR 97.175 and 97.375, EPA made this determination in consultation with the Florida Department of Environmental Protection. If you have any questions regarding this request, please contact Venu Ghanta at (202) 343-9009. Thank you for your continued cooperation.

Sincerely,



Sam Napolitano, Director
Clean Air Markets Division

cc: Dave McNeal, EPA Region IV
Errin Pichard, Florida DEP
Venu Ghanta, CAMD

SECTION V.

APPENDICES AND ATTACHMENTS

(Listed in sequence as attached)

Appendix U-1, List of Unregulated Emission Units and/or Activities
Appendix I-1, List of Insignificant Emission Units and/or Activities
Appendix TV-6, Title V Conditions (*version dated 06/23/06*)
Appendix CAM – Compliance Assurance Monitoring Requirements (for EU 001)
Appendix NSPS 40 CFR 60 Subpart Db (Standards of Performance for
Industrial-Commercial-Institutional Steam Generating Units)
Appendix NSPS 40 CFR 60, Subpart A (General Provisions for 40 CFR 60)
Appendix SS-1, Stack Sampling Facilities
Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
Figure 1 - Summary Report – Gaseous and Opacity Excess Emissions and Monitoring System
Performance (*version dated 7/94*)
Table 297.310-1 Calibration Schedule (*version 10/07/96*)
Table 1-1, Summary of Air Pollutant Standards and Terms
Table 2-1, Summary of Compliance Requirements
Appendix H-1, Permit History
Statement of Basis

Friday, Barbara

To: rwilliam@wm.com
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV
Attachments: WheelabratorCAIRSignedNoticeofFinalPermit.pdf

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/1050216.012.AV.F_pdf.zip

Attention: Jonathan Holtom

Owner/Company Name: WHEELABRATOR RIDGE ENERGY INC.
Facility Name: RIDGE GENERATING STATION
Project Number: 1050216-012-AV
Permit Status: FINAL
Permit Activity: PERMIT REVISION
Facility County: POLK

“The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the “*Air Permit Documents Search*” website at <http://www.dep.state.fl.us/air/emission/apds/default.asp> . “

Permit project documents that are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation.

Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)921-9524

Friday, Barbara

From: Williams, Rodney [RWilliam@wm.com]
To: Friday, Barbara
Sent: Thursday, October 01, 2009 1:48 PM
Subject: Read: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

Your message

To: RWilliam@wm.com
Subject:

was read on 10/1/2009 1:48 PM.

Friday, Barbara

From: Williams, Rodney [RWilliam@wm.com]
Sent: Friday, October 09, 2009 12:57 PM
To: Friday, Barbara
Subject: RE: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

I am able to view the documents.

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Thursday, October 01, 2009 1:44 PM
To: Williams, Rodney
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/1050216.012.AV.F_pdf.zip

Attention: Jonathan Holtom

Owner/Company Name: WHEELABRATOR RIDGE ENERGY INC.
Facility Name: RIDGE GENERATING STATION
Project Number: 1050216-012-AV
Permit Status: FINAL
Permit Activity: PERMIT REVISION
Facility County: POLK

“The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the “*Air Permit Documents Search*” website at <http://www.dep.state.fl.us/air/emission/apds/default.asp> . “

Permit project documents that are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any

problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation.

Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)921-9524

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

Waste Management recycles enough paper every year to save 41 million trees. By not printing this email, you can help save even more.

Friday, Barbara

From: System Administrator
To: Zhang-Torres; Gibson, Victoria
Sent: Thursday, October 01, 2009 1:44 PM
Subject: Delivered:WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

Your message

To: rwilliam@wm.com
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov;
Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV
Sent: 10/1/2009 1:44 PM

was delivered to the following recipient(s):

Zhang-Torres on 10/1/2009 1:44 PM
Gibson, Victoria on 10/1/2009 1:44 PM

Friday, Barbara

From: Zhang-Torres
To: Friday, Barbara
Sent: Thursday, October 01, 2009 1:50 PM
Subject: Read: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

Your message

To: rwilliam@wm.com
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov;
Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV
Sent: 10/1/2009 1:44 PM

was read on 10/1/2009 1:50 PM.

Friday, Barbara

From: Gibson, Victoria
To: Friday, Barbara
Sent: Thursday, October 01, 2009 1:53 PM
Subject: Read: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

Your message

To: rwilliam@wm.com
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov;
Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV
Sent: 10/1/2009 1:44 PM

was read on 10/1/2009 1:53 PM.

Friday, Barbara

From: Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]
Sent: Thursday, October 01, 2009 1:44 PM
To: Friday, Barbara
Subject: Successful Mail Delivery Report
Attachments: Delivery report; Message Headers

This is the mail system at host mseive02.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<Forney.Kathleen@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250
OK, sent 4AC4EA53_6952_15378_1 5C8161E42EA

<Oquendo.Ana@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK,
sent 4AC4EA53_6952_15378_1 5C8161E42EA

Friday, Barbara

From: System Administrator
To: Rogers, Tom; Holtom, Jonathan
Sent: Thursday, October 01, 2009 1:44 PM
Subject: Delivered:WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

Your message

To: rwilliam@wm.com
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov;
Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV
Sent: 10/1/2009 1:44 PM

was delivered to the following recipient(s):

Rogers, Tom on 10/1/2009 1:44 PM
Holtom, Jonathan on 10/1/2009 1:44 PM

Friday, Barbara

From: Rogers, Tom
To: Friday, Barbara
Sent: Thursday, October 01, 2009 2:13 PM
Subject: Read: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

Your message

To: rwilliam@wm.com
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov;
Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV
Sent: 10/1/2009 1:44 PM

was read on 10/1/2009 2:12 PM.

Friday, Barbara

From: Holtom, Jonathan
To: Friday, Barbara
Sent: Thursday, October 01, 2009 4:01 PM
Subject: Read: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION;
1050216-012-AV

Your message

To: rwilliam@wm.com
Cc: Rogers, Tom; Zhang-Torres; Forney.Kathleen@epamail.epa.gov;
Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: WHEELABRATOR RIDGE ENERGY, INC. - RIDGE GENERATING STATION; 1050216-012-AV
Sent: 10/1/2009 1:44 PM

was read on 10/1/2009 4:01 PM.