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DEC 20 1999

BUREAU OF AIR REGULATION

WHEELABRATOR NORTH BROWARD, INC.
A WASTE MANAGEMENT COMPANY

2600 N.W. 48th Street
Pompano Beach, FL 33073
(954) 971-8701
(954) 971-8703 Fax

December 15, 1999

Scott M. Sheplak, P. E.
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Certified Mail P 082 970 898
Return Receipt

Re: Draft Title V Permit No. 0112120-001-AV
Wheelabrator North Broward

Dear Mr. Sheplak:

Below are Wheelabrator North Broward's comments to draft Title V permit No. 0112120-001-AV:

- 1) Timing of Permit Issuance- We believe it would be more effective to delay issuance of the final Title V permit until after the effective date of the Subpart Cb requirements and after the Power Plant Siting Certification is modified to incorporate the latest PSD permit revisions (PSD-FL-112B). This would greatly simplify the permit by eliminating the current 2 tier structure of the proposed Title V permit for pre and post Subpart Cb retrofit requirements (Subsections "A" and "B" General Conditions) and avoid a near future amendment to reflect the PPSC modifications that are currently in progress.
- 2) Page 5 Permitting Note- Subsection A conditions should remain in effect until the retrofit is complete and *initial performance tests* are completed; Also, Beryllium NESHAPS should not be referenced. See next comment.
- 3) A.1, A.10, A.22 and A.23 - Beryllium NESHAPS- 40 CFR 61 Subpart C is not applicable to the facility because the facility does not accept Beryllium containing wastes generated by any of the Subpart C regulated sources (extraction plants, ceramic plants, foundries, and propellant plants which process beryllium or beryllium compounds). It was not EPA's intent to regulate MWCs under this NESHAPS as stated in the preamble to Subpart C.
- 4) A.31 - 40 CFR 60.11(d) is a general NSPS requirement which applies only to the Subpart E and Subpart Db particulate limits since these are the only applicable NSPS requirements.

- 5) A.37- A.43; The 40 CFR 60.13 General NSPS monitoring requirements do not apply until the Subpart Cb requirements become effective. There are no NSPS CEM requirements under Subparts E and Db.
- 6) A.44- Footnote 2 should specify also that a 1-hour continuous average constitutes 1 test run. Footnote 3 should apply to Method 7 not 7E and footnote 4 should be added to Methods 6C and 7E to allow the use of CEM relative accuracy results for determining compliance under 40 CFR 60 Appendix B. This footnote is in the South Broward draft permit.
- 7) A.45-The test method for VOC should be EPA Method 25A, which has been used in all annual performance tests to date. Method 25A, provides a continuous total hydrocarbon measurement and is best suited for MWCs combusting a heterogeneous fuel. Method 18 is for specific hydrocarbons using GC/FID, requires multiple calibration standards and is not a continuous measurement. Test Method for Arsenic should be Method 29
- 8) A.49-The fugitive ash requirements are for Subpart Cb which do not become effective until after initial Subpart Cb performance tests are completed.
- 9) A.50- A .60: These conditions reference the general NSPS requirements and therefore apply only to the Subpart E and Db particulate limits.
- 10) A. 64 is not applicable. See comment 3 above.
- 11) A.65 is not applicable since there are no limits based at 50 % excess air.
- 12) Subsection B emission unit description- 2nd full paragraph exit temperature limit of < 300 deg F should be eliminated. It will be replaced by the Subpart Cb temperature limit tied to annual dioxin performance tests.
- 13) Permitting Notes: 40 CFR 61, Subpart C Beryllium is not applicable. Please see comment 3 above.
- 14) B.1 and B.2- References to 40 CFR 61 NESHAPS should be deleted. See comment 3 above.
- 15) B.12- Paragraphs (b) (1) and (2) do not apply. These conditions describe the method for determining whether a MWC unit is large or small (greater than 250 tpd) for regulation under Subparts Eb and Cb. Since the North Broward facility is already subject to Subpart Cb, these conditions are not applicable.
- 16) B.21- Paragraph (3): Currently CO and O2 are monitored downstream of the combustor outlet at the fabric filter exit. This alternative location has been approved by EPA as technically equivalent to meet Subpart Eb/Cb requirements provided that O2 is measured at the same location.
- 17) B.36-The reference to Condition A.52 is an error and can be deleted. Reference to specific condition A.49 should be changed to B.69 since B.69 is the correct reference for performance testing.
- 18) B.40-Beryllium lb/mmbtu emission limit was changed to 0.001 mg/dscm @ 7%O2 equivalent limit in latest PSD revision PSD-FL-112 (B).
- 19) B.39 and B.40- NESHAPS Beryllium limit should not be applicable per comment 3 above.
- 20) B.43 and B.44- Fluoride limit should be expressed as 4.454 mg/dscm @7%O2 consistent with other concentration based limits. PA 86-22 VOC and Sulfuric acid mist lb/MMBtu limits should be converted to 22 ppm @ 7% O2 and 13 ppm @ 7% equivalent limits respectively for compliance purposes. Equivalent limits are calculated using the EPA Method 19 F-Factor of 9570.
- 21) B.47- Paragraph (1), first sentence should read: " the standards under 40 CFR 60 Subpart Cb apply at all times except during periods".

22) B.50 - 40 CFR 60 subparts Eb/Cb have modified Rule 62-210-700(1) in that startup/shutdown or malfunction events shall not exceed 3 hours in duration. More importantly, Rule 62-210-700(1) cannot apply to excess emissions of CO, SO₂ and NO_x since excess emissions under Subpart Cb and PSD-FL-112 (B) are defined by averaging times longer than 2 hours. Excess emission averaging times for CO and SO₂ and NO_x are 4 hour block and 24 hour block respectively-any excess emission is already over 2 hours in length.

23) B.66- In Paragraph (5) (iii) the 7 ng/dscm limit for the reduced dioxin-testing schedule is changed to 15 ng/dscm per condition B.63 and 40 cfr 60.38b(b).

24) B.71-This condition can be eliminated since the Subpart C Beryllium NESHAPS is not applicable to the facility. Otherwise Method 29 is already approved in lieu of Methods 103 or 104 for Beryllium testing per Condition B.68.

25) B.73-The appropriate test method for VOC is Method 25A, which provides continuous total hydrocarbon data. See comment 7. The test method for Arsenic should be Method 29. This Condition should not be federally enforceable as with all PA-86-22 based requirements.

23) B.74-This condition should not be federally enforceable as with all other PPSC conditions under PA 86-22.

24) B. 84-This condition can be eliminated since it is no longer required by the recently approved PSD modifications under PSD-FL-112 (B). For the same reason Appendix EFF can also be eliminated.

25) B. 85- Subpart Cb only requires that SO₂ monitors be located upstream of the acid gas control device (inlet to scrubbers) if compliance with the SO₂ limit will be demonstrated using the alternative SO₂ % reduction criterion. If compliance is to be demonstrated on the outlet concentration only, then only SO₂ monitors located downstream of the fabric filter are required. Condition B. 83 should be modified to only require inlet SO₂ monitors if the % reduction option will be used. Last sentence suggested language would be as follows: " SO₂ monitors shall be located downstream of the bag house if compliance will be determined on a concentration basis or upstream of the scrubbers and downstream of the bag house if compliance will be determined using % reduction. "

26) Report and Record Keeping Requirements-There are conflicts in the reporting requirements. Conditions B.98, B.99 and B.13 specify the submittal of excess emission reports on a calendar quarter basis within 30 days after the last month in the quarter and in the format specified in 40 CFR 60.7. Subpart Cb requires submittal of annual and semiannual reports by February 1 and August 1 with specific contents specified under Conditions B.105 and B. 106. Given that the PSD permit has been revised to incorporate the Subpart Cb limits and operating requirements, the two different reporting requirements should be streamlined into a single reporting requirement based on Subpart Cb. Also condition B.113 references Rule 62-204-800(8) as a basis for submittal of quarterly reports. Since this rule has a direct reference to Subpart Cb, there is no quarterly excess emission submittal requirement but an annual and semiannual requirement.

27) B.114- Paragraph (b) specifies submittal of test reports no later than 45 days after test completion. This 45-day requirement cannot be met given the dioxin test requirements under Subpart Cb. Dioxin analyses take approximately 30 days to complete after receipt of samples given the inherent complexity of the analysis. Detailed QA/QC review of the lab data packages and short supply of qualified labs that can perform high resolution GC/MS analysis. A 60-day test report submittal date would minimize enforcement exposure to late test reports.

28) Subsection C- Emissions Unit 005, the MAC Filter bag house (Model 120 LST100) is no longer in operation and has been dismantled following DEP notification. The bag house proved unnecessary in controlling fugitive fly ash since building enclosures and ash conditioning proved to be effective by themselves. Fugitive emissions from the ash handling system will be regulated by the Subpart Cb fugitive ash emission standard under condition B.39 (40 CFR 60.36b and 40 CFR 60.55b).

29) Condition C.1 (2). Based on Comment 28, the PTE parameters for ash handling system are no longer required since there is no discrete emission point.

30) Conditions C.4, C.5 and C.6- Language relating to the ash handling system can be deleted based on comment 28 above.

31) Table 1-1 Summary of Air Pollutant Standards and Terms- Standards for Be and FI for all units should be expressed in mg/dscm at 7%O2 per PSD-FL-112 (B) and comment 19 above respectively.

32) Table 2-1 Summary of Compliance Requirements- Test method corrections are as follows: VE= Method 9, PM, PM10 = Method 5, Hg and Pb = Method 29 only (Cannot use M-12 or 101A under Subpart Cb), Be = Method 29 only per comment 24 above. Lime silo Method 5 is only conducted at request of DEP should opacity exceed 5%. There is no defacto annual Method 5 test requirement. Ash handling system should be Method 22 under the Subpart Cb fugitive ash standard. Note 2 correct reference to reduced dioxin test schedule is 40 CFR 60.38b(b).

33) Appendix H-1 Permit History- PSD-FL-112 (B) should be incorporated in table.

Sincerely,

Paul Guyo for William Roberts

William Roberts
Regional Manager

Cc: Chuck Faller
Tim Porter
Matt Killeen
Jeff Turpin
Scott Shannon
File; 3.7.3
5.1.3.2



WHEELABRATOR NORTH BROWARD, INC.
A WASTE MANAGEMENT COMPANY

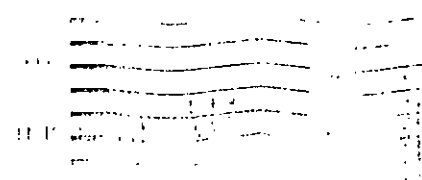
2600 N.W. 48th Street
Pompano Beach, FL 33073



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P 082 970 898

MAIL



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FL Dept. of Environmental Prot.
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

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NOV 29 1999

BUREAU OF AIR REGULATION

WHEELABRATOR NORTH BROWARD, INC.
A WASTE MANAGEMENT COMPANY

2600 N.W. 48th Street
Pompano Beach, FL 33073
(954) 971-8701
(954) 971-8703 Fax

November 22, 1999

Certified Mail #Z 252 821 711

Mr. C. H. Fancy, P. E. Chief
Bureau of Air Regulations
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Wheelabrator North Broward
Draft Title V Permit
Proof of Publication

Dear Mr. Fancy,

Please find enclosed Wheelabrator North Broward's proof of publication of the "Public Notice of Intent to Issue Title V Air Operation Permit."

If there are any questions, please contact this office at (954) 971-8701.

Sincerely,

William Roberts
General Manager

s:991122

cc: Chuck Faller
Jeff Turpin
Matt Killeen
Tim Porter
File: 3.7.3
5.1.3.2

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COUNTY OF BROWARD/PALM BEACH/DADE
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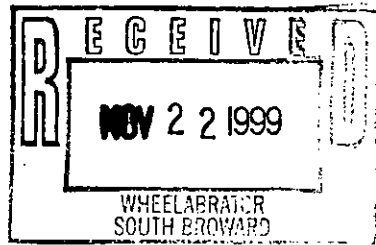
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A.D. 1999

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**PUBLIC NOTICE OF INTENT
TO ISSUE TITLE V AIR OPERATION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V DRAFT Permit No.: 0112100-001-AV
North Broward Waste-to-Energy Facility
Broward County**

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Wheelabrator North Broward, Inc. for the North Broward Waste-to-Energy Facility located at 2600 N.W. 48th Street, Pompano Beach, Broward County. The applicant's name and address are: Wheelabrator North Broward, Inc. 2600 N.W. 48th Street, Pompano Beach, Florida 33073.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments 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 Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (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 of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

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

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority'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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 40 M Street, S.W., Washington, D.C. 20460

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:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979
Affected District/Local Programs:
Department of Environmental Protection
Southeast District Office
400 North Congress Avenue
West Palm Beach, Florida 33416-5425
Telephone: 561/681-6600
Fax: 561/681-675
Broward County
Department of Natural Resource Protection
Air Quality Division
218 Southeast First Avenue
Ft. Lauderdale, Florida 33301

Telephone: 954/519-1220
Fax: 954/519-1495.

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak P.E., at the above address, or call 850/921-9532, for additional information.

November 16, 1999