



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA, GEORGIA 30308

0250020-NA-AC
PSD-FL-050

REF: 4AII-AP

Mr. Albert W. Townsend
Coordinator of Ecological Planning
Lonestar Florida/Pennsuco, Inc.
P. O. Box 122035
Palm Village Station
Hialeah, Florida 33012

Re: PSD-FL-050 Fuel Conversion on
3 Kilns

Dear Mr. Townsend:

Review of your February 11, 1980 application to construct a coal handling facility and to convert three existing kilns to coal firing (PSD-FL-050) near Hialeah, Florida has been completed. The construction is subject to rules for the Prevention of Significant Deterioration (PSD) of air quality, contained in 40 CFR 52.21.

It has been determined that the modification, as described in the application meets all applicable requirements of the PSD regulations, subject to the conditions in the conclusion section to the Final Determination (enclosed). EPA has performed the Preliminary Determination concerning the proposed modification, and published a request for public comment on May 29, 1980.

Only one comment was received, that being from your company. In response to that comment, condition 11 has been reworded to clarify the exact definition of what averages constitute a compliance performance test for each of the various pollutants.

Authority to construct a modification to a Stationary Source is hereby issued, subject to the conditions in the Final Determination. This Authority to Construct is based solely on the requirements of 40 CFR 52.21, the Federal regulations governing significant deterioration of air quality. It does not apply to other permits issued by this agency or permits issued by other agencies.

Information regarding EPA permitting requirements can be provided if you contact Mr. Joe Franzmathes, Director, Office of Program Integration and Operations, at (404) 881-3476. Additionally, construction covered by this Authority to Construct must be initiated within 18 months from the receipt of this letter.

The United States Court of Appeals for the D.C. Circuit issued a ruling (December 14, 1979) in the case of Alabama Power Co. vs. Douglas H. Costle (78-1006 and consolidated cases) which has significant impact on the EPA Prevention of Significant Deterioration (PSD) program and permits issued thereunder. The ruling will require modification of the PSD regulations and could affect permits issued under the existing program. You are hereby advised that this permit may be subject to reevaluation. Please be advised that a violation of any condition issued as part of this approval, as well as any construction which proceeds in material variance with information submitted in your application will be subject to enforcement action.

Authority to Construct will take effect on the date of this letter. The complete analysis which justifies this approval has been fully documented for future reference, if necessary. Any questions concerning this approval may be directed to Kent Williams, Chief, New Source Review Section (404) 881-4552.

Sincerely yours,

Thomas W. Devine
Director
Air and Hazardous Materials Division

TWD:JWP:clu

Enclosure

✓ cc: S. Smallwood
Florida Department of Environmental Regulation