

Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

April 26, 2006

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Scott Salisbury
Trail Ridge Energy, L.L.C.
29261 Wall Street
Wixom, Michigan 48393

Re: DEP File No. 0310358-004-AC (PSD-FL-374)

Trail Ridge Energy – Installation of six (6) reciprocating internal combustion engines

Dear Mr. Salisbury:

The Department has received the response on April 12, 2006, to our initial request for additional information dated March 15, 2006. Trail Ridge Energy plans to construct and operate an electric generation facility at the Trail Ridge Landfill Facility in Duval County. Based on our review of the response, we have determined that additional information is needed in order to continue processing this application package. Please submit the information requested below to the Department's Bureau of Air Regulation:

1. Rule 62-213.202(2) F.A.C states that "Each Title V source may designate more than one responsible official, provided a primary responsible official is designated as responsible for the certifications of all other designated responsible officials. Any action taken by the primary responsible official shall take precedence over any action taken by any other designated responsible official". Based on this, the Department can issue a Title V Operating Permit that has two or more sections with separate associated responsible officials as long as a primary responsible official is designated for the facility that will be responsible for the certifications of the other two responsible officials. The approach taken by Illinois and Michigan where a primary responsible official was not designated cannot be followed by the State of Florida.

EPA discouraged this approach of having two or more sections within a Title V Operating Permit whereby each section can be looked as a facility by itself. This approach could appear to keep a facility synthetic minor source in regards to PSD regulations. In Florida if the two plants are considered a single facility for the Title V Program, they are also considered a single facility for the purposes of PSD preconstruction review.

The regulatory analysis section in the August 24, 2001 Staff Report for the Sumpter Energy Associates Operating Permit states that the facility is considered a major Title V source due to the potential to emit NOx and CO exceeds 100 tons, but it's considered a 'synthetic minor' source in regards to PSD regulations. It's not clear to the Department as to the reasons for being a synthetic minor source for PSD purposes as the CO emissions from the two sections (landfill and engines) when aggregated would make it a PSD major facility.

2. Trail Ridge Landfill, Inc. submitted on March 21, 2006, a utility flare modification application to Duval County. The application was submitted as a minor modification. Due to the submittal of the PSD application for Trail Ridge Energy prior to their submittal, the facility is major for PSD as CO emissions were greater than 250 tons per year. The utility flare modification application shows an increase in CO emissions greater than 100 tons per year. Therefore, their application cannot be a minor

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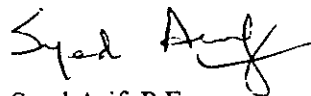
modification. The increase in CO emissions from the flare modification should be considered in the ambient impact analyses required for the PSD project. The modeling information under Appendix I of the PSD application has still not been submitted and the CO emissions from the utility flare modification can be included with the analyses.

3. The Department does not concur with your reasoning for the BACT emission limit for PM₁₀ emissions to be 0.24 g/bhp-hr. The fact that Bio Energy Texas has the same internal combustion engines and will be used at a similar facility and has given reasonable assurance to the State of Texas that 0.148 g/bhp-hr is achievable sets the BACT limit for this pollutant. Please explain the reasons for a similar internal combustion engine not able to meet the same emission limit under similar circumstances. Are the two landfills accepting different types of waste or are there any other differences between the two landfills that could justify increase in PM₁₀ emissions when comparing the two.
4. The Department has still not received the required air quality analysis and will have an additional 30 days after receiving the modeling information to send any further comments based on the modeling review. Any additional comments from EPA and the U.S. Fish and Wildlife Service will be forwarded to you after we receive them.

The Department will resume processing this application after receipt of the requested information. Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. A new certification statement by the authorized representative or responsible official must accompany any material changes to the application. Rule 62-4.055(1), F.A.C. now requires applicants to respond to requests for information within 90 days.

We will be happy to meet and discuss the details with you and your staff. If you have any questions, I can be contacted at 850/921-9528. You may discuss the modeling requirements with Mr. Cleve Holladay at 850/921-8689.

Sincerely,



Syed Arif, P.E.
Bureau of Air Regulation

/sa

cc: Chris Kirts, DEP-NED
Richard Robinson, ERM/AQB
Jeff Pope, P.E., Clayton Group Services, Inc.
Gregg Worley, EPA Region 4
John Bunyak, NPS

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Mr. Scott Salisbury

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 Mr. Scott Salisbury
 Street, Apt. No., or PO Box No.
 29261 Wall Street
 City, State, ZIP+4
 Wixom, Michigan 48393

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