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Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

JAN 2 1995

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JUN 20 1994

Wetherell
Secretary

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF PERMIT AMENDMENT

CERTIFIED MAIL

Ms. Nancy McCann
Urban Environmental Coordinator
Office of Environmental Coordination
City of Tampa
City Hall Plaza, 5N
Tampa, FL 33602

DER File No.: AO29-206279
County: Hillsborough

Enclosed is amended Permit Number AO29-206279 to operate the McKay Bay Refuse-to-Energy facility, issued pursuant to Section 403.087, Florida Statutes.

A person whose substantial interests are affected by this amended permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee 32399-2400, within fourteen (14) days of receipt of this amended permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends required reversal or modification of the Department's action or proposed action; and

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


If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this amended permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice, in the Office of General Counsel at the above address of the Department. Failure to petition within the allotted time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This amended permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (amended Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida

Sincerely,


Gergid J. Kissel, P.E.
District Air Engineer

GJK/SKW/bm

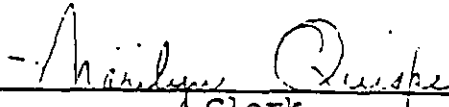
Attachment:

cc: Environmental Protection Commission
of Hillsborough County

CERTIFICATE OF SERVICE

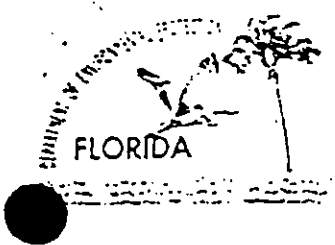
This is to certify that this NOTICE OF PERMIT AMENDMENT and all copies were mailed by certified mail before the close of business on JUN 17 1994 to the listed persons.

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

JUN 17 1994
Date



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

PERMITTEE:
City of Tampa
City Hall Plaza, 5N
Tampa, FL 33602

PERMIT/CERTIFICATION
Permit No: AO29-206279
County: Hillsborough
Issuance Date: 9/1/92
Amendment Date: 06/17/94
Expiration Date: 08/01/97
Project: McKay Bay Refuse-to-
Energy Facility

This amended permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-2 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the department and made a part of hereof and specifically described as follows:

For the operation of four (4) 250 TPD municipal solid waste incinerators designated as Units 1, 2, 3, and 4, respectively, from west to east. Municipal Solid Waste includes any solid waste, except for sludge, resulting from the operation of residential, commercial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service. The term includes yard trash, but does not include solid waste from industrial, mining, or agricultural operations. Waste tires and waste oil may be incinerated under certain limitations and restrictions specified in the Specific Conditions.

Each incinerator is equipped with a 37,500 dscfm F.L. Smidth, Model F300, 2-field electrostatic precipitator to control particulate matter emissions. Units 1 and 2 share the same stack exhaust. Units 3 and 4 share the same stack exhaust. Each stack exhaust is equipped with a certified opacity monitor.

Fly ash collected by the electrostatic precipitator is pneumatically conveyed to the fly ash silo and then gravity fed onto the bottom ash drag conveyor where it is wetted. The ash handling system is designed to load the ash into tarped open bed trucks, via front-end loader, after dewatering. Particulate matter emissions generated during fly ash silo loading are controlled by a Flex-Kleen, Model BVBC-36 (IIG) 2109 ACFM baghouse. Fugitive emissions are controlled by the use of water as a dust suppressant.

Location: 107 North 34th Street, Adjacent to McKay Bay, Tampa

PERMITTEE:
City of Tampa

PERMIT/CERTIFICATION NO.: AO29-206279
PROJECT: McKay Bay Refuse-to-Energy
Facility

PROCESS DESCRIPTION: (continued)

UTM: 17-360.0 E 3091.9 N NEDS NO: 0127 Point ID: 01 - Unit
No. 1
02 - Unit
No. 2
03 - Unit
No. 3
04 - Unit
No. 4
05 - Fly Ash
Silo

Replaces Permit No.: AO29-114760

PERMITTEE:
City of Tampa

PERMIT/CERTIFICATION NO.: AO29-206279
PROJECT: McKay Bay Refuse-to-Energy
Facility

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions.
2. Maximum allowable emissions from the following sources shall not exceed [PSD-FL-086 and AC29-47277 and Rule 17-4.070(3), F.A.C.]

<u>Source</u>	<u>Pollutant</u>	<u>Emission Limitation</u>
Combined Units 1-4	Particulate Matter	0.025 gr/DSCF, corrected to 12% CO ₂ and 27.9 lbs./hr.
	Sulfur Dioxide	170.0 lbs./hr.
	Nitrogen Oxides	300.0 lbs./hr.
	VOC	9.0 lbs./hr.
	Lead	3.1 lbs./hr.
	Fluoride	6.0 lbs./hr.
	Mercury (vaporous and particulate)	0.6 lbs./hr.
	Beryllium	5 grams/24 hour period and 0.00046 lbs./hr.
Fly Ash Silo	Particulate Matter	0.025 gr/DSCF, up to 0.36 lbs./hr.

3. Visible emissions shall not exceed the following, except as noted in Specific Condition No. 4: [AC29-47277, Rule 17-2.510(8)(d)2., F.A.C. and Rule 17-2.650(2)(c)11., F.A.C.]

<u>Source</u>	<u>Emission Limitation</u>
Units 1-2 (West Stack)	15%
Units 3-4 (East Stack)	15%
Fly Ash Silo	5%

4. Excess emissions resulting from start-up, shutdown or malfunction of any unit shall be limited to a total of 2 hours in any 24 hour period provided best operational practices are adhered to and the duration of excess emissions are minimized. Best operational practices shall include but are not limited to: [Rule 17-2.250(1), F.A.C.]

- A) Using the least pollution causing material available on site to charge the furnace on start-up.
- B) Turning on the electrostatic precipitator as soon as possible but no later than two hours after the furnace is ignited.

The permittee shall maintain a log detailing the following information on every start-up of a unit:

- A) Time (to the nearest minute) at which the furnace is ignited.
- B) Time (to the nearest minute) at which the electrostatic precipitator is turned on and operational.

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SPECIFIC CONDITIONS:

- C) Temperature of the flue gas at the electrostatic precipitator inlet when it is turned on.
- D) Six minute opacity reading taken from the opacity monitor strip chart beginning at two hours following the ignition of the furnace.

5. This permit authorizes the permittee to incinerate municipal solid waste, as defined in the project description, and waste oil from spills cleaned up by the Port Authority. The municipal solid waste may be generated outside the city limits. It may include waste tires as they are collected as part of the normal waste stream (not segregated) and do not exceed more than 3% of the total charge at any given time. The waste oil can not exceed 10,000 gallons per day from tanker trucks or 10 tons per day from fiber drums. No other materials, to include water treatment plant sludges, biomedical waste, radiological waste or hazardous waste, are to be incinerated at this facility. [PSD-FL-086, AC29-47277 and Rule 17-4.070(3), F.A.C.]

6. No auxiliary fuels or segregated materials other than those normally contained in MSW are to be used to raise the BTU content unless prior authorization is received from the Florida Department of Environmental Protection and the Environmental Protection Commission of Hillsborough County. [Rule 17-4.070(3), F.A.C.]

7. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 17-2.620(2), F.A.C.]

8. Test the emissions from each unit for the following pollutant(s) at intervals of 12 months (\pm 30 days) from October 29, 1991 and submit 2 copies of test data to the Air Section of the Environmental Protection Commission of Hillsborough County office within forty-five days of such testing. Testing of all four units for each pollutant shall be conducted in a consecutive five day period (except that the EPC may extend the five day test period when required by conditions beyond the control of the permittee) and shall be consistent with the requirements of Rule 17-2.700(2), F.A.C.:

(X) Particulates
(X) Opacity

(X) Lead

The visible emissions readings on each of the two stacks shall be at least 60 minutes in duration and shall be conducted simultaneously with the particulate testing. Both units which share a common stack shall be in operation during the visible emission test.

PERMITTEE:
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Facility

SPECIFIC CONDITIONS: (continued)

9. Test the emissions from each unit for the following pollutant(s) six months prior to the expiration date of this permit and submit 2 copies of test data to the Air Section of the Environmental Protection Commission of Hillsborough County within forty-five days of such testing. Testing of all four units for each pollutant shall be conducted within a consecutive five day period (except that the EPC may extend the five day test period when required by conditions beyond the control of the permittee) and shall be consistent with the requirements of Rule 17-2.700(2), F.A.C.:

(X) Volatile Organic Compounds	(X) Total Fluorides
(X) Mercury	(X) Beryllium
(X) Nitrogen Oxides	(X) Sulfur Dioxide

10. Test the emissions from the fly ash silo for the following pollutant(s) at intervals of 12 months (\pm 30 days) from October 29, 1991 and submit 2 copies of test data to the Air Section of the Environmental Protection Commission of Hillsborough County office within forty-five days of such testing. Testing procedures shall be consistent with the requirements of Rule 17-2.700(2), F.A.C.:

(X) Particulates*
(X) Opacity

* In lieu of a stack test, the permittee may submit an EPA Method 9 testing showing no visible emissions pursuant to Rule 17-2.700(3)(d), F.A.C., except upon permit renewal. Upon permit renewal the EPA Method 9 test may not be substituted for the stack test. The Method 9 test interval shall be at least 60 minutes in duration on the fly ash silo. Should the Department have reason to believe the particulate emission standard is not being met, the Department may require that compliance with the particulate emission standards be demonstrated by testing in accordance with Rule 17-2.700, F.A.C.

11. The permittee shall notify the Air Compliance Section of the Environmental Protection Commission of Hillsborough County at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the contact person who will be responsible for coordinating and having such test conducted. [Rules 17-297.340(1)(i) and 17-209.500, F.A.C.]

12. Compliance with the emission limitations of Specific Condition Nos. 2 and 3 shall be determined using EPA Methods 1, 2, 3, 5, 6, 7, 9, 12, 13A/13B, 25A/25B, 101A and 104 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 17-2.700, F.A.C. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 17-2.700, F.A.C. and 40 CFR 60, Appendix A.

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City of Tampa

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PROJECT: McKay Bay Refuse-to-
Facility

SPECIFIC CONDITIONS: (continued)

13. Testing of emissions shall be conducted within 90-100% of the maximum permitted charging rate of 10.5 tons/hr. for each unit and all four (4) units in operation for the fly ash silo testing. A compliance test submitted at operating levels less than 90% of the maximum permitted rate will automatically constitute an amended permit at the lesser rate plus 10% until another test (showing compliance) at a higher rate, not to exceed 10.5 tons/hr., is submitted to the Department and the Environmental Protection Commission of Hillsborough County. Acceptance of said tests by the Department and the Environmental Protection Commission of Hillsborough County will constitute an amended permit at the greater rate. The rates are not to exceed the maximum permitted rates. Emission limitations are not automatically adjusted above the allowables established by this permit and/or the maximum permitted rate. Failure to submit the charging rates during testing which do not reflect actual operating conditions may invalidate the data. [Rule 17-4.070(3), F.A.C.]

14. Operation and Maintenance Plan for Particulate Control: [Rule 17-2.650(2), F.A.C.]

A) Process Parameters:

1. Source Designators: Unit Nos. 1-4
2. Maximum Charging Rate: 250 tons per day per unit,
1000 tons per day total
3. Maximum Heat Input Rate: 2,500 MMBTU/day/line,
10,000 MMBTU/day total
4. Permitted Operating Schedule: 24 hrs./day, 7 days/wk.,
52 wks./yr.
5. Furnace Temperature: 1800-2400° F.
6. Fuel Type: Unsorted Municipal Solid Waste
7. Design Fuel Analysis: Carbon-25.6%, Nitrogen-0.58%,
Hydrogen-3.7%, Sulfur-0.3%,
Oxygen-22.75%, Moisture-30.0%,
Non-combustibles-18.0%
8. Combustion Conditions: 50-120% excess air
7-11% O₂ in flue gas
9. Steam Pressure: 650 psig at turbine inlet
10. Steam Temperature: 700° F. at turbine inlet
11. Steam Production: 208,400 lbs./hr. total normal flow rate
12. Maximum Permitted Electric Output: 25 MW

B) Pollution Control Equipment Parameters:

1. Control Equipment Type: 4 Electrostatic Precipitators
2. Model Name and Number: F.L. Smidth Model F300
3. Design Flow Rate: 37,500 dscfm/line, 75,000 dscfm/stack
4. Primary Voltage: 480V
5. Primary Current: 89A

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SPECIFIC CONDITIONS: (continued)

6. Secondary Voltage: 25,000-45,000 VDC
7. Secondary Current: 800 mA
8. Design Collection Efficiency: 99.45%
9. Stack Height Above Ground: 160 ft./stack
10. Stack Diameter: 5.75 ft. each stack
11. Exit Gas Temperature: 450-600° F. each stack
12. Exit Gas Moisture: 14%

- C) The following observations, checks and operations apply to this source and shall be conducted on the schedule specified:

Continuously Monitored

1. Opacity
2. Temperatures^{*}
 - a. ESP Inlet and Outlet
 - b. Furnace
 - c. Bypass
 - d. Kiln Outlet
 - e. Secondary Superheater Outlet Steam

^{*} Monitored every 5 seconds and a summed average is recorded every hour.

Every Four Hours

1. Monitor/inspect fly ash removal equipment and handling system
2. Observe fly ash silo operation, if unit is in operation
3. Primary voltage (ESP)
4. Primary current (ESP)
5. Secondary voltage (ESP)
6. Secondary current (ESP)

Daily

1. Monitor T/R temperature (ESP)
2. Monitor hours of operation per line

Weekly

1. Check lubrication on all external bearings, chains, idlers, sprockets
2. Lubricate fly ash collecting equipment, as needed
3. Spark rate
4. Rapper frequency
5. Rapper duration
6. Check gear box reservoir oil levels

PERMITTEE:
City of Tampa

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PROJECT: McKay Bay Refuse-to-Energy
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SPECIFIC CONDITIONS: (continued)

Semi-Annually (during maintenance outages)

1. Inspect precipitators internals; observe dust build-up, corrosion
2. Check alignment of plates and electrodes
3. Inspect rappers, observe for cracking on rapper frame assembly
4. Clean rapper insulator bushing
5. Clean electrode bushings
6. Check screw conveyor bearings
7. Inspect all field connections, door frames, duct connections for corrosion
8. Replace door frame gaskets as needed.
9. Inspect internal structural members for corrosion and integrity
10. Clean relay cabinets, clean motor starter and relay contacts
11. Check hopper heaters for proper operation
12. Check insulator housing heaters for proper operation
13. Lubricate key interlock system

Annually

1. Hoppers and inlet distribution baffles are visually checked for wear
2. Wire thickness is checked visually
3. Check precipitator earth ground connection
4. Inspect collection plates for corrosion
5. Check external structural members for integrity
6. Run T/R oil analysis

D) Records:

Records of inspections, maintenance, and performance parameters shall be retained for a minimum of two years and shall be made available to the Department or Environmental Protection Commission of Hillsborough County upon request. [Rule 17-2.650(2)(g)5., F.A.C.]

15. The permittee shall calibrate, operate and maintain a continuous monitoring system in accordance with Rule 17-2.710(1), F.A.C. to monitor in-stack opacity.

16. The permittee shall record and keep on file the daily charging rate and hours of operation of each unit and report this information quarterly to the Environmental Protection Commission of Hillsborough County. [40 CFR 60.53(a) and PSD-FL-086]

PERMITTEE:
City of Tampa

PERMIT/CERTIFICATION NO.: AO29-206279
PROJECT: McKay Bay Refuse-to-Energy
Facility

SPECIFIC CONDITIONS: (continued)

17. The permittee shall provide a written quarterly report of excess emissions. For purposes of this report, excess emissions shall be all air pollutant emissions in excess of the permitted levels stated in Specific Condition Nos. 2 and 3 of this permit. Quarterly reports shall be submitted no later than 30 days from the end of each calendar quarter and shall include the following: [40 CFR 60.7(c) and Rule 17-4.070(3), F.A.C.]

- A) The magnitude of excess emissions including the date, time and duration.
- B) Nature and cause of excess emissions and the corrective action taken.
- C) Date and time opacity monitors were inoperable except for zero and span and the nature of the repairs or adjustments.
- D) Statement that excess emissions have or have not occurred and/or a statement that the opacity monitors were or were not inoperable.

18. Submit for this facility, each calendar year, on or before March 1, an emission report for the preceding calendar year containing the following information pursuant to Subsection 403.061(13), Florida Statutes:

- A) Annual amount of materials and/or fuels utilized.
- B) Annual emissions (note calculation basis).
- C) Any changes in the information contained in the permit application.

Duplicate copies of all reports shall be submitted to the Environmental Protection Commission of Hillsborough County.

19. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter at the facility in accordance with the provision in Rule 17-2.610(3), F.A.C.:

- A) Use of tarps on trucks transporting ash.
- B) Apply water or dust suppressants to all paved and unpaved roads to minimize fugitive emissions on the facility site.
- C) Maintain vehicular speed to a minimum (10 MPH or less) on the facility site. Post signs.
- D) Exercise good housekeeping at all times.
- E) Use of water, as necessary, as a dust suppressant during the loading of trucks.

20. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapter 17-2, F.A.C., or any other requirements under federal, state, or local law. [Rule 17-2.210, F.A.C.]

PERMITTEE:
City of Tampa

PERMIT/CERTIFICATION NO.: A029-206279
PROJECT: McKay Bay Refuse-to-Energy
Facility

SPECIFIC CONDITIONS: (continued)

21. An application for renewal of permit to operate this source, completed in quadruplicate, shall be submitted to the Department and a copy to the Environmental Protection Commission of Hillsborough County at least 60 days prior to its expiration date. [Rule 17-4.090, F.A.C.]

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL REGULATION

H.A. Hirsch, P.E.
for Richard Garrity, Ph.D.
Director of District Management

ATTACHMENT - GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

GENERAL CONDITIONS:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

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

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

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

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

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

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

GENERAL CONDITIONS:

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

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

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

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

c. Records of monitoring information shall include:

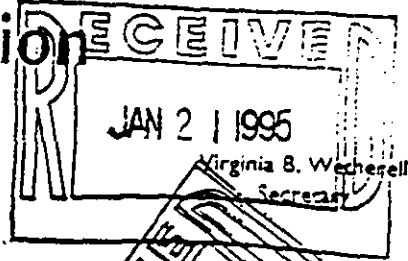
- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

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



Department of Environmental Protection

REC'D
-21-10-94



Lawton Chiles
Governor

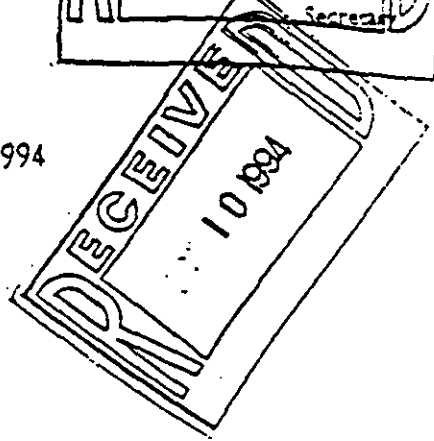
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

NOTICE OF PERMIT

OCT - 6 1994

Ms. Nancy McCann
Environmental Coordinator
City of Tampa
City Hall Plaza, 5N
Tampa, Florida 33602

FOR YOUR INFORMATION
Nancy McCann



Dear Ms. McCann:

Enclosed is the modification #256823 to existing Permit Number SO29-204205, issued pursuant to Section(s) 403.087(1), Florida Statutes.

Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 17-103 and 28-5.201, F.A.C., and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, 32399-2400, within fourteen (14) days of receipt of this notice. Failure to file a petition within fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes. This permit is final and effective on the date filed with the Clerk of the Department unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

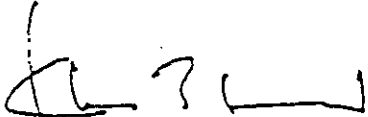
When the Order (Permit) is final, any party to the Department has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, 32399-2400; 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 of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Ms. Nancy McCann
City of Tampa
Permit No.: SO29-204205

OCT - 6 1994
Page Two

Executed in Tampa Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Kim B. Ford, P.E.
Solid Waste Section
Division of Waste Management

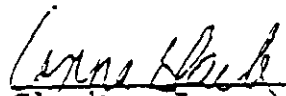
KBF/ab
Attachment

cc: Greig Grotecloss, City of Tampa
Paul Schipfer, HCEPC
Kathy Anderson, FDEP Tallahassee
Robert Butera, P.E., FDEP Tampa
Steve Morgan, FDEP Tampa

CERTIFICATE OF SERVICE

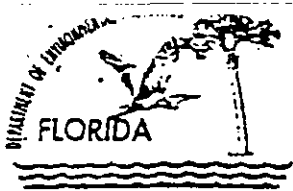
This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on OCT - 6 1994 to the listed persons.

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(10), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

OCT - 6 1994
Date



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

OCT - 6 1994

PERMITTEE

Ms. Nancy McCann
Environmental Coordinator
City of Tampa
City Hall Plaza, 5N
Tampa, Florida 33602

RE: Modification to existing permit
Permit No. SO29-204205, Hillsborough County
McKay Bay Refuse-to-Energy Facility

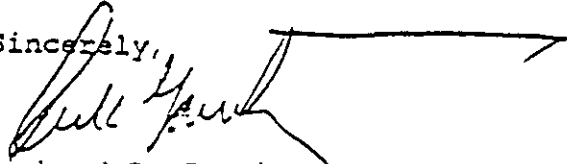
Dear Ms. McCann:

We are in receipt of the City of Tampa's August 29, 1994 request for permit modification #256823 to modify the solid waste permit #SO29-204205.

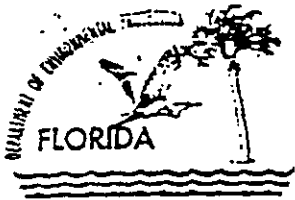
<u>SPECIFIC CONDITIONS</u>	<u>FROM</u>	<u>TO</u>	<u>TYPE OF MODIFICATION</u>
#13.		New	Ash Conditioning System

This letter and its attachments constitute a complete permit and replace all previous permits and permit modifications for the above referenced facility.

Sincerely,


Richard D. Garrity, Ph.D.
Director of District Management
Southwest District

RDG/kbfb
Attachments



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

PERMITTEE

Ms. Nancy McCann
Environmental Coordinator
City of Tampa
City Hall Plaza, 5N
Tampa, FL 33602

PERMIT/CERTIFICATION

GMS ID No: 4029M30071
Permit No: SO29-204205
Date of Issue: 07/30/92
Expiration Date: 07/01/97
County: Hillsborough
Lat/Long: 27°56'51"N
82°25'14"W
Sec/Town/Rge: 20/29S/19E
Project: McKay Bay
Refuse-to-Energy
Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-3, 17-4, 17-701, and 17-702. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To operate a solid waste volume reduction and resource recovery facility, referred to as McKay Bay Refuse-to-Energy Facility, subject to the specific conditions attached, burning solid waste and producing electricity, near 34th Street and Clark Street, Tampa, Hillsborough County, Florida.

Replaces Permit No.: SO29-116391

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.161, 403.727, or 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits; specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of rights, nor any infringement of federal, State, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

GENERAL CONDITIONS:

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

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

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

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

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

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

GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-730.300, Florida Administrative Code, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

GENERAL CONDITIONS:

(c) Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

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

SPECIFIC CONDITIONS:

1. This facility is classified as a solid waste volume reduction and resource recovery facility, and shall be operated in accordance with all application requirements of Chapters 17-2, 17-3, 17-4, 17-701, and 17-702, Florida Administrative Code.
2. The refuse-to-energy facility shall be operated so as to handle solid waste on a first-in, first-out basis. At no time shall any stored solid waste be allowed to remain unprocessed for more than forty-eight (48) hours unless adequate provisions are made to control flies, rodents and odors.
3. All solid waste, recovered materials or residues handled at the refuse-to-energy facility, shall be stored in a manner so as not to create a fire or safety hazard or a sanitary nuisance, and shall comply with all applicable local and state regulations. Adequate fire control facilities shall be provided. The fire protection monitoring equipment required by the local fire protection authorities shall be installed and in service by October 15, 1992. An updated fire safety survey shall be provided to verify facility compliance.
4. The operating authority shall be responsible for the control of odors and fugitive particulates arising from this operation. Such control shall prevent the creation of these nuisance conditions on adjoining property.
5. Prior to ninety days before the expiration of the Department permit, the permittee shall apply for a renewal of the permit on forms, and in a manner prescribed by the Department.
6. The ash residue from this facility shall be analyzed every three months as specified in F.A.C. Rule 17-702.570. The results shall be submitted annually to the Southwest District Office, C/O the Solid Waste Section, Tampa, Florida.
7. The facility shall be operated to comply with the August 1, 1991 Ash Residue Management Plan by HDR.
8. The permittee shall not accept hazardous waste or any hazardous substance at this site. Hazardous waste is a solid waste identified by the Department as a hazardous waste in Chapter 17-730, Florida Administrative Code. Hazardous substances are those defined in Section 403.703, Florida Statute or in any other applicable state or federal law or administrative rule.

SPECIFIC CONDITIONS:

9. This permit allows the storage and processing of waste tires in accordance with all applicable requirements of Department rules. Fire protection shall be assured by the local fire protection authorities. The operator shall keep the emergency preparedness manual at the site. Waste tires may be processed through the facility up to 3%, by weight, of the permitted capacity subject to the requirements of the DEP air rules.

10. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.), Florida Statutes applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professionals who prepared or approved them.

11. The permittee shall be aware of and operate under the attached "General Conditions". General Conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes.

12. By acceptance of this Permit, the permittee certifies that he/she has read and understands the obligations imposed by the Specific and General Conditions contained herein.

13. This permit is valid for construction and operation of the ash conditioning system submitted by the City of Tampa on August 29, 1994. Construction shall be completed by November 1, 1994. Certification of Construction Completion, Form 17-701.900(2), and Record Drawings shall be submitted within ninety (90) days after all specified construction has been completed.

New OCI - 6 1994