

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CERTIFIED MAIL

In the Matter of an
Application for Permit
Amendment by:

DEP File No. AC 54-192550
PSD-FL-171
Putnam County

Mr. Henry Hirschman, General Manager
Georgia - Pacific Corporation
P.O. Box 919
Palatka, FL 32178-0919

INTENT TO ISSUE

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue a construction permit amendment (copy attached) for the proposed project, as detailed in the file specified above, for the reasons stated below.

The applicant, Georgia-Pacific Corporation, applied on June 13, 1995, for an air construction permit amendment for their Kraft pulp mill located in Palatka, Putnam County, Florida. The amendment will allow the installation of screen tubes into the recovery boiler during a scheduled maintenance outage in August, 1995. The amendment will limit the Black Liquor Solids (BLS) throughput to the present maximum operating rate of 184,000 pounds per hour (lb/hr) compared with the maximum permitted rate of 210,000 lb/hr. There will be no change in actual emissions and the plant will continue to operate below its permitted process and emission limits. Therefore, the project will not be subjected to Prevention of Significant Deterioration (PSD) Review and a Best Available Control Technology (BACT) Determination as a result of this amendment.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-212 and 62-4, Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a permit amendment is required for the proposed action.

Pursuant to Section 403.815, Florida Statutes and DER Rule 17-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days in the

legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department, at [Department address] within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. 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, F.S.

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 require 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 intent. 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 intent in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed 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.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
904-488-1344
Georgia-Pacific Corporation
AC54-266676/PSD-FL-226

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

AC 54-192550
PSD-FL-171

The Department of Environmental Protection (Department) gives notice of its intent to issue a construction permit amendment for permit Nos. AC 54-192550 and PSD-FL-171 to the Georgia-Pacific Corporation for their Kraft pulp mill located in Palatka, Putnam County, Florida. The amendment will allow the installation of screen tubes into the recovery boiler during a scheduled maintenance outage in August, 1995. The amendment will limit the Black Liquor Solids (BLS) throughput to the present maximum operating rate of 184,000 pounds per hour (lb/hr) compared with the maximum permitted rate of 210,000 lbs/hr. There will be no change in actual emissions. Therefore, the project will not be subjected to Prevention of Significant Deterioration (PSD) Review and a Best Available Control Technology (BACT) Determination as a result of this amendment.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. 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, F.S.

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 require 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 Notice. 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 publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed 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, Florida Administrative Code.

The application 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:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Department of Environmental Protection
Northeast District
7825 Baymeadows Way
Suite B200
Jacksonville, Florida 32256-7577

Any person may send written comments on the proposed action to Administrator, New Source Review, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.

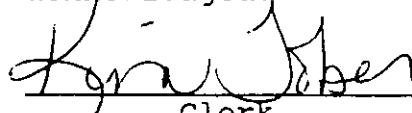
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed by certified mail before the close of business on 6-20-95 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

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

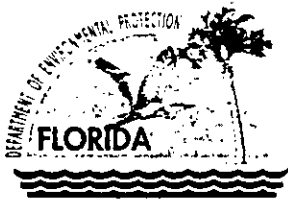


Clerk

6-20-95
Date

Copies furnished to:

cc: Chris Kirts, NED
Jewell Harper, EPA
John Bunyak, NPS
David Buff, P.E., KBN



Department of Environmental Protection

DRAFT

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

June 19, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Henry Hirschman
Environmental Superintendent
Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

Dear Ms. Hirschman:

Re: Amendment of Permit-AC 54-192550 (PSD-FL-171)
Restriction on Black Liquor Solids Throughput
No. 4 Recovery Boiler, Palatka Plant

The Department has reviewed your June 13, 1995, letter requesting the referenced permit be amended to allow screen tubes to be installed in the No. 4 Recovery Boiler. As a condition of this amendment, Georgia-Pacific Corporation agrees to reduce heavy black liquor (65% solids) throughput of the Recovery Boiler from 323,077 lbs/hr to 283,077 lbs/hr. This is equivalent to a reduction of black liquor solids from 210,000 lbs/hr to 184,000 lbs/hr. This request is acceptable to the Department and the project description on the first page of the referenced permit and specific condition No. 2 are changed:

FROM:

Project: For the modification of the No. 4 Recovery Boiler to allow an increase in the total process rate of black liquor solids (BLS) and the potential pollutant emissions. The maximum total process input rate is 323,077 lbs/hr black liquor @ 65% solids. An electrostatic precipitator (ESP) is used to control PM/PM10 emissions and visible emissions and has a minimum design efficiency of 99% for the control of particulate matter of submicron size. The project will occur at the permittee's existing facility/mill located north of S.R. 216 and west of U.S. 17. The UTM coordinates are Zone 17, 434.0 km East and 3283.4 km North.

Specific Condition No. 2: The No. 4 Recovery Boiler's maximum process input rate/capacity is 323,077 lbs/hr black liquor @ 65% solids.

DRAFT

Mr. Henry Hirschman
Georgia-Pacific Corp.
June 19, 1995 - Page 2

TO:

Project: For the installation of screen tubes in the No. 4 Recovery Boiler. The maximum total process input rate is 184,000 lbs/hr black liquor solids. An electrostatic precipitator (ESP) is used to control PM/PM10 emissions and visible emissions and has a minimum design efficiency of 99% for the control of particulate matter of submicron size. The project will occur at the permittee's existing facility/mill located north of S.R. 216 and west of U.S. 17. The UTM coordinates are Zone 17, 434.0 km East and 3283.4 km North.

Specific Condition No. 2: The No. 4 Recovery Boiler's maximum process input rate shall not exceed 184,000 lbs/hr black liquor solids.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. 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, F.S.

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;

Mr. Henry Hirschman
Georgia-Pacific Corp.
June 19, 1995 - Page 3

DRAFT

(f) A statement of which rules or statutes petitioner contends require 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 intent. 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 intent in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed 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.

A copy of this amendment must be filed with the referenced permit and shall become a part of that permit.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Howard L. Rhodes, Director
Division of Air Resources
Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
904-488-0114

Mr. Henry Hirschman
Georgia-Pacific Corp.
June 19, 1995 - Page 4

DRAFT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT AMENDMENT and all copies were mailed by certified mail before the close of business on _____ to the listed persons.

Clerk Stamp

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

Clerk

Date

Copies furnished to:

Chris Kirts, NED
David Buff, KBN
Jewell Harper, EPA
John Bunyak, NPS

Memorandum

Florida Department of
Environmental Protection

To: Clair Fancy
From: Al Linero *Al Linero* 6/19
Date: June 19, 1995
Subject: Amendment of Permit
Georgia-Pacific Corporation

Attached for your approval and signature is a letter that will amend the current construction permit for Recovery Boiler No. 4 of Georgia Pacific Corporation's Kraft pulp mill located in Palatka, Putnam County, Florida.

The amendment will allow the company to install screen tubes in the Recovery Boiler and restrict black liquor processing to the current actual rate which is less than the permitted rate. This amendment will allow the screen tubes to be installed during the scheduled plant shut down in August, 1995.

Per the attached cover letter, we advised Georgia-Pacific that the screen tube project will be reevaluated together with the planned digester replacement project as a single project.

AL/wh/t

Attachment



Georgia-Pacific Corporation

Palatka Operations
Packaged Products Division
P.O. Box 919
Palatka, Florida 32178-0919
Telephone (904) 325-2001

RECEIVED

JUL 14 1995

Bureau of
Air Regulation

July 7, 1995

Mr. Al Linero, P.E.
Administrator, New Source Review
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re:

Amendment of Permit AC 54-192550 (PSD-FL-171)
Restriction on Black Liquor Solids Throughput
No. 4 Recovery Boiler
Georgia-Pacific Corporation, Palatka Mill

Dear Mr. Linero:

Enclosed is the notarized copy of the Notice of Intent to Issue Permit which was published on June 26, 1995 in our local newspaper. This public notice was for an amendment of permit AC 54-192550 (PSD-FL-171) in which the Black Liquor Solids throughput for Recovery Boiler No. 4 will be temporarily limited to a maximum operating rate of 184,000 pounds per hour until the Department issues the PSD permit for the application currently under review.

If you have any questions please call me at (904) 325-2001.

Sincerely,

Myra Carpenter
Environmental Superintendent

w/o enclosure

cc: W.L. Baxter
B.T. Champion, GA030
H.Hirschman

PUBLIC NOTICE

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
NOTICE OF INTENT TO
ISSUE PERMIT

AC 54-192550
PSD-FL-171

The Department of Environmental Protection (Department) gives notice of its intent to issue a construction permit amendment for permit Nos. AC 54-192550 and PSD-FL-171 to the Georgia-Pacific Corporation for their Kraft pulp mill located in Palatka, Putnam County, Florida. The amendment will allow the installation of screen tubes into the recovery boiler during a scheduled maintenance outage in August, 1995. The amendment will limit the Black Liquor Solids (BLS) throughput to the present maximum operating rate of 184,000 pounds per hour (lb/hr) compared with the maximum permitted rate of 210,000 lb/hr. There will be no change in actual emissions. Therefore, the project will not be subjected to Prevention of Significant Deterioration (PSD) Review and a Best Available Control Technology (BACT) Determination as a result of this amendment.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 at 2800 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. 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, F.S.

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

STATE OF FLORIDA \
 : SS:
County of Putnam /

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Daily News is a daily newspaper of general circulation, printed in the English Language and published in the City of Palatka, in said County and State: and that the attached order, notice, publication and/or advertisement:

Legal No. 25788
PUBLICNOTICESTATE OF FLORIDADEPARTMENT O

was published in said newspaper 1 time(s), said publication being made on the following dates:
June 26, 1995

The Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice, publication and/or advertisement.

Mary Kaye Wells

Sworn to and subscribed before me this 06/26/95 by Mary Kaye Wells, Classified Advertising Manager of the Daily News, a Florida corporation, on behalf of the corporation.

Judy C. Bailey
Judy C. Bailey, Notary Public
State of Florida

NOTARY SEAL
SEAL OF OFFICE:

Personally known to me, or
 Produced Identification:

Did take an oath

OFFICIAL NOTARY SEAL
JUDY C BAILEY
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC455296
MY COMMISSION EXP. MAY 3, 1999

statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
(9) 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 Notice. 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 publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed 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, Florida Administrative Code.

The application 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:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Department of Environmental Protection
Northeast District
7825 Baymeadows Way
Suite B200
Jacksonville, Florida 32256-7577

Any person may send written comments on the proposed action to Administrator, New Source Review, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.

6/26/95 Legal No. 25788

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)	Permit No.	AC 54-192550
)		AO 54-209650
Georgia-Pacific)		AC 54-192551
Corporation,)		AO 54-209858
)		ASP-91-Q-01
Petitioner.)		
<hr/>			

ORDER ON REQUEST
FOR
ALTERNATE PROCEDURES AND REQUIREMENTS

Pursuant to Rule 17-297.620, Florida Administrative Code (F.A.C.), Georgia-Pacific Corporation, petitioned for approval to use EPA Reference Method 25A in lieu of EPA Reference Method 25 for verifying the petitioner's compliance with VOC emission limiting standards for their No. 4 recovery furnace (AC 54-192550 and AO 54-209650) and No. 4 lime kiln (AC 54-192551 and AO 54-209858) located in Putnam County.

Having considered Petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On April 13, 1992, Petitioner specifically requested approval to use EPA Reference Method 25A in lieu of performing annual EPA Method 25 testing as the compliance verification procedure for volatile organic compound emissions from the No. 4 recovery furnace (AC 54-192550 and AO 54-209650) and the No. 4 lime kiln (AC 54-192551 and AO 54-209858). [Exhibit 1]
2. As justification for the use of EPA Method 25A, Petitioner stated, "The use of EPA Reference Method 25 on combustion sources with high carbon dioxide and moisture concentrations is not appropriate. Section 1.1 of EPA Reference Method 25 states that carbon dioxide and water vapor can produce a positive bias, if the product of water vapor concentration and carbon dioxide concentration in the gas stream is greater than 100." [Exhibit 1]
3. Subsection 1.1 of EPA Method 25 also states, "When carbon dioxide (CO₂) and water vapor are present together in the stack, they can produce a positive bias in the sample. The magnitude of the bias depends on the concentrations of CO₂ and water vapor. As a guideline multiply the CO₂ concentration, expressed as volume percent, times the water vapor concentration. If this product does

not exceed 100, the bias can be considered insignificant. For example, the bias is not significant for a source having 10 percent CO₂ and 10 percent water vapor, but it would be significant for a source near the detection limit having 10 percent CO₂ and 20 percent water vapor."

4. Table 2.5 of the March 13, 1992 emission test report for the No. 4 recovery furnace shows that the stack gas contains about 22.4% water vapor by volume and about 14.7% CO₂ by volume. Since the product of the water vapor and the CO₂ is greater than 100, the EPA Method 25 results for this source may include a significant positive bias. Table 2.5 of the emission test report also shows that a VOC concentration of about 231 ppmv was measured using EPA Method 25 while a VOC concentration of about 6.5 ppmv was measured using EPA Method 25A. A comparison of the results indicates a significant positive bias in the EPA Method 25 measurements. [Exhibit 2]

5. Table 2.3 of the March 13, 1992 emission test report for the No. 4 lime kiln shows that the stack gas contains about 35.7% water vapor by volume and about 17.9% CO₂ by volume. Since the product of the water vapor and the CO₂ is greater than 100, the EPA Method 25 results for this source may include a significant positive bias. Table 2.3 of the emission test report also shows that a VOC concentration of about 602 ppmv was measured using EPA Method 25 while a VOC concentration of about 6 ppmv was measured using EPA Method 25A. A comparison of the results indicates a significant positive bias in the EPA Method 25 measurements. [Exhibit 3]

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes (F.S.), and Rule 17-297.620, F.A.C.

2. Pursuant to Rule 17-297.340(2), F.A.C., the Department may require Petitioner to conduct compliance tests that identify the nature and quantity of pollutant emission, if, after investigation, it is believed that any applicable emission standard or condition of a permit is being violated.

3. Petitioner has demonstrated that the proposed alternate compliance verification method will be adequate to verify compliance with the volatile organic compound emission limiting standard.

ORDER

Having considered Petitioner's written request and supporting documentation, it is hereby ordered that:

1. The relief requested by Petitioner is granted;

2. Petitioner shall conduct EPA 25A testing to demonstrate compliance with the applicable VOC emission limitation annually, and as may be ordered by the Department pursuant to Rule 17-297.340(2), F.A.C.; and,

3. Pursuant to all requirements of Rule 17-297.570, F.A.C., Petitioner shall submit the annual EPA Method 25A test reports to the District Director for the Department's Northeast District office within 45 days of completion of the test.

PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. The petitioner shall mail a copy of the petition to the applicant 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, F.S.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(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 each petitioner, if any;

(e) A statement of facts which each petitioner contends warrant reversal or modification of the Department's action or proposed action;

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

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

3. 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 Order. 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 with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed 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.

4. This Order constitutes final agency action 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 Order will not be effective until further Order of the Department.

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., 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 Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 11 day of March, 1993 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Virginia B. Wetherell
VIRGINIA B. WETHERELL
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

(904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been mailed, postage prepaid, to Henry Hirschman, Vice President & General Manager, Georgia-Pacific Corporation, P.O. Box 919, Palatka, Florida 32034-0919, this 12th day of March, 1993.



E. G. ESTEVEZ
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Telephone (904) 488-9730