



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Rafael A. Terrero, P.E., BCEE, M.ASCE
Assistant Director, Water System Operations
Miami-Dade Water and Sewer Department (MDWASD)
P.O. Box 330316
3071 SW 38th Avenue
Miami, Florida 33233-0316

Re: Spark Ignition RICE Compliance Extension Request
Alexander Orr, Jr. Water Treatment Plant, Facility ID No. 0250314

Dear Mr. Terrero:

This letter is in response to your request for an extension to the October 19, 2013, compliance date for the National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE NESHAP), at 40 Code of Federal Regulations (CFR) Part 63, Subpart ZZZZ. The Florida Department of Environmental Protection (DEP) is approving MDWASD's request to extend the RICE NESHAP compliance date for the emissions limit to no later than October 19, 2014. The basis and conditions for the one-year extension are described below.

MDWASD has requested a one-year extension to the October 19, 2013, RICE NESHAP compliance date for the three existing natural gas-fired non-emergency spark ignition reciprocating internal combustion engine driven pumps (EU Nos. 018, 019 & 020) located at the Alexander Orr, Jr. Water Treatment Plant, listed below. These engines are located at an area source of hazardous air pollutants (HAP) and were constructed prior to June 12, 2006; thereby, making them subject to the RICE NESHAP at 40 CFR Part 63, Subpart ZZZZ, as existing sources.

Table 1 – Compression Ignition RICE Subject to 40 CFR Part 63, Subpart ZZZZ.

E.U. No.	Manufacturer	Model Number	Emergency Engine ¹	Limited Use ²	Displacement (liters/cylinder)	Rated Capacity (horsepower)
018	Caterpillar	G3512LE-130	No	No	4.31	790
019	Caterpillar	G3512LE-130	No	No	4.31	790
020	Caterpillar	G3608LE-TA-130	No	No	21.2	2,225

1. Emergency engine as defined at 40 CFR 63, Subpart ZZZZ.
2. Limited Use stationary engine as defined at 40 CFR 63, Subpart ZZZZ.

MDWASD has ordered materials to retrofit two of the three spark ignition non-emergency engines with an oxidation catalyst and is in the process of installing the equipment. However, MDWASD has not yet completed the installation and still needs to purchase the materials to retrofit the third engine. Given the current nation-wide back order of the necessary control equipment, MDWASD has not received enough information from the suppliers and vendors to be assured that the materials and equipment would be received, installed, and the emissions units be tested for demonstration of compliance with the emissions standards by the October 19, 2013 compliance date. An extension of the compliance date of up to October 19, 2014, provides needed allowances for the current uncertainties of material availability, installation, and testing for demonstration of compliance with the emission standards. The compliance extension provisions at 40 CFR Section 63.6(i)(4)(i)(A), which are adopted and incorporated by reference in Rule 62-204.800(11)(d), Florida Administrative Code (F.A.C.), state that the Permitting Authority may grant an extension allowing an affected source up to one additional year to comply with the standard, if such additional period is necessary for the installation of controls. The compliance extension provisions at 40 CFR Section 63.6(i)(6)(i)(A) and (B) also state that a compliance extension request must include the following information:

- (A) A description of the controls to be installed to comply with the standard;

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- (B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:
- (1) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated; and
 - (2) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and
 - (3) The date by which final compliance is to be achieved.

Upon review of MDWASD's request and supporting information, we conclude that the compliance extension request provisions at 40 CFR Section 63.6(i)(6)(i)(A) and (B) have been met. Based on the above reasons and justifications, DEP grants MDWASD up to a one-year compliance extension from the RICE NESHAP regulations for each of the engines included in your request, listed above. The compliance extension is granted to provide MDWASD additional time to complete the installation of emission controls and to complete the initial compliance testing required by 40 CFR 63.6612.

This compliance extension is granted subject to the following conditions:

1. The affected sources covered by this extension are limited to the engines described in Table 1, above.
2. Except for the installation of the equipment needed to comply with the requirements specified in Table 2d of 40 CFR 63, Subpart ZZZZ, these engines shall be in compliance with all other applicable operating, reporting and record keeping requirements contained in 40 CFR 63, Subpart ZZZZ, as of October 19, 2013.
3. Installation of the necessary equipment (diesel oxidation catalyst and CPMS) shall be completed and the initial compliance testing shall be performed as soon as practicable, but no later than October 19, 2014.
4. The initial compliance testing required by 40 CFR 63.6612(a) shall be performed within 180 days of successful completion of the installation of the diesel oxidation catalyst on each engine.
5. A notice containing the results of the initial performance test shall be submitted to the Department's Southeast District Compliance Office, 400 N. Congress Avenue, Suite 200, West Palm Beach, Florida 33401, within 60 days of completing the test.
5. Pursuant to Rule 62-213.410(2), F.A.C., a copy of this letter shall be attached to Title V permit No. 0250314-017-AV and shall be made available for inspection upon request.
7. MDWASD shall work with the Permitting Authority to ensure that all requirements from 40 CFR 63, Subpart ZZZZ applicable to these non-emergency engines are clearly identified and incorporated into the Title V permit for this facility during the earliest opportunity for revision or renewal of the Title V permit.
8. Pursuant to Rule 62-213.410(2)(b), F.A.C., the permit shield described in Rule 62-213.460, F.A.C., shall not apply to these operating changes.

The Department's proposed agency action shall become final unless a petition for an administrative hearing is timely under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition set forth below. On the filing of a timely petition, this action will not be final and effective until further order of the Department or the petition has been dismissed or withdrawn. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even reversal of the agency action.

A person whose substantial interests are affected by the proposed decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Agency.Clerk@dep.state.fl.us, before the deadline.

The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to

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intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

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

Once this decision becomes final, any party to this order has the right to seek judicial review by the filing of a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, Agency.Clerk@dep.state.fl.us; 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 thirty days from the date this action is filed with the Agency Clerk.

Should you have questions concerning this compliance extension, please contact Jon Holtom, P.E., at (850) 717-9079, or by email at: jon.holtom@dep.state.fl.us.

Executed in Tallahassee, Florida.

Jeffery F. Koerner, Program Administrator
Division of Air Resource Management
Office of Permitting and Compliance

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this authorization, or a link to this document available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on the date shown in the Clerk's stamp to the persons listed below.

Rafael A. Terrero, P.E., BCEE, M.ASCE, Assistant Director, MDWASD: terrero@miamidade.gov

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Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.