



# Seminole Kraft Corporation

Jacksonville Mill

9469 Eastport Road  
P.O. Box 26998  
Jacksonville, Florida 32218-0998

RECEIVED

JUN 18 1990

June 14, 1990

904 751-6400

OERTEL, HOFFMAN,  
FERNANDEZ & COLE, P.A.

Mr. Dale Twachtmann, Secretary  
Florida Dept. of Environment Regulation  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RE: Notice of Intent to Convert to Recycle Fiber Operation

Dear Secretary Twachtmann:

This letter will provide notice, pursuant to the Amendment to Seminole Kraft Corporation's construction permit dated June 6, 1990, that Seminole Kraft Corporation plans to convert the Seminole Kraft mill to a 100% recycle fiber operation.

We appreciate the Department's cooperation in this matter and will periodically brief you on the progress of the project.

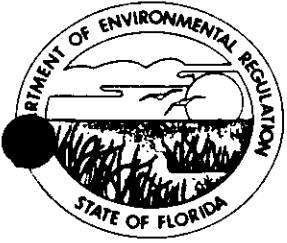
Sincerely,

L.A. Stanley  
General Manager

ah

CC: Mike Riddle  
Curt Barton  
Terry Cole

JUL 5 1990



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400  
Bob Martinez, Governor Dale Twachtmann, Secretary John Shearer, Assistant Secretary

*cc: M. Kiddle  
C. Barton  
J. Cole*

July 2, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. L. A. Stanley, General Manager  
Seminole Kraft Corporation  
9469 Eastport Road  
Jacksonville, Florida 32218-0998

**RECEIVED**  
JUL 9 1990

OERTEL, HOFFMAN,  
FERNANDEZ & COLE, P.A.

Dear Mr. Stanley:

Re: Notice of Intent to Convert to Recycle Fiber Operation

The Department is acknowledging your letter dated June 14, 1990, advising that you intend to convert to a recycle fiber operation. We look forward to further discussions about this event in the meeting scheduled for July 10, 1990, with representatives of your facility and to be held here in the Division of Air Resources Management's conference room.

If we can be of any service, please give me a call at (904)488-1344.

Sincerely,

*for James K. Pennington*  
C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

CHF/BM/plm

c: S. Smallwood, DARM

OERTEL, HOFFMAN, FERNANDEZ & COLE, P. A.

ATTORNEYS AT LAW

SUZANNE BROWNLESS  
M. CHRISTOPHER BRYANT  
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SEGUNDO J. FERNANDEZ  
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KENNETH G. OERTEL  
HAROLD F. X. PURNELL  
PATRICIA A. RENOVITCH  
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JOHN H. MILLICAN  
ENVIRONMENTAL CONSULTANT  
NOT A MEMBER OF THE FLORIDA BAR

J. R. SUBRAMANI, PH. D. P. E.  
ENVIRONMENTAL CONSULTANT  
NOT A MEMBER OF THE FLORIDA BAR

October 26, 1990

Mr. Steve Smallwood  
Bureau of Air Quality Management  
Department of Environmental Regulation  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RE: Refurbishment or replacement of  
Seminole Kraft Bark Boilers; Changing Fuel Mix

Dear Steve:

The purpose of this letter is to confirm your previous discussion with Julie Blunden, Curt Barton, and me concerning refurbishment or replacement of existing bark boilers, or the use of such boilers to burn recycled fiber rejects as well as bark.

As you know, Seminole Kraft Corporation proposes to convert its Jacksonville mill to a 100% recycle operation. This will benefit the community in many ways, including reducing the need to landfill used corrugated containers and eliminating all TRS emissions.

In processing the recycled fiber a certain amount of rejects will be produced which must be burned or landfilled. Due to the volume of rejects generated over the long term, incineration is preferred. The fiber rejects have a high energy content and they can be efficiently burned with bark (also generated on-site) in boilers adequate for this purpose.

The DER permitting requirements for boilers used for this purpose would depend on whether the AES Cedar Bay/Seminole Kraft Co-generation Project is ultimately certified.

Permitting Requirements if AES Cedar Bay/Seminole Kraft Project is Certified:

If the Co-generation Project is certified, Condition IID of the proposed Conditions of Certification (revised 7-19-90) requires

Mr. Steve Smallwood  
October 26, 1990  
Page 2

that Power Boiler Nos. 1 through 3 and Bark Boiler Nos. 1 and 2 are to be "permanently shut down and made incapable of operation" at the time initial compliance tests on the AESCB boilers are completed. This provision constitutes a federally enforceable permit condition upon final action by the Siting Board and Secretary.

In light of this condition, the same permitting requirements apply irrespective of whether a new boiler is constructed to burn bark and fiber rejects or an existing boiler is refurbished for this purpose. These requirements would consist of the applicable federal and state New Source Performance Standard; assurance that ambient air quality standards will not be violated; and Prevention of Significant Deterioration (PSD) review in the absence of creditable emission reductions such as those resulting from the shut-down of the Kraft Recovery Boilers. See Rule 17-2.500, F.A.C. There is no prohibition against applying for a new source permit because of a federally enforceable condition requiring retirement of an existing source.

Permitting Requirements for Bark Boilers if AES Cedar Bay/Seminole Kraft Project Not Certified:

The permitting requirements are different, however, if the proposed Co-generation Project is not certified. The existing Bark Boiler(s) are capable of being used to burn the fiber rejects as well as bark.

It appears that the change in fuel content -- from 100% bark to a 75% bark/25% fiber reject mix -- does not constitute a modification for purposes of applying new source performance standards or PSD review. This is because of the way "modification" is defined and the specific exemption to that definition.

Modification is defined in 40 CFR §60.2 (also found in Chapter 17-2, F.A.C.) as:

Any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

Mr. Steve Smallwood  
October 26, 1990  
Page 3

There is, however, an exception to the definition which applies to use of an alternative fuel or raw material if prior to the applicable date of the regulation the existing facility was capable of accommodating an alternative fuel use. A "facility" is capable of accommodating an alternative fuel use if the use could be accomplished under the facility's construction specifications as amended prior to the change. 40 CFR §60.14(e)(4).

DER rules contain a similar exemption. Rule 17-2.500(2)(c)4, F.A.C., exempts the use of an alternative fuel which the facility was capable of accommodating before January 6, 1975, unless such change is prohibited under any federally enforceable permit condition established after January 6, 1975.

Since prior to January 6, 1975, the bark boilers were capable of burning the reject fibers in the percentages anticipated, and still are, they fall within the exception to the general NSPS requirement.

EPA and DER rules also subject "major modifications" of existing facilities to PSD review. Such modifications are generally defined as any physical change in, or change in the method of operation of, a major stationary source which would result in a significant net emissions increase of any pollutants subject to regulation. The rules also contain, however, an exemption for a physical change or change in method of operation for the use of an alternative fuel or raw material which the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition established after January 6, 1975. 40 CFR 52.21(2)(d); see also §17-2.500(2)(c)4., F.A.C.

Consequently, under the situation described, the switch in fuel mixture would not be a major modification requiring PDS review. Seminole Kraft would, however, notify the Department before burning the reject fibers and answer any questions concerning it.

Mr. Steve Smallwood  
October 26, 1990  
Page 4

I would appreciate your confirming my understanding of our discussion. Please do not hesitate to provide corrections or clarification where needed. Thank you for your cooperation.

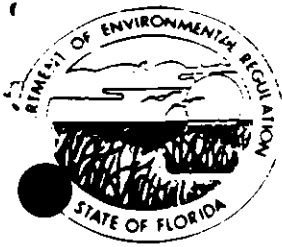
Sincerely,

  
Terry Cole

TC/kp

cc: Curt Barton  
Julie Blunden

s-smallw.ltr



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

November 21, 1990

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Ms. Jewell A. Harper, Chief  
Air Enforcement Branch  
U.S. EPA, Region IV  
345 Courtland Street, N.E.  
Atlanta, Georgia 30365

Dear Ms. Harper:

Re: Seminole Kraft Corporation: Use of Recycling Fiber as a  
Fuel in an Existing Boiler(s)

The Department's Bureau of Air Regulation received a letter requesting an interpretation and rule applicability to a proposed operational change at SKC's existing facility. The letter has been enclosed. Prior to sending SKC a response from us, we would appreciate your consideration, review, and a response on how EPA would interpret the proposal that is presented.

If there are any questions, please call Mr. Bruce Mitchell or me at 904-488-1344 or write to me at the above address. A timely response would be very much appreciated.

Sincerely,

C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

CHF/BM/plm

Enclosure

c: A. Kutyna, NE Dist.  
R. Roberson, BESD  
G. Smallridge, OGC  
T. Cole, OHF&C

OERTEL, HOFFMAN, FERNANDEZ & COLE, P A

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J. P. SUBRAMANI, PH. D., P. E.  
ENVIRONMENTAL CONSULTANT  
(NOT A MEMBER OF THE FLORIDA BAR)

October 26, 1990

RECEIVED

OCT 29 1990

DER-BAQM

Mr. Steve Smallwood  
Bureau of Air Quality Management  
Department of Environmental Regulation  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

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Mr. Steve Smallwood  
October 26, 1990  
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It appears that the change in fuel content -- from 100% bark to a 75% bark/25% fiber reject mix -- does not constitute a modification for purposes of applying new source performance standards or PSD review. This is because of the way "modification" is defined and the specific exemption to that definition.

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Mr. Steve Smallwood  
October 26, 1990  
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EPA and DER rules also subject "major modifications" of existing facilities to PSD review. Such modifications are generally defined as any physical change in, or change in the method of operation of, a major stationary source which would result in a significant net emissions increase of any pollutants subject to regulation. The rules also contain, however, an exemption for a physical change or change in method of operation for the use of an alternative fuel or raw material which the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition established after January 6, 1975. 40 CFR 52.21(2)(d); see also §17-2.500(2)(c)4., F.A.C.

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Sincerely,

  
Terry Cole

TC/kp

cc: Curt Barton  
Julie Blunden

s-smallw.ltr



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET NE  
ATLANTA, GEORGIA 30365

FEB 25 1991

4APT-AE

Mr. Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Division of Air Resources Management  
Florida Department of Environmental  
Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

RECEIVED  
MAR 13 1991  
DER-BAQM

Dear Mr. Fancy:

As requested in your November 16, 1990, letter, we have reviewed the analysis by Mr. Terry Cole of Certel, Hoffman, Fernandez and Cole, P.A., regarding the applicability of NSPS and PSD to the boilers at Seminole Kraft and AES Cedar Bay (AESCB) in Jacksonville, Florida. In Mr. Cole's letter, two specific situations involving the boilers at Seminole Kraft and the AESCB project were addressed.

APPLICABILITY OF NSPS AND PSD IF AESCB/SEMINOLE KRAFT PROJECT IS CERTIFIED

Under the conditions of certification for the AESCB project, the shutdown of boilers at Seminole Kraft is required in order to provide offsets for increases in pollutants from the cogeneration facility. It must be noted that for the emissions reductions to be creditable, they must be permanent. After the PSD permit is issued which incorporates these shutdowns and makes them federally enforceable, there will be no additional emissions reduction credit available from the shutdown of these boilers. Should Seminole Kraft decide to refurbish the dismantled bark boilers, the boilers would be treated as entirely new emissions units with none of the exemptions from applicability for existing units that are specified under PSD regulations being available.

With regard to NSPS, the existing boilers at Seminole Kraft would not become subject to NSPS if they remained intact and were merely restarted, without any physical or operational change.

If the boilers are dismantled in any fashion (i.e. key components removed) and the decision is later made to restart the boilers, then NSPS would apply. This is due to the fact that there would be an emission increase caused by a physical change to the boilers. Since the boilers were incapable of operating, the emissions would be zero immediately before the changes necessary for a restart and therefore, an emissions increase would have resulted thus triggering NSPS. This is consistent with the Wisconsin Electric Power Company decision. If changes are only necessary to accommodate a different fuel mix, then we would accept emission data just prior to the shutdown and compare with data after start up to determine if an emissions increase, and hence a modification, would result thus triggering NSPS. Furthermore, the composition of the fiber rejects would need to be evaluated to determine if the new combination of fuel would be classified as municipal solid waste (MSW). If so, then the newly promulgated NSPS regulations for municipal waste combustors would apply.

APPLICABILITY OF NSPS AND PSD IF AESCB/SEMINOLE KRAFT PROJECT IS NOT CERTIFIED

According to Mr. Cole, the bark boilers would not be subject to NSPS or PSD permit review when the fuel mixture for the bark boilers is changed from 100% bark to 75% bark/25% fiber reject mix. The basis for this determination is that the bark boilers were capable of firing the fiber rejects at the percentages anticipated as of January 6, 1975.

In order to determine the applicability of NSPS to the bark boilers due to the change in fuel type it must be ascertained if the bark boilers will have an increase in the emission rate, expressed as kilograms per hour, of a regulated pollutant and if the bark boilers could fire the fiber rejects as originally constructed. However, not enough information was provided to determine if an emission rate increase in a regulated pollutant would occur, therefore, we will assume that an increase in a regulated pollutant will occur.

Assuming that an increase will occur, then the second condition must be addressed. It is incorrect to use January 6, 1975, as the date to determine if the bark boilers were originally designed to burn the bark and fiber rejects simultaneously. The exemption to the modification provision at §60.14(e)(4) essentially states that if the existing facility could have fired the alternative fuel prior to the applicability date of

the NSPS Subpart, then the increase in the emission rate of a regulated pollutant due to the use of the alternative fuel would not be considered a modification as defined in §60.14. Since Mr. Cole indicated that on January 6, 1975, the bark boilers were capable of firing the 75% bark/25% fiber rejects mixture, the only possible applicable NSPS Subparts are Subparts D and E. If the bark boilers were capable of firing the alternative fuel prior to August 17, 1971, then neither Subpart would apply.

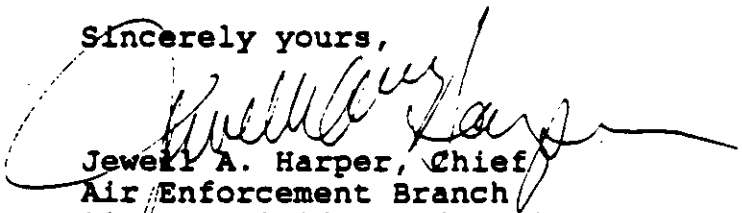
If the bark boilers were not capable of firing the alternative fuel prior to August 17, 1971, then they could be subject to either Subparts D or E or both if an increase in the emission rate of a regulated pollutant occurs. In addition, in order for Subpart E to apply, the combination of bark and fiber rejects would have to be determined to be MSW.

In addition, if the combination of bark and fiber rejects is considered to be MSW, then the bark boilers would be subject to emission standards for existing MSW combustors which will be established in accordance with the guidelines published in the February 11, 1991, Federal Register.

With regard to PSD, since the bark boilers were capable of firing bark and fiber refuse prior to January 6, 1975, then PSD review would not be required.

If you have any questions regarding this letter, please contact Mr. Brian Beals at 404/347-2904.

Sincerely yours,



Jewell A. Harper, Chief  
Air Enforcement Branch  
Air, Pesticides and Toxics  
Management Division