



0310358-008-AC

February 5, 2008

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BUREAU OF AIR REGULATION

Ms. Trina Vielhauer, Bureau Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
STATE OF FLORIDA  
2600 Blair Stone Road, MS 5505  
Tallahassee, FL 32399-2400

Subject: Trail Ridge Energy, LLC  
DEP File No. 0310358-004-AC (PSD-FL-374)  
Request for Air Construction Permit Extension

Dear Ms. Vielhauer,

Trail Ridge Energy, LLC (Trail Ridge Energy) is submitting this document to request that the Florida Department of Environmental Protection, Bureau of Air Regulation (FDEP-BAR) issue an extension to Air Construction Permit No. PSD-FL-374 (File No. 0310358-004-AC) that was issued on December 11, 2006.

Air Construction Permit No. PSD-FL-374 (Construction Permit):

1. Allows Trail Ridge Energy to build and operate a landfill gas (LFG) fueled internal combustion (IC) engine electricity generation facility at the Trail Ridge Landfill in Baldwin, Duval County; and
2. Has an expiration date on October 1, 2008.

Section II - Emission Unit(s) Administrative Requirements 5. of the Construction Permit specifies that *the permittee may, with good cause, request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit. However, the permittee shall promptly notify the Department's Northeast District Office of any delays in completion of the project which would affect the startup day by more than 90 days ...*

Air Construction Permit No. PSD-FL-374 is attached for reference.

The specified project has been delayed as a result of additional efforts that were required to secure rights to the LFG generated by the Trail Ridge Landfill, which is owned by the City of Jacksonville. A final gas rights agreement is expected to be finalized by March 1, 2008, which is

**Corporate Headquarters**

29261 Wall Street  
Wixom, Michigan 48393  
(248) 380-3920  
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Temecula, CA 92591  
(951) 217-6712  
(951) 332-8191 FAX

the date on which construction activities for the project at the landfill are currently scheduled to start.

Trail Ridge Energy has completed design and engineering activities, and purchased the IC engine generator sets required for the project, which were manufactured in 2007 and placed in storage until site delivery is required at an appropriate time in the construction schedule.

State Rule 62-210.200 specifies that the commencement of construction for a project occurs when ...*The owner has all preconstruction permits and approvals required under federal air pollution control laws and regulations ...and has ... Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator...*

Based on the specified activities that have been performed and completed for the project, Trail Ridge Energy has commented construction for the project

On-site construction activities for the project are expected to take a time period of approximately seven (7) months (i.e., with a March 1 start date construction for the project is expected to be completed by approximately September 30, 2008).

Commercial generation of electricity at Trail Ridge Energy is planned to start on approximately October 30, 2008, which is beyond the October 1, 2008 expiration date of the existing Construction Permit.

With the commercial generation of electricity by approximately October 30, 2008:

1. The initial operating year compliance demonstrate (stack tests) required by the Construction Permit is planned to be completed by April 30, 2009; and
2. A technically and administratively complete application for an operating permit (request to modify the existing Title V Permit issued the Trail Ridge Landfill) is planned to be submitted to the FDEP-BAR by April 30, 2009.

Guidance provided by the FDEP-BAR during the week of January 28, 2008 indicates that the Construction Permit expiration date should be extended for a length of time necessary to secure the issuance of an operating permit (i.e., at a minimum it should be extended to the date that an administratively complete application for an operating permit is submitted to the regulatory agency so that the facility can operate under a permit shield).

Based on the information that is presented in this document, Trail Ridge Energy requests that the expiration date of Air Construction Permit No. PSD-FL-374 be extended from October 1, 2008

to October 1, 2009. The 12-month extension of the Construction Permit will provide an amount of time that is sufficient to:

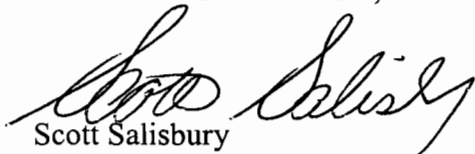
1. Complete the physical construction of the facility by approximately October 1, 2008;
2. Commence commercial operations by approximately October 30, 2008;
3. Complete the initial operating year compliance demonstrate (stack tests) by April 30, 2009; and
4. Submit a technically and administratively complete application to the FDEP-BAR for an operating permit by April 30, 2009.

Trail Ridge Energy, LLC appreciates the FDEP-BAR consideration and approval of its request for a 12-month extension to the expiration date of Air Construction Permit No. PSD-FL-374.

Please contact us at (248) 380-3920 or our authorized agent Derenzo and Associates, Inc. (David Derenzo at 734 464-3880) if you have any questions or require additional information.

Sincerely,

TRAIL RIDGE ENERGY, LLC

  
Scott Salisbury  
Managing Member

attachment

**PERMITTEE:**

Trail Ridge Energy, LLC  
29261 Wall Street  
Wixom, Michigan 48393

<b>File No.</b>	0310358-004-AC
<b>Permit No.</b>	PSD-FL-374
<b>SIC No.</b>	4953
<b>Project:</b>	Trail Ridge Energy, LLC – Landfill Gas Engines
<b>Expires:</b>	October 1, 2008

*Secondary Responsible Official (Energy Section):*

Mr. Scott Salisbury  
Managing Member

*Primary Responsible Official (City of Jacksonville, Solid  
Waste Division):*

Mr. L. Chris Pearson  
Acting Division Chief  
City of Jacksonville, Solid Waste Division

**PROJECT AND LOCATION:**

This permit covers the installation and operation of six (6) Caterpillar, Model G3520C, 2,233 brake-horsepower landfill gas-fired engines for the generation of up to a total of 9.6 megawatts (nominal rating) of electricity. The project is located at the Trail Ridge Landfill owned by the City of Jacksonville at 5110 US Highway 301 South, Baldwin, Duval County. UTM coordinates are Zone 17; 399.765 km E; 3344.919 km N.

**STATEMENT OF BASIS:**

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The above named permittee is authorized to modify the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

**ATTACHMENTS MADE A PART OF THIS PERMIT:**

Appendix BD                      BACT Determination  
Appendix GC                      Construction Permit General Conditions

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Joseph Kahn, Director  
Division of Air Resource Management

**SECTION I – FACILITY INFORMATION**

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**FACILITY DESCRIPTION**

Trail Ridge Landfill, Inc. operates a municipal solid waste (MSW) landfill that is owned by the City of Jacksonville near Baldwin, Duval County consisting of 176 acres which are allocated for Class I MSW. Methane-rich landfill gas produced from the decomposition of disposed waste materials is being collected by a gas recovery system. The collected gas is currently being diverted to the flaring system for control. Trail Ridge Energy, LLC plans to construct and operate an electricity generation plant on a parcel of land segregated from the Trail Ridge Landfill, Inc. operations, as depicted in the permittee's filings. In order to reduce the amount of landfill gas (LFG) wasted by flaring, all available LFG from the landfill will be supplied to Trail Ridge Energy for use as fuel to power the proposed internal combustion (IC) engine electricity generation plant. As a result of these changes, significant emission increases will occur for carbon monoxide (CO), particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) and nitrogen oxides (NO<sub>x</sub>).

**REGULATORY CLASSIFICATION**

The Trail Ridge Landfill is classified as a Major or Title V Source of air pollution because emissions of at least one regulated air pollutant, such as particulate matter (PM/PM<sub>10</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), or volatile organic compounds (VOC) exceed 100 tons per year (TPY). The landfill facility is also classified as a Title V source since the design capacity of the landfill is greater than 2.5 million cubic meters and megagrams.

The provisions of 40 CFR 60, Subpart A, General Provisions, Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, 40 CFR 63, Subpart A, General Provisions, 40 CFR 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills and 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines applies to the six internal combustion engines.

The proposed landfill gas fueled IC engine electricity generation plant will be subject to Prevention of Significant Deterioration (PSD) review with respect to Rule 62-210.200(164)(a)2, F.A.C. due to its potential CO emissions being greater than 250 TPY. Best Available Control Technology (BACT) determinations are required for each pollutant emitted in excess of the Significant Emission Rates listed in Rule 62-210.200(242), F.A.C. For this project, the permit specifies BACT emissions standards for CO, NO<sub>x</sub> and PM<sub>10</sub> emissions.

**RELEVANT DOCUMENTS:**

The documents listed below are specifically related to this permitting action and form the basis of the permit. They are on file with the Department:

- Application received 02-24-2006
- Department letters dated 03-15-2006, 04-27-2006, 07-05-2006 and 07-31-2006
- Applicant's letters received 04-12-2006, 05-10-2006, 07-25-2006 and 08-15-2006
- Technical Evaluation and Preliminary Determination dated 10-16-2006
- Best Available Control Technology determination (issued concurrently with permit)

**SECTION II – EMISSION UNIT(S) ADMINISTRATIVE REQUIREMENTS**

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1. **Regulating Agencies:** All documents related to applications for permits to operate, reports, tests, minor modifications and notifications shall be submitted by Trail Ridge Energy, LLC to the Department's Northeast District Office, 7825 Baymeadows Way, Suite 200 B, Jacksonville, Florida 32256-7590. All applications for permits to construct or modify emissions unit(s) subject to the Prevention of Significant Deterioration or Nonattainment (NA) review requirements should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP), 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399-2400 (phone number 850/488-0114).
2. **General Conditions:** The owner and operator are subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
3. **Terminology:** The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.
4. **Applicable Regulations, Forms and Application Procedures:** Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, 62-297 and the Code of Federal Regulations Title 40, Parts 60 and 63, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
5. **Expiration:** The permittee may, for good cause, request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit. However, the permittee shall promptly notify the Department's Northeast District Office of any delays in completion of the project which would affect the startup day by more than 90 days. [Rule 62-4.090, F.A.C.]
6. **Application for Title V Permit:** This permit authorizes construction of the permitted emissions units and initial operation to determine compliance with Department rules. A Title V operation permit is required for regular operation of the permitted emissions unit. The permittee shall apply for a Title V operation permit at least 90 days prior to expiration, but no later than 180 days after commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the appropriate Permitting Authority with copies to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213.420, F.A.C.]
7. **Source Obligation:** Authorization to construct shall expire if construction is not commenced within 18 months after receipt of the permit, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. This provision does not apply to the time period between constructions of the approved phases of a phased construction project except that each phase must commence construction within 18 months of the commencement date established by the Department in the permit. [Rule 62-212.400(12)(a), F.A.C.].
8. **BACT Determination:** For phased construction projects, the determination of best available control technology shall be reviewed and modified as appropriate at the latest reasonable time which occurs no later than 18 months prior to commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of best available control technology for the source. [40 CFR 52.21(j)(4)]

**SECTION II – EMISSION UNIT(S) ADMINISTRATIVE REQUIREMENTS**

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9. Annual Reports: Pursuant to Rule 62-210.370(2), F.A.C., Annual Operation Reports, the permittee is required to submit annual reports on the actual operating rates and emissions from this facility. Annual operating reports using DEP Form 62-210.900(4) shall be sent to the DEP's Northeast District office by March 1st of each year.
10. Stack Testing Facilities: Stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C.
11. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

**SECTION III – EMISSION UNIT(S) SPECIFIC CONDITIONS**

**SUBSECTION A. SPECIFIC CONDITIONS**

The Specific Conditions listed in this section apply to the following emission units:

EMISSION UNIT NO.	EMISSION UNIT DESCRIPTION
004 - 009	Six Caterpillar Model G3520C landfill gas fueled internal combustion engines and electricity generators. Each engine has a power generation rating of 2,233 brake horsepower at 100 percent load. The generator has a power output rating of 1,600 kilowatt. The engines will be fueled exclusively with landfill gas generated by and received from the Trail Ridge landfill facility. The landfill gas will go through a gas treatment system prior to combustion in the engines.

**A. FUEL SPECIFICATIONS AND WORK PRACTICES**

1. This permit authorizes the installation and operation of six (6) Caterpillar, Model G3520C, 2,233 brake-horsepower landfill gas-fired engines for the generation of up to a total of 9.6 megawatts (nominal rating) of electricity. The power generation rating of each engine shall be 2,233 brake horsepower (bhp). [Rule 62-212.400, F.A.C.]  
 {Permitting Note: The power generation rating of 2,233 bhp is based on a minimum fuel heating value requirement of 467 BTU/scf and landfill gas usage of 580 scfm per engine.}
2. This permit authorizes the installation of a LFG Treatment System including gas compression (via blowers), liquids removal (via knock-out and chilling), and particulate removal (via 1 micron primary and polishing filters). The gas treatment system shall not be equipped with atmospheric vents. [Rule 62-212.400, F.A.C., 40 CFR 60.752 and Appendix J of the application]
3. Emissions Units Nos. 004-009 are subject to 40 CFR 60 Subpart WWW and certain sections of 40 CFR 63 Subparts AAAA and ZZZZ adopted by the Department at Rule 62-204.800(8)(b) and 62-204.800(11)(b), F.A.C. [Rules 62-204.800 and 62-210.300, F.A.C.]
4. Unless otherwise indicated, the modification/construction and operation of the six Caterpillar internal combustion engines shall be in accordance with the capacities and specifications stated in the application. [Rule 62-210.300, F.A.C.]
5. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320, F.A.C.]
6. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]
7. Fuel fired in the engines is limited to LFG. The use of any other fuel will require an amendment to this permit. [Rule 62-212.400, F.A.C.]
8. The permittee shall operate each engine at the air-to-fuel ratio that the tested engine operated at during the performance test required by Specific Condition C.2 or the most recent performance test if a subsequent performance test is conducted. [Rule 62-212.400, F.A.C.]
9. The permittee shall operate each engine within 0.5% of the O<sub>2</sub> content in the exhaust gas at the air-to-fuel ratio that the tested engine operated at during the performance test required by Specific Condition C.2 or the



**SECTION III – EMISSION UNIT(S) SPECIFIC CONDITIONS**

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most recent performance test if a subsequent performance test is conducted. [Rule 62-212.400, F.A.C. and Appendix F of the application]

10. The permittee shall install and maintain an automatic fail-safe block valve on each engine. The fail-safe block valve must stop the flow of LFG in the event of an engine failure. [Rule 62-4.070, F.A.C.]
11. Excess LFG not used as fuel in an engine must be flared in accordance with the requirements of 40 CFR 60 Subpart WWW. [Rule 62-4.070, F.A.C.]
12. Each engine/generator set may operate up to 8,760 hours per year. [Rule 62-210.200(232), F.A.C.]
13. The subject emissions units shall be subject to the following:
  - a. Excess emissions resulting from startup, shutdown or malfunction of any source shall be permitted providing (1) best operational practices to minimize emissions are adhered to, including permittee's return of LFG to the Trail Ridge Landfill flares and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700, F.A.C.]
  - b. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. [Rule 62-210.700, F.A.C.]
  - c. In case of excess emissions resulting from malfunctions, each source shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700, F.A.C.]

**B. EMISSION AND PERFORMANCE REQUIREMENTS**

1. **Nitrogen oxides (NOx):** The emission rate of NOx from each engine/generator set exhaust shall not exceed 0.6 gram per brake horsepower hour (g/bhp-hr) and a maximum of 2.95 pounds per hour (lb/hr) and 12.94 tons per year (TPY). [Rule 62-212.400(12), F.A.C.]
2. **Carbon Monoxide (CO):** The emission rate of CO from each engine/generator set exhaust shall not exceed 2.75 g/bhp-hr and a maximum of 13.54 lb/hr and 59.30 TPY. [Rule 62-212.400(12), F.A.C.]
3. **Particulate Matter less than 10 microns (PM<sub>10</sub>):** The emission rate of PM<sub>10</sub> from each engine/generator set exhaust shall not exceed 0.24 g/bhp-hr and a maximum of 1.18 lb/hr and 5.17 TPY. [Rule 62-212.400(12), F.A.C.]
4. **Volatile Organic Compounds (VOC):** The emission rate of total VOC from each engine/generator set exhaust shall not exceed 0.28 g/bhp-hr and a maximum of 1.37 lb/hr and 5.99 TPY. [Rule 62-212.400(12), F.A.C.]  
 {Permitting Note: Project avoids PSD review for VOC based on emission limits.}
5. **Hydrogen Chloride (HCl):** The emission rate of HCl from each engine/generator set shall not exceed 10.9 lb/MMscf and 1.66 TPY. [Rule 62-210.200(184), F.A.C.]  
 {Permitting Note: Facility remains a minor source of HAP emissions based on permit limits.}
6. **Sulfur Dioxide (SO<sub>2</sub>):** The emission rate of SO<sub>2</sub> from each engine/generator set shall not exceed 27.5 lb/MMscf. [Rule 62-212.400(12), F.A.C.]

**SECTION III – EMISSION UNIT(S) SPECIFIC CONDITIONS**

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**{Permitting Note: Project avoids PSD review based on permit limits.}**

7. Visible emissions from each engine/generator set exhaust shall not exceed 10% opacity. **[Rule 62-212.400, F.A.C.]**

**C. TEST METHODS AND PROCEDURES**

1. Sampling Facilities

The permittee shall design the internal combustion engine stack to accommodate adequate testing and sampling locations in order to determine compliance with the applicable emission limits specified by this permit. **[Rule 62-297.310(6), F.A.C.]**

2. Performance Test Methods

Initial (I), Annual (A) and permit renewal (R) compliance tests shall be performed in accordance with the following reference methods as described in 40 CFR 60, Appendix A and 40 CFR 51 Appendix M, adopted by reference in Chapter 62-204.800, F.A.C. Initial, annual and renewal compliance tests shall be conducted on only one of the six engines. A different engine shall be tested each year such that all engines are tested during the six year cycle.

- (a) EPA Method 7 or 7E – Determination of NO<sub>x</sub> Emissions from Stationary Sources (I,A);
- (b) EPA Method 9 – Visual Determination of the Opacity of Emissions from Stationary Sources (I,A);
- (c) EPA Method 10 – Determination of CO Emissions from Stationary Sources (I,A);
- (d) EPA Method 18, 25, 25A or 25C – Measurement of Gaseous Organic Compounds Emissions (I,R);
- (e) EPA Method 26 – Determination of HCl Emissions from Stationary Sources (I,A);
- (f) EPA Method 201 – Determinations of PM<sub>10</sub> Emissions (I,A)

EPA Methods 1 through 4 shall be used as necessary to support other test methods. No other test methods may be used for compliance testing unless prior DEP approval is received, in writing, from the Department. **[Rule 62-297.310(7), F.A.C.]**

3. The permittee shall comply with the following requirements to monitor the sulfur and chlorine content of the landfill gas:
  - a. At least 180 days prior to commercial startup of the engines, the permittee shall sample and analyze the landfill gas for sulfur and chlorine content. The gas sample collected for the analyses shall be a composite sample and collected under normal operating conditions (i.e., with valves open for all operating cells). The gas sample collection and analyses for sulfur and chlorine content shall be done semi-annually. Based on the sampling results and Rule 62-297.310(7)(b), F.A.C., the Department may request additional gas sampling and analyses. Results shall be reported as SO<sub>2</sub> and HCl emission factors in terms of lb/MMscf of landfill gas.
  - b. During each required compliance test conducted for HCl, the permittee shall sample and analyze the landfill gas for the chlorine content. Results for the compliance test shall be reported in terms of HCl

**SECTION III – EMISSION UNIT(S) SPECIFIC CONDITIONS**

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emissions in lb/hr and the sample analysis result shall be reported as HCl emission factor in terms of lb/MMscf of landfill gas.

- c. Analysis of the chlorine content shall be used to track changes in the landfill gas. Based on the analysis, the Compliance Authority may require additional stack testing for HCl emissions to determine compliance with the emissions standard.
- d. Compliance with the fuel sulfur specification shall be determined based on each analysis for the sulfur content of the landfill gas.

**[Rules 62-210.200(184), 62-210.200(232) and 62-212.400(12), F.A.C.]**

4. Within 60 days of achieving the permitted capacity, but no later than 180 days after initial startup, and annually, the subject emissions units as described in Specific Condition C.2 shall be tested for compliance with the applicable emission limits. For the duration of all tests the emission units shall be operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum operating rate allowed by the permit. If it is impracticable to test at permitted capacity, then the emission unit may be tested at less than permitted capacity (i.e., 90% of the maximum operating rate allowed by the permit); in this case, subsequent emission unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emission unit is so limited, then operation at higher capacities is allowed for no more than 15 consecutive days for the purposes of additional compliance testing to regain the permitted capacity in the permit. **[Rule 62-297.310, F.A.C.]**

**D. RECORDKEEPING, REPORTING AND MONITORING REQUIREMENTS**

1. Total landfill gas flow to the engines shall be continuously measured and recorded. **[Rule 62-210.200 (232), F.A.C.]**
2. Gross electrical power generation (kw-hrs) shall be continuously measured and recorded for each engine individually and for the six engines combined. **[Rule 62-210.200(232), F.A.C.]**
3. Each engine/generator set shall be equipped with a non-resettable elapsed time meter to indicate, in cumulative hours, the elapsed engine operating time. **[Rule 62-210.200(232), F.A.C.]**
4. The permittee shall maintain the following records on a monthly basis:
  - a. The hours of operation of each engine/generator set, including any start-up, shutdown or malfunction in the operations of the engine/generator set.
  - b. The total landfill gas flow to each engine.
  - c. Gross electrical power generation in kw-hr for each engine and the six engines combined.**[Rule 62-210.200(232), F.A.C.]**
5. The permittee shall submit the results and the corresponding data of the site specific HCl emission factor and the SO<sub>2</sub> emission factor within 45 days of gas sampling to the Bureau of Air Regulation. The results shall also be submitted to the Northeast District and the Local Program. **[Rules 62-210.200(232) and 62-210.200(264), F.A.C.]**

**Extremely Urgent**

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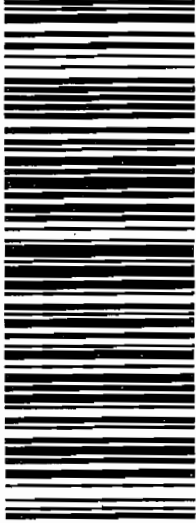
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MS TRINA VIELHAUER, BUREAU CHIEF  
(850) 245-2404  
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**TALLAHASSEE FL 32399-2400**

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**Derenzo and Associates, Inc.**

*Environmental Consultants*

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March 20, 2008

Mr. Syed Arif, P.E.  
New Source Review Section  
Division of Air Resource Management  
Department of Environmental Protection  
STATE OF FLORIDA  
2600 Blair Stone Road, MS 5505  
Tallahassee, FL 32399-2400

**RECEIVED**

MAR 21 2008

BUREAU OF AIR REGULATION

File # 0310358-004-AC

Subject: Trail Ridge Energy, LLC  
Extension Request  
DEP File No. 0310358-004-AC (PSD-FL-374)  
Response to February 28, 2008 request for information

Dear Mr. Arif:

Derenzo and Associates, Inc. (Derenzo and Associates), on behalf of Trail Ridge Energy, LLC, is submitting to the Florida Department of Environmental Protection, Division of Air Resource Management (FDEP-DARM) information that was requested by the regulatory agency on February 28, 2008.

Attachment A provides for reference the February 28, FDEP-DARM communication.

**Item 1 – Tasks to be performed**

Attachment B provides a Construction Schedule for Trail Ridge Energy (Trail Ridge Energy, LLC) that lists all of the tasks to be performed to achieve “normal operating conditions” (except for Emission Testing).

The start dates specified for Civil, Building, Electrical, Mechanical, Startup and Commercial Operation are based on a March 3, 2008 commencement of earth moving activities at the site. The March 3 date has been moved to the first week of April. Therefore, the start and finish dates specified for the Civil, Building, Electrical, Mechanical, Startup and Commercial Operation need to be moved forward by approximately one month.

**Item 2 – Reasons for the delay in starting the project**

The LFG fueled electricity generation facility project has been delayed as a result of additional efforts that have been required to:

1. Secure rights to the LFG generated by the Trail Ridge Landfill, which is owned by the City of Jacksonville and operated by Trail Ridge Landfill, Inc. (a subsidiary of Waste Management); and
2. Obtain final approvals on a Three Party Contract among Trail Ridge Energy, City of Jacksonville and Trail Ridge Landfill, Inc.

The City of Jacksonville provided the FDEP-DARM with a letter (which was part of the permit application review and approval process) that authorized the regulatory agency to issue an air permit to Trail Ridge Energy for the LFG fueled electricity generation facility. However, finalization of the gas rights and Three Party Contract agreements has taken more time than was initially expected as the agreements involve the approval of three separate parties (electricity producer, landfill owner, landfill operator), which has added complexities in the efforts required to complete the specified documents.

A final gas rights agreement and Three Party Contract is expected to be signed (and effective) by approximately March 31, 2008 (and site construction activities are planned to commence during the first week of April 2008).

### **Item 3 – Final gas rights agreement**

Attachment C provides the Trail Ridge Energy Landfill Gas Rights Agreement that has been reviewed by the City of Jacksonville and Trail Ridge Energy; and submitted to the parties for final signatures.

The Landfill Gas Rights Agreement presents details on the amount of landfill gas (87,840,000 Btu/hr) and starting schedule (earlier of the date on which the Facility has completed startup and is ready to begin operation, or 18 months from the date that the Agreement is executed) for providing the gas to the Trail Ridge Energy for the generation of electricity.

### **Item 4 – Commencement of construction**

Trail Ridge Energy has completed design and engineering activities, and purchased the IC engine generator sets required for the project, which were manufactured in 2007 and placed in storage until site delivery is required at an appropriate time in the construction schedule.

The Jacksonville Electric Authority (JEA) has commenced construction activities (pole work) for the transmission line that will connect the LFG fueled power plant to the utility.

State Rule 62-210.200 specifies that the commencement of construction for a project occurs when *...The owner has all preconstruction permits and approvals required under federal air pollution control laws and regulations ...and has ... Entered into binding agreements or*

*contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator...*

Based on the specified activities that have been performed and completed for the project by Trail Ridge Energy and JEA, construction for the project has commenced.

### **Item 5 – Applicable regulations compliance statement**

#### Municipal Solid Waste Landfill NSPS

Standards of Performance for MSW Landfills (MSW Landfill NSPS, 40 CFR Part 60 Subpart WWW) regulate NMOC emissions that are generated by affected landfills. §60.752 *Standards for air emissions from municipal solid waste landfills* specifies that:

*(b)(2) ... the owner or operator shall: (iii) route all of the collected gas to a control system that complies with either ...*

*(A) An open flare ...*

*(B) A control system designed and operated to reduce NMOC by 98 weight-percent, or, when an enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent oxygen ...*

*(C) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use ...*

USEPA Region 4 has issued Trail Ridge Energy a determination that specifies the proposed electricity generation facility will be fueled with treated LFG. Therefore, the proposed LFG control processes (IC engines) will not be subject to the specific emission control compliance demonstration and equipment operating parameter monitoring and recordkeeping requirements of the MSW landfill NSPS since LFG received from the Trail Ridge Landfill will be routed to a treatment system that processes the collected gas for subsequent sale or reuse.

Attachment D provides the USEPA Region 4 treated gas determination.

#### Reciprocating Internal Combustion Engine NESHAP

The reciprocating IC engine National Emission Standard for Hazardous Air Pollutants (RICE NESHAP, 40 CFR Part 63 Subpart ZZZZ) applies to major sources of HAPs that operate RICE rated for 500 bhp or greater. Major is defined as a facility that has the potential to emit in excess of 25 TpY of any combination of HAP compounds or 10 TpY of any single HAP.

The proposed electricity generation facility individual RICE will have power ratings that exceed 500 bph. However, based on information previously provided the FDEP-DARM, the maximum HAP emissions from the proposed LFG fueled IC engine electricity generation facility are expected to be less than the major facility thresholds (based on the chemical composition of the fuel and fuel combustion rates as presented in the permit application documents submitted to the regulatory agency for the project). Therefore, the proposed facility is not subject to the requirements of the RICE NESHAP.

#### Municipal Solid Waste Landfill NESHAP

The Trail Ridge Landfill is subject to the MSW landfill NSPS. Therefore, provisions (i.e., development and implement a start-up, shutdown and malfunction plan, submittal of periodic deviation reports and compliance with recordkeeping, notification and reporting requirements) of the MSW landfill NESHAP (40 CFR Part 63 Subpart AAAA) are applicable to processes that utilize LFG generated by the facility.

Since USEPA Region 4 has provided Trail Ridge Energy with an approved MSW landfill NSPS treated gas determination, the proposed LFG fueled IC engine electricity generation sets are exempt from the MSW Landfill NESHAP requirements and the specified start-up, shutdown and malfunction (SSM) plan is required for the gas treatment equipment and processes.

A Gas Treatment System Monitoring and SSM Plan has been:

1. Developed for the Trail Ridge Energy operations; and
2. Submitted to USEPA Region 4 (in September 2006) and the FDEP-DARM.

#### NSPS/NESHAP General Provisions

The proposed LFG fueled electricity generation facility will comply with:

1. 40 CFR Part 60 Subpart A (NSPS General Provisions); and
2. 40 CFR Part 63 Subpart A (NESHAP General Provisions).

The MSW Landfill NSPS and NESHAP do not present equipment/process specific standards for the LFG treatment system. Therefore, in accordance with the requirements of the general provisions, appropriate/applicable:

1. Preconstruction review and notifications will be performed.



**Derenzo and Associates, Inc.**

Mr. Syed Arif, P.E.  
FDEP-DARM

Page 5  
March 20, 2008

2. Standards compliance and maintenance activities will be performed (e.g., Gas Treatment System Monitoring and SSM Plan).
3. Monitoring activities will be performed (e.g. Gas Treatment System Monitoring and SSM Plan).
4. Notifications will be performed (e.g., SSM Plan).
5. Records and reporting will be performed (e.g., Gas Treatment System Monitoring and SSM Plan).
6. Emission control devices will be maintained (e.g., Gas Treatment System Monitoring and SSM Plan).

Trail Ridge Energy appreciates the consideration of the FDEP-DARM of the information that is presented in this document.

Please contact us if you have questions or require additional information.

Sincerely,

DERENZO AND ASSOCIATES, INC.



David R. Derenzo  
Services Director

c: Bill Owen, Trail Ridge Energy  
Scott Salisbury, Trail Ridge Energy

**Derenzo and Associates, Inc.**

ATTACHMENT A

February 28, FDEP-DARM communication



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jell Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

February 28, 2008

*ELECTRONIC MAIL - RECEIVED RECEIPT REQUESTED*  
[Scott.Salisbury@landfillenergy.com](mailto:Scott.Salisbury@landfillenergy.com)

Mr. Scott Salisbury  
Managing Member  
Trail Ridge Energy, LLC  
29261 Wall Street  
Wixom, Michigan 48393

Re: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374A)  
Trail Ridge Energy, LLC

Dear Mr. Salisbury:

The Department reviewed your request of February 5, 2008 to extend the expiration date of the above referenced construction permit from October 1, 2008 to October 1, 2009.

Per Rule 62-4.080(3), F.A.C., an extension for a construction permit shall be granted if the applicant can demonstrate reasonable assurances that upon completion, the extended permit will comply with the standards and conditions required by applicable regulation.

We already have fairly extensive information about the facility. To complete the reasonable assurance requirement allowing extension of the permit, please submit the following information:

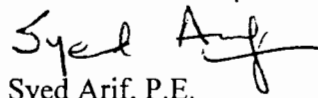
1. List all the tasks to be performed to achieve "normal operating conditions" and the approximate dates for completing those tasks.
2. Please provide specific reasons for the delay in starting of the on-site construction activities for the project. What additional efforts were required to secure rights to the landfill gas generated by the Trail Ridge Landfill? What were the reasons for not securing these rights prior to the commencement of the project?
3. The extension request letter indicates a final gas rights agreement is expected to be finalized by March 1, 2008. Please provide to the Department pertinent sections of the gas rights

agreement that quantifies the amount of landfill gas and the schedule for providing that gas to Trail Ridge Energy for the generation of electricity.

4. Please note that Rule 62-212.400(12)(a) states that authorization to construct shall expire if construction is not commenced within 18 months after receipt of the permit. The construction permit was issued on December 11, 2006. Therefore, if construction is not commenced by June 10, 2008, it may require another application for construction. The Department will look at the adequacy of the BACT determination if that happens.
5. Provide a statement (and basis for believing) that the facility will comply with all the applicable regulations including the provisions of 40 CFR 60, Subpart A, General Provisions, Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, 40 CFR 63, Subpart A, General Provisions, 40 CFR 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills and 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines.

According to Rule 62-4-080(3), the permit will remain in effect until the Department takes final action. Permit applicants are advised that Rule 62-4.055(1), F.A.C. now requires applicants to respond to requests for information within 90 days. If you have any questions regarding this matter, please call me at 850/921-9528.

Sincerely,



Syed Arif, P.E.

New Source Review Section

cc: Rita Felton-Smith, DEP NED ([rita.felton-smith@dep.state.fl.us](mailto:rita.felton-smith@dep.state.fl.us))  
David Derenzo, Derenzo & Associates ([dderenzo@derenzo.com](mailto:dderenzo@derenzo.com))

**Derenzo and Associates, Inc.**

ATTACHMENT B

Trail Ridge Energy  
Construction Schedule

Trail Ridge Construction Schedule

ID	Task Name	Duration	Start	Finish	Dec 2, '07 Jan 13, '0 Feb 24, '0 Apr 6, '08 May 18, ' Jun 29, '0 Aug 10, '0 Sep 21, '0 Nov 2, '08 D																							
					M	F	T	S	W	S	T	M	F	T	S	W	S	T	M	F	T	S	W	S	T	M		
1	Construction	191 days	Mon 1/7/08	Mon 9/29/08																								
2	Poleline	32 wks	Mon 1/7/08	Fri 8/15/08																								
3	Civil	30 wks	Mon 3/3/08	Fri 9/26/08																								
4	Building	26 wks	Thu 4/3/08	Wed 10/1/08																								
5	Electrical	24 wks	Thu 4/10/08	Wed 9/24/08																								
6	Mechanical	23 wks	Thu 4/17/08	Wed 9/24/08																								
7	JEA Interconnect	34 wks	Tue 12/25/07	Mon 8/18/08																								
8	Start-up	4 wks	Wed 9/24/08	Tue 10/21/08																								
9	Commercial Operation	0 days	Tue 10/21/08	Tue 10/21/08	◆ 10/21																							
10	Emission Testing	1 wk	Mon 11/24/08	Fri 11/28/08																								

Project: Trail Ridge-Air Permit Item 1  
Date: Fri 3/7/08

Task



Progress



Milestone



Summary



**ATTACHMENT C**

**Trail Ridge Energy  
Landfill Gas Rights Agreement**

## LANDFILL GAS RIGHTS AGREEMENT

This LANDFILL GAS RIGHTS AGREEMENT ("Agreement"), dated as                     , 2008, between the City of Jacksonville, located in Duval County, Florida ("CITY"), and Trail Ridge Energy, LLC ("PRODUCER") a Michigan limited liability company authorized to do business in Florida.

### RECITALS

WHEREAS, the CITY owns the Trail Ridge Landfill located at 5110 U.S. Highway 301 South in Baldwin, County of Duval, Florida, which encompasses approximately 144 acres ("Landfill"); and

WHEREAS, the CITY has decided to explore the feasibility of building a methane gas recovery project on its Trail Ridge Landfill; and

WHEREAS, PRODUCER presented the CITY with a proposal dated January 13, 2005; and

WHEREAS the CITY is relying on PRODUCER's expertise in entering into this Agreement; and

WHEREAS the CITY has contracted with Trail Ridge Landfill, Inc, a Waste Management company ("LANDFILL OPERATOR") to operate the Landfill, and as operator of the Landfill, and as of the date of this Agreement, LANDFILL OPERATOR holds the operational permitting relating to such Landfill; and

WHEREAS, PRODUCER, CITY and LANDFILL OPERATOR are parties to a Three-Party Contract also dated as of the date of this Agreement (the "Three-Party Contract"); and

WHEREAS, the parties desire to enter into this Agreement.

In consideration of the mutual promises contained herein, CITY and PRODUCER hereby agree as follows:

### SECTION 1 - DEFINITIONS

Unless the context indicates otherwise, as used herein, the terms set forth below shall be defined as follows:

1.1 Buyer means the party or parties to which PRODUCER will sell the output of the Project.

1.2 Landfill Property - as more particularly described in Exhibit A.



1.3 Commercial Operations means the earlier of the date on which the Facility has completed startup and is ready to begin operation, or eighteen (18) months from the date that this Agreement is executed.

1.4 Commercial Quantities means Landfill Gas equivalent to 87,840,000 Btu's per hour (lower heating value) @ 45% methane or greater.

1.5 Condensate means the liquid formed from the condensing of the vapors that occur during the collecting, processing and transporting of Landfill Gas.

1.6 Delivery Point means the point at which the Landfill Gas enters the PRODUCER's Facilities, as reflected on Exhibit B.

1.7 Existing Flare means the equipment installed by the LANDFILL OPERATOR for the combustion of Landfill Gas, which conforms to federal, state and industry standards in existence as of the date of this Agreement.

1.8 Force Majeure means any event beyond the control of a party which results in the failure of some performance under this Agreement including, but not limited to: acts of God such as wind, hurricane, tornado, fire, lightning, epidemic, earthquake, landslide, flood, governmental restraint; vandalism (that could not have been prevented through reasonable actions of the affected party); strike, lock-out; or other similar industrial disturbance; acts of public enemies; insurrection; military action; war, whether or not it is declared; sabotage; riot; civil disturbance; or any cause or event, not reasonably within the control of the party claiming Force Majeure.

1.9 Gas Collection System means the existing and future network of recovery wells and interconnecting pipes together with attendant valves, pumps, and other related equipment installed for the purpose of extracting and recovering Landfill Gas at the Landfill. The Gas Collection System will conform to federal, state and local laws, rules and regulations and all industry standards.

1.10 Hazardous Materials and Hazardous Substances mean regulated materials and substances under environmental laws including: (1) Comprehensive Environmental Response, Compensation, and Liability Act 1980, as amended by the Superfund Amendments and Reauthorization of 1986, 42 USCA 9601 *et seq.*; (2) Solid Waste Disposal Act, as amended by the Resource Conservation and Recover Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984, 42 USCA 9601 *et seq.*; (3) Federal Water Pollution Control Act of 1972, as amended by the Clean Water Act of 1977, as amended, 33 USCA 1251 *et seq.*; (4) Toxic Substances Control Act of 1976, as amended, 15 USCA 2601 *et seq.*; (5) Emergency Planning and Community Right-to-Know Act of 1986, 42 USCA 11001, *et seq.*; (6) Clean Air Act of 1966, as amended by the Clean Air Act Amendments of 1990, 42 USCA 7401 *et seq.*; (7) Endangered Species Act of 1973, as amended, 16 USCA 1531 *et seq.*; (8) Occupational Safety and Health Act of 1970, as amended, 29 USCA 651 *et seq.*; (8)

Safe Drinking Water Act of 1974, as amended, 42 USCA 300(f) *et seq.*; and (9) any similar laws enacted by the State of Florida and the City of Jacksonville.

1.11 Landfill means that real property (approximately 144 acres), and future expansions owned by the CITY and situated in the Duval County, Florida, known as the Trail Ridge Landfill, which is described in Exhibit A hereto.

1.12 Landfill Gas means any and all gases resulting from the decomposition of refuse Landfill material within the Landfill, consisting principally of methane, carbon dioxide and traces of other constituent gases.

1.13. LANDFILL OPERATOR means Trail Ridge Landfill, Inc., a subsidiary of Waste Management.

1.14 Leachate means liquid that has passed through or emerged from solid waste and may contain soluble, suspended or miscible materials.

1.15 Plant Site means an area of land, approximately 250 feet by 500 feet, suitable for building the Facilities, as more particularly described in Exhibit C.

1.16. Production Tax Credits mean the tax credit derived from producing fuel or generating electricity from a non-conventional fuel source within the meaning of Section 29 and Section 45 of the Internal Revenue Code of 1986, as amended.

1.17. Project means the Facilities to be constructed by PRODUCER hereunder, which includes a landfill gas to electricity facility of up to 19 MWs, but may include future projects beyond a total of 19 MWs as determined by PRODUCER, including without limitation the construction and operation of the Facilities.

1.18. Facilities mean the building, equipment, machinery and all other improvements to be constructed by PRODUCER on the Plant Site for the processing, collection, transmission and use of Landfill Gas or to generate electricity for sale to JEA or another electric utility.

## **SECTION 2 - RIGHTS GRANTED TO PRODUCER**

Subject to the provisions of this Agreement, the CITY hereby grants to PRODUCER the following:

2.1 Landfill Gas PRODUCER has the exclusive right to process, develop, and utilize all Landfill Gas collected in and delivered by the Gas Collection System to the Delivery Point described in Exhibit B after the Facilities have been constructed and reached Commercial Operations and PRODUCER shall have the exclusive right to claim any Production Tax Credits which may be associated with Landfill Gas. PRODUCER shall also have the exclusive right to claim and utilize any emission

allowances and reduction credits which may be associated with Landfill Gas. If during the Initial Term of this Agreement or the Second Term, Commercial Quantities are not available to PRODUCER at the Landfill, then the parties may, upon terms acceptable to the CITY, agree to extend rights to areas beyond the Landfill so that PRODUCER receives Commercial Quantities.

2.2 Plant Site Use. CITY will make available to PRODUCER a Plant Site, in its "as is" condition, as depicted on Exhibit C for construction of the Facilities, commencing as of the effective date of this Agreement and terminating at the expiration or termination of this Agreement. CITY hereby covenants (i) that it has title to the Plant Site in fee and (ii) that PRODUCER shall, subject to the rights of the Landfill Operator under the LO Agreement, have quiet and peaceable access to and use of the Plant Site during the term of this Agreement so long as PRODUCER is not in default of its obligations under this Agreement, the Three Party Contract or the Lease. The parties agree that PRODUCER shall (a.) be responsible for any wet lands mitigation required to be performed with regard to the Plant Site, and (b.) be solely responsible for all costs and fees for constructing the Facilities on the Plant Site, including all costs and fees associated with wet lands mitigation relating to the Plant Site. The Plant Site shall not, however, be deemed to include the Facilities.

2.3 Access. The CITY will provide PRODUCER with access to the Plant Site and the Facilities, which may include access over the Landfill and other CITY Property, as reasonably necessary to permit the construction, installation, operation and maintenance of the Landfill Gas transmission lines, sewer, electric, water and telephone lines that are necessary for the operation of the Project, as reasonably determined by PRODUCER and the CITY, and, if necessary, for the installation of Condensate disposal lines to connect the Facilities with the point on the Landfill where CITY collects Condensate. Such access shall be more particularly described in the lease agreement attached as Exhibit D.

2.4 Memorandum of Lease. After execution of this Agreement, CITY and PRODUCER shall execute a Memorandum of Lease in the form substantially similar to that of Exhibit E, in recordable form, satisfactory to CITY and PRODUCER, memorializing the rights granted herein.

### SECTION 3 - OBLIGATIONS OF CITY

3.1 Obligations. It is understood that the CITY does not operate the Landfill itself and does not hold the operational permitting for the Landfill. The operation of the Landfill is by the LANDFILL OPERATOR under an existing operating agreement with the CITY (the "LO Agreement"). The CITY agrees to work with PRODUCER and the LANDFILL OPERATOR to assist in the implementation of the Project to the extent required by the Three Party Contract.

Subject to these limitations and reasonable efforts and its abilities, CITY shall:

**Derenzo and Associates, Inc.**

ATTACHMENT D

Trail Ridge Energy  
USEPA Region 4 Treated Gas Determination



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

4APT-ATMB

OCT 19 2006

Joseph Kahn, Acting Director  
Division of Air Resource Management  
FL Department of Environmental Protection  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Dear Mr. Kahn:

The purpose for this letter is to provide you with a determination regarding emission limit applicability and monitoring requirements for landfill gas that will be combusted in internal combustion engines to produce electricity at the following landfills located in Florida:

Trail Ridge Landfill (Baldwin, Florida)

Brevard County Landfill (Cocoa, Florida)

Seminole County Landfill (Geneva, Florida)

These landfills are subject to 40 CFR Part 60, Subpart WWW (Standards of Performance for Municipal Solid Waste Landfills), and a consultant (Derenzo and Associates, Inc.) representing the owners of all three sites submitted applicability determination requests to the U.S. Environmental Protection Agency (EPA) Region 4 and to your agency. The primary question posed in these requests is whether the landfill gas processing operations at these sites constitute "treatment" as this term is defined under Subpart WWW. Based upon our review of the information provided with the applicability determination request, we concluded that the gas processing conducted at the three landfills in question does constitute treatment under Subpart WWW. Therefore, the gas leaving the treatment systems at these landfills is no longer subject to the control and monitoring requirements in Subpart WWW. Details regarding the gas processing systems at these sites and the basis for our determination are provided in the remainder of this letter.

Derenzo and Associates requested a determination regarding whether the gas processing at the three landfills in Florida constitutes treatment because gas that has been treated is no longer subject to the control requirements in Subpart WWW. Under provisions in 40 CFR §60.752(b)(2)(iii), gas collected from landfills subject to Subpart WWW must be routed to either a flare, a control system that reduces nonmethane organic compound (NMOC) emissions by 98 weight-percent, an enclosed combustor, or a

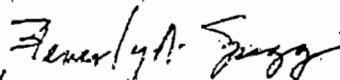
2

treatment system that processes the gas for subsequent sale or use. If an enclosed combustor is used, NMOC emissions must be reduced by either 98 weight-percent or to a concentration of less than 20 parts per million as hexane, corrected to three percent oxygen. Although landfill gas is no longer subject to the control requirements in Subpart WWW after it has been processed for subsequent sale or use, emissions from any atmospheric vents in the treatment system must be sent to a control system (flare, enclosed combustor, etc.) that complies with the removal efficiency standards in the rule.

According to the process description that Derenzo and Associates provided with its applicability determination requests, gas collected at the three landfills in question is filtered to remove particles larger than one micron, dewatered, and compressed. According to several previous U.S. Environmental Protection Agency (EPA) determinations, a landfill gas processing operation that includes filtration to ten microns or less, dewatering, and compression constitutes treatment in accordance with provisions in 40 CFR §60.752(b)(2)(iii)(C). Since the gas processing operations at the three landfills in question include all of the steps cited in EPA's previous determinations, they constitute treatment systems for Subpart WWW purposes, and the treated gas leaving these systems will no longer be subject to control or monitoring requirements under the rule.

If you have any questions about the determination provided in this letter, please contact Mr. David McNeal of the EPA Region 4 staff at (404) 562-9102.

Sincerely,

  
Beverly H. Banister  
Director  
Air, Pesticides and Toxics  
Management Division

cc: Syed Arif  
Division of Air Resource Management  
FL Department of Environmental Protection  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

May 1, 2008

*Electronically sent with received receipt requested.*

Mr. Scott Salisbury, Managing Member  
Trail Ridge Energy, LLC  
29261 Wall Street  
Wixom, Michigan 48393

Re: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)  
Trail Ridge Energy/Trail Ridge Landfill

Dear Mr. Salisbury:

The Department has reviewed your letter of February 5, 2008, and your subsequent letter of March 20, 2008, requesting an extension of the expiration date of the construction permit No. 0310358-004-AC (PSD-FL-374) from October 1, 2008 to October 1, 2009. This request is necessary because of a delay in the project due to additional efforts that were required to secure rights to the landfill gas generated by Trail Ridge Landfill, which is owned by the City of Jacksonville. The extension through October of 2009 will allow sufficient time to complete the physical construction, make any required adjustments, and complete appropriate testing.

**Determination:** The expiration date is hereby extended from **October 1, 2008** to **October 1, 2009** for the purpose of accomplishing the following:

1. Complete the physical construction of the facility by approximately October 1, 2008;
2. Commence commercial operations by approximately October 30, 2008;
3. Complete the initial performance testing at the latest by April 30, 2009; and
4. Submit a Title V operating permit application by April 30, 2009.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241 / Facsimile: 850/245-2303). Petitions must be filed within 14 days of receipt of this permit extension. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. 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 intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) 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 Permitting Authority'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, and telephone number of the petitioner; the name, address and telephone 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 when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority's final action may be different from the position taken by it in this written 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.

**Mediation:** Mediation is not available in this proceeding.

**Effective Date:** This permitting decision 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 pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

**Judicial Review:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina Vielhauer, Bureau Chief  
Bureau of Air Regulation



**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Permit Extension was sent by electronic mail with received receipt requested before the close of business on 5/2/08 to the persons listed below.

Scott Salisbury, Trail Ridge Energy, LLC ([scott.salisbury@landfillenergy.com](mailto:scott.salisbury@landfillenergy.com))

Chris Pearson, Division Chief, PW/SWD ([chrisp@coj.net](mailto:chrisp@coj.net))

Chris Kirts, DEP-NED ([christopher.kirts@dep.state.fl.us](mailto:christopher.kirts@dep.state.fl.us))

Richard Robinson, EQD ([robinson@coj.net](mailto:robinson@coj.net))

David Derenzo, Derenzo & Associates, Inc. ([dderenzo@derenzo.com](mailto:dderenzo@derenzo.com))

David Thorley, Waste Management ([dthorley@wm.com](mailto:dthorley@wm.com))

Clerk Stamp

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

Mary L. Amery      5/2/08  
(Clerk)                              (Date)

**Harvey, Mary**

**From:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 9:43 AM  
**To:** 'Scott Salisbury, Trail Ridge Energy, LLC'; 'Chris Pearson, Division Chief, PW/SWD'; Kirts, Christopher; 'Richard Robinson, EQD'; 'David Derenzo, Derenzo & Associates, Inc.'; 'David Thorley, Waste Management'  
**Cc:** Arif, Syed; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)  
**Attachments:** Document.pdf

Tracking:	Recipient	Delivery	Read
	'Scott Salisbury, Trail Ridge Energy, LLC'		
	'Chris Pearson, Division Chief, PW/SWD'		
	Kirts, Christopher	Delivered: 5/2/2008 9:43 AM	Read: 5/2/2008 9:47 AM
	'Richard Robinson, EQD'		
	'David Derenzo, Derenzo & Associates, Inc.'		
	'David Thorley, Waste Management'		
	Arif, Syed	Delivered: 5/2/2008 9:43 AM	Read: 5/2/2008 10:04 AM
	Walker, Elizabeth (AIR)	Delivered: 5/2/2008 9:43 AM	
	Gibson, Victoria	Delivered: 5/2/2008 9:43 AM	Read: 5/2/2008 9:57 AM

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

5/2/2008

## Harvey, Mary

---

**From:** Robinson, Richard [ROBINSON@coj.net]  
**Sent:** Friday, May 02, 2008 11:04 AM  
**To:** Harvey, Mary  
**Subject:** RE: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

I received the attachment to the e-mail below.

Richard L. Robinson, P.E.  
Environmental Engineering Manager  
Air Quality Branch  
Environmental Quality Division  
City of Jacksonville, Florida  
117 West Duval Street, Suite 225  
Jacksonville, FL 32202

Phone: (904) 630-4900  
Fax: (904) 630-3638  
E-Mail: robinson@coj.net

Please note: that under Florida's very broad public records law, e-mail communications to and from City officials may be subject to public disclosure.

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**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Friday, May 02, 2008 9:43 AM  
**To:** Scott Salisbury, Trail Ridge Energy, LLC; Pearson, Chris; Kirts, Christopher; Robinson, Richard; David Derenzo, Derenzo & Associates, Inc.; David Thorley, Waste Management  
**Cc:** Arif, Syed; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Extension Request/DEP File No. 0310353-008-AC (PSD-FL-374)

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

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<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide

5/2/2008

## Harvey, Mary

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**From:** Robinson, Richard [ROBINSON@coj.net]  
**To:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 10:58 AM  
**Subject:** Read: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Your message

To: ROBINSON@coj.net  
Subject:

was read on 5/2/2008 10:58 AM.

## Harvey, Mary

---

**From:** Pearson, Chris [ChrisP@coj.net]  
**To:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 10:18 AM  
**Subject:** Read: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Your message

To: ChrisP@coj.net  
Subject:

was read on 5/2/2008 10:18 AM.

## Harvey, Mary

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**From:** Thorley, David [DThorley@wm.com]  
**To:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 9:45 AM  
**Subject:** Read: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Your message

To: DThorley@wm.com  
Subject:

was read on 5/2/2008 9:45 AM.

**Harvey, Mary**

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**From:** Thorley, David [DThorley@wm.com]  
**Sent:** Friday, May 02, 2008 10:21 AM  
**To:** Harvey, Mary  
**Subject:** RE: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Thank you. I received the attached document.

-----Original Message-----

**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Friday, May 02, 2008 8:43 AM  
**To:** Scott Salisbury, Trail Ridge Energy, LLC; Chris Pearson, Division Chief, PW/SWD; Kirts, Christopher; Richard Robinson, EQD; David Derenzo, Derenzo & Associates, Inc.; Thorley, David  
**Cc:** Arif, Syed; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Dear Sir/Madam:

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<http://www.adobe.com/products/acrobat/readstep.html>.

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Thank you,

DEP, Bureau of Air Regulation

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link](#) to the DEP Customer Survey. Thank you in advance for completing the survey.*

## Harvey, Mary

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**From:** Kirts, Christopher  
**To:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 9:47 AM  
**Subject:** Read: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

### Your message

**To:** 'Scott Salisbury, Trail Ridge Energy, LLC'; 'Chris Pearson, Division Chief, PW/SWD'; Kirts, Christopher; 'Richard Robinson, EQD'; 'David Derenzo, Derenzo & Associates, Inc.'; 'David Thorley, Waste Management'  
**Cc:** Arif, Syed; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)  
**Sent:** 5/2/2008 9:43 AM

was read on 5/2/2008 9:47 AM.



## Harvey, Mary

---

**From:** Gibson, Victoria  
**To:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 9:57 AM  
**Subject:** Read: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Your message

**To:** 'Scott Salisbury, Trail Ridge Energy, LLC'; 'Chris Pearson, Division Chief, PW/SWD'; Kirts, Christopher; 'Richard Robinson, EQD'; 'David Derenzo, Derenzo & Associates, Inc.'; 'David Thorley, Waste Management'  
**Cc:** Arif, Syed; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)  
**Sent:** 5/2/2008 9:43 AM

was read on 5/2/2008 9:57 AM.

## Harvey, Mary

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**From:** Arif, Syed  
**To:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 10:04 AM  
**Subject:** Read: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Your message

**To:** 'Scott Salisbury, Trail Ridge Energy, LLC'; 'Chris Pearson, Division Chief, PW/SWD'; Kirts, Christopher; 'Richard Robinson, EQD'; 'David Derenzo, Derenzo & Associates, Inc.'; 'David Thorley, Waste Management'  
**Cc:** Arif, Syed; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)  
**Sent:** 5/2/2008 9:43 AM

was read on 5/2/2008 10:04 AM.

## Harvey, Mary

---

**From:** Scott Salisbury [Scott.salisbury@landfillenergy.com]  
**To:** Harvey, Mary  
**Sent:** Friday, May 02, 2008 4:23 PM  
**Subject:** Read: Extension Request/DEP File No. 0310358-008-AC (PSD-FL-374)

Your message

**To:** Scott.salisbury@landfillenergy.com  
**Subject:**

was read on 5/2/2008 4:23 PM.