

Memorandum

Florida Department of
Environmental Protection

TO: Virginia Wetherell
THROUGH: Dan Thompson
FROM: Howard Rhodes
DATE: April 27, 1995
SUBJECT: Permit Amendment - Lake County WTE Facility (PSD-FL-113)

Attached is a permit amendment requested by Ogden Martin Systems of Lake County allowing them to burn oil filters and solid waste from oil spill cleanups in their waste-to-energy facility. We recommend that this amendment be approved for the following reasons:

* The emissions from the facility when the charge contains up to 20% oil filters and oil-contaminated waste are not significantly different than the emissions from burning the usual municipal solid waste. This was substantiated by test results from the Ogden Martin facility in Pasco County when they processed debris from the Tampa Bay oil spill in 1993.

* State-of-the-art emission control equipment in place at the Lake facility consists of a spray drier using lime slurry followed by a fabric filter.

* No hazardous waste will be burned.

This facility was permitted under the PSD program and is not subject to site certification. Since the characteristics of the combined waste and the emissions therefrom are close to those of municipal solid waste, we do not consider it necessary to require public notice.

HLR/al/t

Attachment

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CERTIFIED MAIL

In the Matter of an
Application for Permit Amendment

DEP File No. PSD-FL-113
Lake County

Mr. Brian Bahour
Assistant Vice President
Environmental Quality Management
Ogden Martin Systems, Inc.
40 Lane Road, CN 2615
Fairfield, New Jersey 07007-2615

INTENT TO ISSUE

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit amendment for a modification (copy attached) for the proposed project as detailed in the application/request specified, above, for the reasons stated in the application/request.

The applicant, Lake County Waste to Energy Facility, applied on March 20, 1995, to the Department for an amendment of their PSD permit's specific conditions to allow firing of non-hazardous solid waste contaminated with virgin or used oil products.

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

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit Amendment. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit amendment.

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

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
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- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
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- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application/request have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this intent in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to

request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399
904-488-1344

CERTIFICATE OF SERVICE

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

Clerk Stamp

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

Clerk

Date

Copies furnished to:

C. Collins, CD
J. Harper, EPA
J. Bunyak, NPS
Lake County Board of County Commissioners

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

PSD-FL-113

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit amendment to Lake County Waste to Energy Facility, located on Jim Rogers Road, Okahumpka, Lake County, Florida. This facility consists of two municipal solid waste combustion units with a total design capacity of 500 tons per day capable of generating 12.3 megawatts of power. The amendment will allow the burning of non-hazardous solid waste commingled with virgin and used oil products including oil filters. This amendment will not cause or contribute to a violation of any air pollution standard or adversely affect the environment.

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

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The application/request is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

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

Department of Environmental Protection
Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Any person may send written comments on the proposed action to Mr. Al Linero at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

May XX, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DRAFT

Mr. Brian Bahour
Assistant Vice President
Environmental Quality Management
Ogden Martin Systems, Inc.
40 Lane Road, CN 2615
Fairfield, New Jersey 07007-2615

Re: Amendment of Air Construction Permit PSD-FL-113 (AC 35-115379)
Lake County WTE Facility

Dear Mr. Bahour:

On March 20, 1995, the Department received your request for an amendment of the referenced permit to allow firing of non-hazardous solid waste contaminated with virgin or used oil products. The Department finds this request acceptable and hereby amends the permit as shown below:

NEW SPECIFIC CONDITION 1.e.1.:

1.e.1. The firing of non-hazardous solid waste contaminated with virgin or used oil products shall be allowed if the following conditions are met:

A. The maximum percentage of oil-contaminated solid waste defined as oil spill cleanup debris and absorbing media, including oil filters, fired in the MWC shall be twenty (20) percent by weight of the total solid waste input, based on a rolling 30-day average. All "used oil" shall comply with the definition stated in 40 CFR 260.10 and shall not exceed the specification levels for arsenic, cadmium, chromium, lead, and total halogens contained in Table 1 of 40 CFR 279.11, or contain any hazardous waste as defined in 40 CFR 261.3. The used oil shall have a polychlorinated biphenyl (PCB) content of less than 50 ppm (wt.).

B. Records shall be maintained showing the oil-contaminated waste generator's written certification that the waste is non-hazardous. Documentation requirements shall include a written description of the waste, a material characterization form (sample submitted with application), and the applicable material safety data sheets for the waste components. Tonnages of oil-contaminated solid waste fired shall be recorded and made available for inspection by the Department. These records shall be maintained for a period of two years.

DRAFT

Mr. Brian Bahour
Page Two
May XX, 1995

C. Quantities of used oil not commingled with solid waste may be burned provided that the oil has been generated entirely from internal operations of the OMS-Lake facility (i.e. no used oil in liquid form from outside generators). Records shall be maintained showing the tonnages of internally-generated used oil fired.

D. The permittee shall comply with all applicable requirements of federal, state and local regulations including 40 CFR 261 (Federal Hazardous Waste Regulations), 40 CFR 279 (Federal Used Oil Management), Chapter 62-701, F.A.C. (Solid Waste Management Facilities), Chapter 62-710, F.A.C. (Used Oil Management Regulations), Chapter 62-730, F.A.C. (Hazardous Waste Regulations).

A copy of this amendment letter shall be attached to and shall become a part of Air Construction Permit AC 35-115379 (PSD-FL-113).

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Virginia B. Wetherell, Secretary

CERTIFICATE OF SERVICE

This is to certify that this Permit Amendment and all copies were mailed to the listed persons before the close of business on April 28, 1995.

FILING AND ACKNOWLEDGEMENT FILED,
on this date, pursuant to Chapter
120.52(9), Florida Statutes, with
the designated Deputy Clerk, receipt
of which is hereby acknowledged.

(Clerk)

(Date)

cc: C. Collins, CD
J. Harper, EPA
J. Bunyak, NPS
Lake County Board of County Commissioners



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

April 28, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

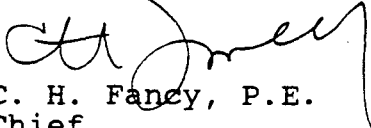
Mr. Brian Bahour
Assistant Vice President
Environmental Quality Management
Ogden Martin Systems, Inc.
40 Lane Road, CN 2615
Fairfield, New Jersey 07007-2615

Dear Mr. Bahour:

Enclosed is a proposed amendment letter and Public Notice for modifications to Lake County's Waste to Energy facility. The Department requires a public notice for this modification. All comments during the public notice period should be addressed to Mr. Al Linero at the Department's Tallahassee address.

If there are additional questions on the above, please call John Reynolds at (904) 488-1344.

Sincerely,


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

CHF/jr/b

Enclosures

cc: C. Collins, CD
J. Harper, EPA
J. Bunyak, NPS
Lake County Board of County Commissioners

OGDEN MARTIN SYSTEMS, INC.



RECEIVED

MAR 20 1995

Bureau of
Air Regulation

March 13, 1995

Mr. Claire Fancy
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Subject: Request for Permit Amendment
Ogden Martin Systems of Lake (OMSL)
Permit #AO35-193817

Dear Mr. Fancy:

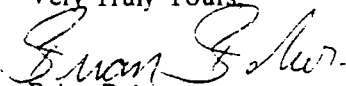
Please find enclosed an application for an amendment to the OMSL Air Operating Permit for the acceptance of solid waste containing petroleum-based materials. This is a generic application in that it does not represent waste from specific generators. The application, in essence, presents standard procedures for disposing of certain categories of waste, which include:

- 1) Clean-up materials and debris associated with virgin petroleum spills and tank cleanings;
- 2) Solid waste contaminated with Used Oil; and,
- 3) Filters (such as automotive filters, etc.).

We are seeking this amendment based on our positive experience with the Department and the successful processing of similar types of materials at our OMS of Pasco facility, at the request of the Florida Department of Environmental Protection (FDEP) Southwest District during the August 1993 Tampa Bay oil barge spill.

The wastes described in this permit amendment are within the definition of municipal solid waste and can be processed according to the conditions of the OMSL Solid Waste Permit (No. SO35-187342). We believe that the proposed solid waste management strategy provides for the most effective disposal option when considering recycling and environmental impacts, and that the proposed amendment will not require or necessitate any other permit changes. Compliance with the Air Construction Permit will be maintained while processing any of the aforementioned waste streams. If you have any questions, or need further information, please do not hesitate to contact either me or Karen Stepsus at (202) 882-7282.

Very Truly Yours,


Brian Bahor

Asst. Vice President
Environmental Quality Management

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CERTIFIED MAIL

In the Matter of an
Application for Permit Amendment

DEP File No. PSD-FL-113
Lake County

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Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

CHA Jancy

C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399
904-488-1344

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE PERMIT AMENDMENT all copies were mailed by certified mail before the close of business on May 2, 1995 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

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

Charlotte D. Hayes 5/1/95
Clerk Date

Copies furnished to:

- C. Collins, CD
- J. Harper, EPA
- J. Bunyak, NPS
- Lake County Board of County Commissioners

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PERMIT AMENDMENT

PSD-FL-113

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111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Department of Environmental Protection
Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

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Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

May XX, 1995

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DRAFT

Mr. Brian Bahour
Assistant Vice President
Environmental Quality Management
Ogden Martin Systems, Inc.
40 Lane Road, CN 2615
Fairfield, New Jersey 07007-2615

Re: Amendment of Air Construction Permit PSD-FL-113 (AC 35-115379)
Lake County WTE Facility

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1.e.1. The firing of non-hazardous solid waste contaminated with virgin or used oil products shall be allowed if the following conditions are met:

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Page Two
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A copy of this amendment letter shall be attached to and shall become a part of Air Construction Permit AC 35-115379 (PSD-FL-113).

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Virginia B. Wetherell, Secretary

CERTIFICATE OF SERVICE

This is to certify that this Permit Amendment and all copies ~~were mailed~~ to the listed persons before the close of business on April 28 1995.

Change

FILING AND ACKNOWLEDGEMENT FILED,
on this date, pursuant to Chapter
120.52(9), Florida Statutes, with
the designated Deputy Clerk, receipt
of which is hereby acknowledged.

(Clerk)

(Date)

cc: C. Collins, CD
J. Harper, EPA
J. Bunyak, NPS
Lake County Board of County Commissioners