

# Memorandum

# Florida Department of Environmental Protection

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**To:** Hamilton S. Oven, P.E.  
Siting Coordination Office

**From:** Joseph Kahn, P.E. JK  
New Source Review Section

**Date:** October 18, 1999

**Re:** Pasco County Resource Recovery Facility, PA87-23  
Modification of Site Certification, SNCR Addition

---

I reviewed the letter and attachments dated October 12, 1999 from Daniel Strobbridge of CDM to Carol Moore of the Southwest District office regarding an amendment to the site certification conditions for the addition of SNCR. I agree that this does not require an air construction permit as described in my letter attached to the submittal. Al Linero and I discussed the need for a limitation on ammonia emissions (ammonia slip) from this facility and concluded that such a limit is not required for this facility. Records of the injection rate should be maintained, so I suggest the inclusion of the following requirement in the conditions of certification:

The owner or operator shall keep records of the daily average ammonia injection rate in units of pounds of  $\text{NH}_3$  per day, for all units combined.

Please let me know if you need any additional information.



# Camp Dresser & McKee Inc.

consulting  
engineering  
construction  
operations

Westshore Center  
1715 North Westshore Boulevard, Suite 875  
Tampa, Florida 33607  
Tel: 813 281-2900 Fax: 813 288-8787

October 12, 1999

Ms. Carol Moore  
Air Programs  
Department of Environmental Protection  
8407 Laurel Fair Circle  
Tampa, Florida 33610

Subject: Pasco County Resource Recovery Facility - PPSA Case No. PA 87-23

Dear Ms. Moore:

Camp Dresser & McKee Inc. (CDM) represents Pasco County with issues affecting its resource recovery facility ("the Facility"). Pasco County is planning to install new air pollution control and monitoring equipment at the Facility to comply with the Emission Guidelines contained in 40 CFR 60 Subpart Cb as adopted by Florida in FAC 62-204.800.

This letter constitutes an amendment to the site certification application for the Facility.

In accordance with Conditions of Certification I and XIII of the above referenced site certification, Pasco County is providing the Department this description of the Facility's proposed improvements to the Continuous Emissions Monitoring System (CEMS) and the Air Pollution Control Equipment. The improvements consist of several additional CEM probes, a CEM shelter, computer equipment, and an aqueous ammonia injection system (selective non-catalytic reduction system [SNCR]) for NOx control. Both of these systems are more fully described in Attachment 1 to this letter. Also enclosed for your review and information are the following preliminary drawings, which show the salient points of these improvements.

<u>Drawing Number</u>	<u>Description</u>
18750-M-1a-8	Site Plan
99-7 I109	CEMS sample Line Routing Air Pollution Control Area
99-7 E502	Electrical Raceway Arrangement CEMS Area
99-7 P100	Ammonia Tank Area Piping and General Arrangement
99-7 P104	Ammonia Injection Lance Installation Details
99-7 E304	Ammonia Tank Area Conduit Plan

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**RECEIVED**

OCT 15 1999

BUREAU OF AIR REGULATION

Ms. Carol Moore  
October 12, 1999  
Page 2

The operation of the SNCR system will result in some ammonia slip (e.g., ammonia which does not react with NOx) which results in minimal ammonia emissions from the Facility's stack.

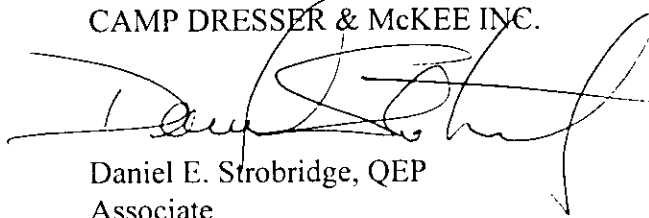
Ammonia emissions from the ammonia tank filling operations may occur, but also are expected to be minimal because the ammonia storage tank loading facilities are designed to exchange ammonia vapor within the storage tank to the ammonia delivery truck during filling operations.

These improvements do not constitute a modification of the Facility as defined by Rule 62-210.200 (reference Mr. Joe Kahn's letter dated June 12, 1998, copy attached). Also attached is a copy of Mr. Hamilton Oven's letter dated April 26, 1999 which reflects the Department's approval for the proposed improvements to the Facility.

If you should require further information or have any questions, do not hesitate to contact me.

Sincerely,

CAMP DRESSER & McKEE INC.



Daniel E. Strobridge, QEP  
Associate

Attachments

- c: Doug Bramlett, Pasco County
- Vince Mannella, Pasco County
- Hamilton Oven, FDEP Siting Coordinator, Tallahassee
- Joe Kahn, FDEP, New Source Review Section, Tallahassee

## ATTACHMENT 1

### SNCR AND CEMS TECHNICAL REQUIREMENTS

The following are excerpts of the requirements contained in the Amendment No. 4 to the Service Agreement between Pasco County and Ogden Martin Systems of Pasco Inc., which provides for the design, installation and testing of the CEMS improvements and the SNCR system.

#### SELECTIVE NON-CATALYTIC REDUCTION (SNCR) SYSTEM

##### 1. GENERAL

An SNCR system shall be provided for the reduction of nitrogen oxides such that the Facility at least meets the applicable CAA Modification Acceptance Criteria. The SNCR system shall be based on the injection of aqueous ammonia into the furnace. The SNCR system shall be designed to provide a sufficient rate of aqueous ammonia injection to all three boilers while each boiler is operating at 110% of the Maximum Continuous Rating (MCR) of 90,368 pounds per hour of steam for each boiler.

The SNCR system shall comply with all federal, state and local codes, standards, laws, rules, regulations and requirements relative to aqueous ammonia receiving, storage and handling. The SNCR system shall consist of an aqueous ammonia storage tank, aqueous ammonia feed pumps, carrier water system, a purge air system and injection nozzles. The feed system design shall be based on delivering the design MCR. consumption rate simultaneously to all three boilers.

##### 2. STORAGE AND LOADING

A 10,000-gallon aqueous ammonia storage tank with level gage, level switches, high level alarm and pressure gauges shall be provided. The aqueous ammonia storage tank shall be constructed of SA 36-plate steel for the sides, with the top and bottom components comprised of SA 515 Grade 70 steel. It shall be designed and located in accordance with applicable codes and standards and Factory Mutual recommendations, if applicable. The aqueous ammonia storage tank shall be located within a diked containment area with a containment capacity at least equal to the maximum volume of the tank plus freeboard. The diked containment area shall be constructed of reinforced concrete and shall be sloped to a sump. A pump shall be provided to remove any accumulated rainwater on an as needed basis.

Aqueous ammonia shall be delivered to the Facility in tank trucks. The tank trucks shall be unloaded such that vapor displaced from the aqueous ammonia storage tank, as the tank is being filled, shall be circulated back to the tank truck and not released to the atmosphere.

### 3. AQUEOUS AMMONIA FEED PUMPS

Two one hundred percent capacity aqueous ammonia feed pumps (seal-less "canned" type) shall be provided. Each pump shall be sized to transfer at least the maximum design consumption rate simultaneously to all three boilers. One pump shall therefore serve as a spare. The aqueous ammonia supply and recirculation lines shall be provided with isolation valves.

### 4. INJECTION NOZZLES

The aqueous ammonia solution shall be injected into the boiler via injection nozzles that penetrate the boiler walls. A minimum of two nozzles per boiler shall be provided. Access platforms, ladders and stairs shall be provided at each location as necessary.

### 5. PURGE AIR SYSTEM

A nozzle purge air system shall be provided to minimize slagging of the nozzles. Two one hundred percent capacity low-pressure rotary blowers shall be provided. One blower shall serve as a spare.

### 6. PIPING

Only carbon steel and stainless steel shall be used for piping, valves, fittings and gages that come into contact with the aqueous ammonia solution. Brass, bronze or copper bearing materials shall not be used since ammonia is corrosive to those materials.

### 7. ELECTRICAL SYSTEMS

All electrical equipment necessary to supply the SNCR system shall be provided. NEMA 4X or NEMA 4 shall be used for all cabinets and devices. All electrical wiring shall be run in conduit and/or existing or new cable trays.

Outdoor lighting for the aqueous ammonia storage area and power for the two aqueous ammonia feed pumps and the sump pump shall be provided. All conduit and cables shall be located outside of the corrosive area if possible. Power for the two purge air blowers shall also be provided.

### 8. INSTRUMENTATION AND CONTROLS

The existing Bailey DCS shall be used to monitor and control the new SNCR system. The existing DCS shall be augmented as required with hardware and software, to accept the new monitoring and control functions without any functional degradation.

New CRT graphic display screens shall be configured based upon the P&ID's for the new SNCR system. The screens shall include, at a minimum, process graphics, faceplates and trend displays.

Under normal operating conditions, aqueous ammonia shall be injected into the boilers to control the NOx level at the stack to a set point of approximately 180 ppmdv corrected to 7% O<sub>2</sub> in order to assure compliance with the CAA Modification Acceptance Criteria for NOx. The control system shall maintain the NOx concentration at the stack by adjusting the aqueous ammonia feed rate to each boiler. The aqueous ammonia injection control loop shall be a cascade arrangement, with the inner loop controlling the aqueous ammonia flow to the flow set point, based on aqueous ammonia flow measurement, and the outer loop controlling the aqueous ammonia flow set point based on the NOx concentration at the stack. The stack NOx concentration signal shall be generated by the CEMS.

The aqueous ammonia feed pumps recirculation flow shall be controlled by the restriction orifice.

A rotameter with a high turn down needle valve shall be installed in the aqueous ammonia line to each injection nozzle. The rotameters shall be designed to provide the means for equally distributing the aqueous ammonia flow among the nozzles.

At least two emergency stop button switches shall be installed for each boiler, one at the nozzle elevation area, and each of them shall trip the aqueous ammonia injection control valve closed. The aqueous ammonia injection control valve shall also trip closed when the boiler forced draft fan trips or is stopped.

The carrier water pressure at the nozzles shall be maintained constant. A self-contained pressure control valve shall be installed for each distribution header. A rotameter shall be installed in the carrier water line to each injection nozzle. The rotameters shall provide visual indication of carrier water flow to the nozzles and help detect nozzle pluggages.

A aqueous ammonia truck filling panel shall be provided for filling the aqueous ammonia storage tank, and shall have a "high level" and "low level" indicating lights, one for each, and a lights test push-button.

All of the eyewash and shower stations shall have a flow switch in the water supply line. The switch shall be sized to actuate at the smaller flow of the eyewash fountain.

The SNCR system shall be monitored and controlled remotely from the control room through the existing Bailey DCS.

All control actions, including start/stop equipment, open/close valves, manual/auto and set point shall be from the operator interface station in the control room.

## CONTINUOUS EMISSION MONITORING SYSTEM (CEMS) IMPROVEMENTS

### 1. GENERAL

The existing CEMS shall be upgraded with new equipment (with some of the existing equipment being reused) such that the CEMS shall comply with all the applicable rules and regulations.

### 2. NEW ENCLOSURE

A new environmentally controlled, weather tight enclosure shall be provided. The enclosure shall house the new inlet and outlet monitoring components, the existing outlet monitoring components (including the existing SO<sub>2</sub>, O<sub>2</sub>, CO and opacity controller instruments), the existing auxiliary control racks, and new sample line heating controls. New chilled condensers that are less prone to plugging by ammonia salts and new power distribution panels shall also be supplied. The new enclosure shall include a new air conditioning system and a new backup air conditioning system, both sized to ensure the appropriate temperature environment for the instrumentation. The new shelter shall be sized to provide adequate space to meet all NEMA code requirements.

### 3. EQUIPMENT IN EXISTING ENCLOSURE TO BE RELOCATED TO NEW ENCLOSURE

The maximum amount of equipment in the existing enclosure shall be relocated to the new enclosure for use as part of the CAA Modifications. This equipment shall include, but is not limited to, the following:

- a) Three (3) Outlet CO<sub>2</sub> Analyzers
- b) Three (3) Outlet SO<sub>2</sub> Analyzers
- c) Three (3) CO Analyzers
- d) Three (3) CO<sub>2</sub> Analyzers
- e) Three (3) Sample Probes
- f) Three (3) Opacity Monitors
- g) Three (3) Auxiliary controls for the computer network

#### 4. SAMPLE LINES AND PROBES

The existing sample probe at the stack shall be incorporated into the new CEMS. The spray dryer absorber inlet locations shall be supplied with new probes. The probes shall be thermostatically controlled. All sample lines shall be of the hybrid heated hose type which is temperature controlled by a microprocessor based regulator module and an RTD temperature sensor. A power/temperature control panel for each segment of the installed hose (150 ft. maximum length each segment) shall be built into the new enclosure. These controls shall provide power through relays controlled by the microprocessor operated temperature regulator to assure that the sample line heaters can not fail in the on position.

Power for probe operation shall be delivered from power distribution panels (PDPs). The PDPs shall also supply power for the sample lines. There shall be one dedicated PDP for each boiler. The PDPs shall be located within the new enclosure. At a minimum, each PDP shall meet NEMA code requirements for conductor density within the shelter raceways.

#### 5. MODIFICATIONS TO THE CEMS CONTROL ROOM COMPONENTS

New enclosures for the DAS computer and CEMS network file servers shall be supplied which protects the components from potential RF interference. New UPS power supplies shall also be supplied for the DAS computer and the CEMS network file servers.





# Department of Environmental Protection

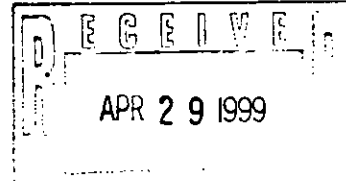
Jeb Bush  
Governor

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

David B. Struhs  
Secretary

April 26, 1999

Mr. Daniel E. Strobridge  
Camp Dresser & McKee Inc.  
1715 N. Westshore Boulevard  
Suite 875  
Tampa, Florida 33607



Re: Pasco County RRF PA 87-23

Dear Mr. Strobridge:

The Department has reviewed your letter of January 14, 1999, concerning the addition of a deNOx system and an improved Continuous Emission Monitoring system to the Pasco County Solid Waste Resource Recovery Facility. Although there may be no significant environmental impacts from the construction and operation of the proposed improvements, the installation of the new CEMs system will not require any modification of the Conditions of Certification, per Condition XIV.A.3.a. However, the deNOx system will require a modification of the Conditions of Certification in accordance with the provisions of Condition I. Plans detailing changes in the onsite equipment should be submitted as required by Condition XIII.

The Department has no objection to the installation of the proposed equipment as long as the applicable conditions of certification and regulations are complied with. The Bureau of Air Regulation has suggested that the following condition be added to Condition XIV:

The owner or operator shall, for each of its three combustor units, attain full compliance with the emission limitations and compliance requirements of 40 CFR 60, Subpart Cb no later than April 19, 2000, pursuant to Florida's 111(d) implementation plan.

The department will include the above modification to the ongoing modification process.

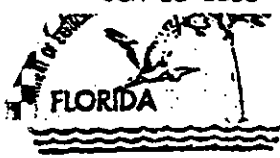
Sincerely,

Hamilton S. Oven, P.E.  
Administrator, siting  
Coordination Office

cc: Scott Goorland  
Al Linero  
Bill Thomas

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

*Printed on recycled paper.*



# Department of Environmental Protection

JUN 15 1998

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

June 12, 1998

### CERTIFIED MAIL

Mr. Douglas S. Bramlett  
Assistant County Administrator  
Pasco County  
Utilities Services Branch  
Public Works/Utilities Bldg., S-213  
7530 Little Road  
New Port Richey, Florida 34654

Re: Municipal Waste Combustor, SNCR Addition

Dear Mr. Bramlett:

The Department has reviewed your letter of May 21, 1998 and agrees that the addition of selective non-catalytic reduction (SNCR) to the existing plant does not constitute a modification as defined by Rule 62-210.200, F.A.C. However, the Department has typically requested that source owners that are installing new pollution control equipment for major sources, or any pollution control equipment which must be custom designed, apply for an operation permit amendment to reflect the change. Such request would need to be signed and sealed by a professional engineer registered in Florida. The application for permit amendment need not be extensive, but should include a site plan showing the addition of equipment (the ammonia tank in this case), a description of the control equipment, and a sketch or manufacturer's cut sheet showing the physical changes or additional piping and injectors at the furnace walls. Pursuant to Rule 62-4.050(r)2., F.A.C., there is no application fee required for this amendment. No public notice is required for this type of permit amendment, once issued.

Please submit this information prior to undertaking construction at the plant. Please call me at 850/921-9519 if you have any questions.

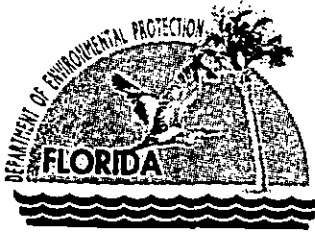
Sincerely,

Joseph Kahn, P.E.  
New Source Review Section

Post-It® Fax Note	7671	Date	6/18/98	# of pages	1
To	Dan Strobridge	From	Vivian Mannello		
Co./Dept	ADM		Pasco County Solid Waste		
Phone #		Phone #	813-286-0119		
Fax #	813-288-8987	Fax #	813-286-0557		

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# Department of Environmental Protection

Jeb Bush  
Governor

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Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

April 26, 1999

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Camp Dresser & McKee Inc.  
1715 N. Westshore Boulevard  
Suite 875  
Tampa, Florida 33607

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APR 27 1999

BUREAU OF  
AIR REGULATION

Re: Pasco County RRF PA 87-23

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The department will include the above modification to the ongoing modification process.

Sincerely,

*Hamilton S. Oven*

Hamilton S. Oven, P.E.  
Administrator, siting  
Coordination Office

cc: Scott Goorland  
Al Linero ✓  
Bill Thomas

January 14, 1999

Mr. Daniel E. Strobridge  
Camp Dresser & McKee Inc.  
1715 N. Westshore Boulevard  
Suite 875  
Tampa, Florida 33607

Subject: Pasco County Solid Waste Resource Recovery Facility (Case No. PA 87-23)

Dear Mr. Strobridge:

I have reviewed your letter dated January 11, 1999, concerning Pasco County's plan to install a deNOx System and improved Continuous Emissions Monitoring system for the Pasco County Solid Waste Resource Recovery Facility. According to the County, there will be no significant adverse environmental impacts associated with the construction or operation of these proposed improvements. I have also discussed the County's proposal with representatives of the Department who are familiar with the County's preliminary plans and advised me that they have no objections to these proposed improvements.

Assuming that the information provided to me is correct, the County does not need to modify the conditions of certification for the Pasco County Solid Waste Resource Recovery Facility or otherwise obtain approval under the Florida Electrical Power Plant Siting Act for the proposed deNOx and Continuous Emissions Monitoring Systems. The submittal of your letter to the Department is sufficient to amend the County's application for site certification. No other action under the PPSA is required.

Of course, the construction and operation of these improvements must be conducted in compliance with the conditions of certification, DEP's air rules, and any other applicable environmental regulations. To ensure compliance with all applicable standards, the County should submit its final plans for these improvements to the Department's Tallahassee Bureau of Air Regulation office for their review at least 14 days before the commencement of construction.

Sincerely,

Hamilton S. Oven, P.E.  
Administrator  
Siting Coordination Office



# PASCO COUNTY, FLORIDA

DADE CITY (352) 521-4274  
LAND O' LAKES (813) 996-7341  
NEW PORT RICHEY (813) 847-8145  
FAX (813) 847-8064

UTILITIES SERVICES BRANCH  
PUB. WKS./UTILITIES BLDG., S-213  
7530 LITTLE ROAD  
NEW PORT RICHEY, FL 34654

May 21, 1998

Mr. Al Linero, P.E.  
Bureau of Air Regulation  
Florida Department of  
Environmental Protection  
3804 Coconut Palm Drive  
Tampa, FL 33619-8318

RE: Permit Requirement/Municipal Waste Combustor

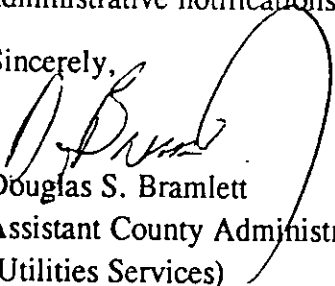
Dear Mr. Linero:

Pasco County owns a 1,050 ton-per-day Municipal Waste Combustor subject to the provisions of 40 CFR 60, Subpart Cb. Pursuant to the provisions of Subpart Cb, the facility intends to enhance the air pollution control equipment (APC) to include a selective non-catalytic reduction (SNCR) system to reduce emissions of nitrogen oxides.

It is our reading of Rule 62-210.300(1), F.A.C., entitled "Permits Required", that an air construction permit is required in the case of "any proposed new or modified facility or emissions unit" prior to construction. The applicable Florida Department of Environmental Protection (FDEP) definitions are clear that the installation of SNCR equipment does not constitute a "modification" because there will be no "increase in the actual emissions of any air pollutant subject to regulation under the Act" (see 62-210.200(182), F.A.C.). Accordingly, we conclude that a separate air construction permit is not necessary for the retrofit to proceed. Please note that ammonia is not a "pollutant subject to regulation under the Act" for municipal waste combustors.

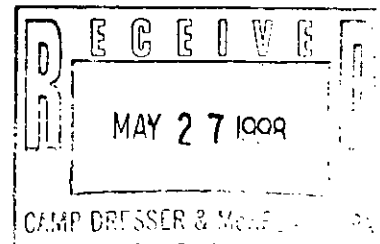
Because the FDEP rules do not require a construction permit, we are seeking your guidance as it relates to any other administrative notifications that may be necessary. Thank you in advance for your consideration in this matter.

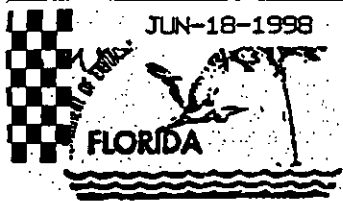
Sincerely,

  
Douglas S. Bramlett  
Assistant County Administrator  
(Utilities Services)

DSB/mvv\19\linero

cc: Daniel E. Strobidge, QEP, Associate, Camp Dresser & McKee Inc., 1715 N. Westshore Blvd., Suite 875,  
Tampa, FL 33607  
John J. Gallagher, County Administrator  
Vincent Mannella, P.E., Solid Waste Facility Manager





# Department of Environmental Protection

JUN 15 1998

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

June 12, 1998

**CERTIFIED MAIL**

Mr. Douglas S. Bramlett  
Assistant County Administrator  
Pasco County  
Utilities Services Branch  
Public Works/Utilities Bldg., S-213  
7530 Little Road  
New Port Richey, Florida 34654

Re: Municipal Waste Combustor, SNCR Addition

Dear Mr. Bramlett:

The Department has reviewed your letter of May 21, 1998 and agrees that the addition of selective non-catalytic reduction (SNCR) to the existing plant does not constitute a modification as defined by Rule 62-210.200, F.A.C. However, the Department has typically requested that source owners that are installing new pollution control equipment for major sources, or any pollution control equipment which must be custom designed, apply for an operation permit amendment to reflect the change. Such request would need to be signed and sealed by a professional engineer registered in Florida. The application for permit amendment need not be extensive, but should include a site plan showing the addition of equipment (the ammonia tank in this case), a description of the control equipment, and a sketch or manufacturer's cut sheet showing the physical changes or additional piping and injectors at the furnace walls. Pursuant to Rule 62-4.050(r)2., F.A.C., there is no application fee required for this amendment. No public notice is required for this type of permit amendment, once issued.

Please submit this information prior to undertaking construction at the plant. Please call me at 850/921-9519 if you have any questions.

Sincerely,

Joseph Kahn, P.E.  
New Source Review Section


Post-It® Fax Note	7671	Date	6/18/98	# of pages	1
To	Dan Strohbridge	From	Viviane Mannello		
Co./Dept	CDM		Pasco County/Solid Waste		
Phone #		Phone #	813-856-0119		
Fax #	813-288-8987	Fax #	813-856-0000		

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

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Memorandum

To: Buck Oven  
Siting Coordination Office

From: Joe Kahn   
New Source Review Section

Date: February 4, 1999

Re: Pasco County RRF, PA 87-23

---

Al Linero and I discussed your memo of January 19, 1999 and Al asked me to reply. We had previously written to Pasco County regarding whether the SNCR system addition would constitute a modification as defined by Rule 62-210.200, F.A.C., although we received no response. We did not consider such a project a modification pursuant to air rules because ammonia is not classified in our rules as a criteria pollutant or a HAP. As you know, under the air rules a modification requiring a construction permit results when emissions of a "regulated" pollutant are increased. We do not disagree that such a project will require modification of the Conditions of Certification because the site plan and other documents supporting the certification did not address the SNCR system, and because ammonia will be emitted, even though such emission is not subject to a unit-specific air regulatory requirement.

The Conditions of Certification should be updated to require compliance with the municipal waste combustor MACT requirements of 40 CFR 60, Subpart Cb. The requirements will most likely be codified in the Title V permit, so if you include the "automatic modification" language in the certification conditions, issuance of the Title V permit will address these requirements in detail. For now, you could include a condition such as:

The owner or operator shall, for each of its three combustor units, attain full compliance with the emission limitations and compliance requirements of 40 CFR 60, Subpart Cb no later than April 19, 2000, pursuant to Florida's 111(d) implementation plan.

Please let me know if you have any questions.

cc: Al Linero

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PASCO COUNTY BOARD OF  
COUNTY COMMISSIONERS, and  
OGDEN MARTIN SYSTEMS OF  
PASCO, INC.,

Petitioners,

vs.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

Respondent,

and

Legal Environmental Assistance Foundation,  
Inc, ("LEAF"), and Susan M. Elko and  
Nathan Elko,

Intervenors,

---

Final Order

Pursuant to notice, an informal administrative hearing in accordance with 120.57(2), F.S., (Supp 1996) was conducted in the above-styled proceeding before F. Perry Odom, the assigned Hearing Officer, on July 25, 1997, in Tallahassee, Florida.

APPEARANCES

For the Petitioners:

Mary F. Smallwood, Esq.  
215 South Monroe Street  
Tallahassee, Florida 32301



For the Respondent: W. Douglas Beason, Esq.  
Assistant General Counsel  
2600 Blair Stone Road  
Tallahassee, Florida 32301

For the Intervenors: Andrew J. Smith, Esq.  
1115 North Gadsden Street  
Tallahassee, Florida 32303

### STATEMENT OF THE ISSUE

The issue is whether the Prevention of Significant Deterioration ("PSD") permit issued to the Pasco County Board of County Commissioners authorizes the County to combust "Additional Solid Waste" as that term is defined in the Amendment to the Service Agreement between the Pasco County Board of County Commissioners and Ogden Martin Systems of Pasco, Inc.,

### PRELIMINARY STATEMENT

By letter dated December 30, 1996, the Petitioners requested an interpretation from the Department of Environmental Protection ("DEP") regarding the definition of municipal solid waste ("MSW") as that term is utilized in the PSD permit for the Pasco County Resource Recovery Facility (PSD-FL-127). By letter dated February 6, 1997, the Director of DEP's Division of Air Resources Management notified the Petitioners that DEP did not interpret the term municipal solid waste to include "Additional Solid Waste" as that term is defined in the Amendment to the Service Agreement.

On March 13, 1997, the DEP received a Petition for an Informal Administrative Hearing challenging the DEP's interpretation of the term "municipal solid waste" ("MSW"). On May 29, 1997, DEP entered an Order

Establishing Informal Proceeding which appointed an Informal Hearing Officer and established a prehearing procedure to consider and determine the pertinent issues of law and fact raised in the Petition for an Informal Administrative Proceeding. On June 20, 1997, the Informal Hearing Officer entered an Initial Order, Notice of Hearing and Order of Pretrial Instruction which, among other things, scheduled the informal hearing for July 25, 1997.

On July 7, 1997, the Petitioners filed a Memorandum of Law in Support of Petition for Informal Administrative Hearing which included a Statement of Facts and Petitioners' Exhibits one through nine. The Petitioners also filed a Response to the Initial Order, Notice of Hearing and Order of Pretrial Instruction.

On July 23, 1997, DEP entered an Order Appointing Substitute Informal Hearing Officer which designated F. Perry Odom, General Counsel to DEP, to act as the Informal Hearing Officer for the purpose of conducting the informal proceeding. On July 23, 1997, the Intervenor, Legal Environmental Assistance Foundation ("LEAF"), filed a Petition to Intervene in Informal Administrative Proceeding in support of DEP's position concerning the interpretation of the definition of MSW.

On July 24, 1997, DEP filed a Motion to Terminate Informal Proceedings which requested that the Hearing Officer terminate the informal proceeding based upon the existence of disputed issues of material fact. The DEP alleged, in part, that disputed issues of material fact existed with respect to:(a) whether the PSD permit application proposed the use of Additional Solid Wastes as a

fuel; (b) whether the PSD permit application authorized the use of Additional Solid Wastes as a fuel; and (c) whether the Additional Solid Wastes were municipal solid wastes.

At the commencement of the informal administrative hearing, the Hearing Officer received argument concerning the disposition of DEP's Motion to Terminate Informal Proceeding. The DEP withdrew the motion after the Petitioners agreed both to withdraw Petitioners' Exhibit 4 (the affidavit of a Mr. David Dee) and that Paragraph 8 of the Petitioners' Statement of Facts would be stricken. The parties then agreed that the disposition of the Petition for Informal Administrative Hearing, would be based on the Statement of Facts (excluding Paragraph 8) and Petitioners' Exhibits 1 through 3 and 5 through 11 contained in or attached to the Petitioners' Memorandum of Law in Support of Petition for Informal Administrative Hearing. The parties did not offer any testimony at the final hearing but Petitioner had submitted facts and exhibits previous to the hearing which were received in evidence at the final hearing. The Petition to Intervene filed by LEAF was not opposed by either party, and was therefore granted by the Hearing Officer.

#### FINDINGS OF FACT

1. Petitioner Pasco County, Board of County Commissioners, (hereafter the "County") owns and operates the Pasco County Resource Recovery Facility (Units 1, 2, and 3) (hereafter the "Facility") located in Pasco County, Florida, under the terms of Department Permit No.: PSD-FL-127 (the

"PSD permit") and the Conditions of Certification issued under the PPSA in Case No. PA 87-23 (the "Conditions of Certification").<sup>1</sup>

2. As an incinerator constructed after 1971, but prior to the applicability of 40 CFR 60, Subpart 60, Ea, the Facility is subject to the provisions of 40 CFR Part 60, Subpart E, Standards of Performance of Incinerators. The Facility is also subject to the provisions of Chapters 17-2, 17-7, and 17-30, Florida Administrative Code (1988), the Department's rules in effect at the time the application for a permit and site certification were approved.

3. The Facility is a "resource recovery and management facility" as that term was defined in Section 17-7.020(51), Florida Administrative Code (1988): A resource recovery and management facility was defined as follows:

any solid waste disposal area, volume reduction plant, or other facility the purpose of which is resource recovery or the disposal, recycling, processing, or storage of *solid* waste (Emphasis added). Section 17-7.020(51) F.A.C.

4. The PSD permit issued to the Facility provides, in pertinent part:

SPECIFIC CONDITIONS:

1.e The [Facility] shall be fueled with *municipal solid waste* only. Other wastes shall not be burned without specific prior written approval of [the Department]. (Emphasis added).

5. The Conditions of Certification provide, in pertinent part:

B. The [Facility] shall utilize *refuse* such as *garbage and trash* (as defined in Chapter 17-7, FAC) as its fuel. Use of alternative fuels except for distillate fuel oil or natural gas in start-up burners would necessitate modification of these Conditions of Certification.

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<sup>1</sup> A copy of the PSD permit is attached hereto as Exhibit 1 while a copy of the Conditions of Certification is attached hereto as Exhibit 2.

Refuse as fuel shall not include "hazardous waste" as defined in Chapter 17-30, FAC. (Emphasis added). §XIV.B., page 14.

6. The terms "municipal solid waste" and "refuse" were not defined in either the applicable federal or state regulations governing the permitting or operation of the Facility at the time the permits were approved.

7. The PSD permit, General Condition 10., provides:

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

8. In its application for PPSA certification and a PSD permit, the County identified the fuel source for the proposed facility as "municipal solid waste," specifically including residential waste, commercial wastes, institutional wastes, and industrial wastes. More specifically, the application stated:

The term "municipal solid waste" applies to all of the solid waste generated within Pasco County, except hazardous and pathogenic wastes and sludges. Since this waste is heterogeneous, characteristics such as heating value, moisture content and ash content will vary. However, Pasco County's solid waste may be classified according to the following general characteristics and sources of generation:

- Residential Wastes. Mixed domestic household wastes (including yard wastes) generated by individuals or families in single or multiple family dwellings.
- Commercial Wastes. Wastes generated by the commercial and retail sector of the county. The physical characteristics of these wastes are similar to residential wastes, consisting primarily of combustible materials in the form of paper and food wastes from offices, restaurants and retail establishments.
- Institutional Wastes. Wastes generated by hospitals, schools, and churches. These wastes have characteristics similar to residential and commercial wastes. Any wastes classified as infectious by federal and state regulations will be excluded.

- Industrial Wastes. Wastes generated by industrial process and manufacturing operations, excluding any wastes classified as hazardous or infectious by federal and state regulations. These wastes also include general housekeeping and support activity wastes associated with industry.

9. In April, 1988, a formal administrative hearing was conducted by a

Division of Administrative Hearing ("DOAH") hearing officer to evaluate the County's request for certification under the Power Plant Siting Act...<sup>2</sup>

10. Testimony at that hearing reflected that the Facility would process residential and commercial non-hazardous waste. No medical waste was to be processed. (T. at 52).

11. Petitioner Ogden Martin Systems of Pasco, Inc., (hereafter "Ogden") operated the Facility on behalf of the County under the terms of a service agreement with the County. On July 6, 1996, the County Commission modified the service agreement to allow Ogden to contract with other public and private entities to accept and process "Additional Solid Waste" (as that term was defined in the amendment to the service agreement) at the Facility.<sup>3</sup> The amendment to the service agreement defined "Additional Solid Waste" as

Non-hazardous items suitable for human consumption and/or application whose shelf-life has expired or which the generator wishes to remove from the market and wishes to ensure proper destruction such as off-specification pharmaceuticals (excluding beauty aids).

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<sup>2</sup> The transcript of that hearing is attached to the Petitioner's Memorandum as Exhibit 5. Reference to the Transcript shall be indicated as (T.at ).

<sup>3</sup> A copy of the Amendment to Service Agreement is attached to the Petitioners' Memorandum of Law as Exhibit 7.

Non-hazardous consumer-packaged products not intended for human consumption and/or applications.

Non-hazardous materials used in the manufacture of items in the categories above that are or contain commercially useless (expired, rejected or spent), or finished products not yet formed or packaged for commercial distribution.

Non-hazardous, non-recyclable plastics, packaging materials, shredded carpet, natural and synthetic fibers, clothing or fabric remnants, containers, (including but not limited to items such as; aprons, gloves, floor sweepings and latex paint).

Non-hazardous materials that contain oil from routine clean-up of industrial establishments and machinery or the oil contaminated materials used in the clean-up of spills of petroleum products in transit or storage, and which are liquid free (including but not limited to items such as: rags, lints, and absorbents) plus oil filters.

Non-hazardous materials generated by manufacturers and industrial activities. This category includes filtercake from the manufacture of synthetic oil, paint overspray, and other filtration materials from industrial processes and systems.

Confidential documents (including but not limited to items such as: records and microfilm).

12. Prior to voting on the proposal to modify the service agreement with Ogden, the County Commissioners considered the report of the Solid Waste Management Citizens Advisory Committee for Pasco County, which unanimously recommended approval of the amendment to the service agreement.

13. Over the course of the Facility's operation, its actual fuel source has included residential, commercial and industrial wastes generated in Pasco County. The facility has also received solid waste from Hillsborough, Citrus and Hernando Counties and Plant City.

14. In addition to the waste streams discussed in paragraph 13 above, the Facility has processed waste resulting from certain emergency management situations. Pasco County, with the knowledge of the Department, utilized the Facility to properly manage the large volume of materials resulting from the "no name" storm of March 1995. In managing this event, the Facility processed in excess of 8000 tons of storm damage related waste materials, including, but not limited to: household furnishings; personal belongings; and water damaged residential, commercial, and industrial wastes. At no time during the processing of waste materials from any such special events did the Facility exceed applicable emission limiting standards or otherwise fail to perform in accordance with permit conditions.

15. Ogden Corporation, through its subsidiary Ogden Waste Treatment Services USA, Inc. (OWTS), has initiated a program at many waste-to-energy facilities around the country to manage "Additional Solid Waste" streams, similar to that approved by the County in the amended service agreement. OWTS's internal procedures for handling these waste streams are described in two documents: (1) Ogden Waste Treatment Services: An Overview, and (2) Material



Characterization Forms and Instructions for Waste Generators. . .<sup>4</sup> The Overview includes a comprehensive listing of the types of waste streams that are commonly handled as part of the OWTS program. The proposed "Additional Solid Waste" program for the Facility would be operated in a manner consistent with the OWTS program; however, the waste stream would be limited to those materials identified in the amended service agreement with the County.

16. The Facility has operated in compliance with all Department emission limiting standards since its start-up in 1991, except for an exceedance of the mercury standard which occurred in 1996. That exceedance has been corrected in accordance with a Consent Order with the Department in Case No. 97-0273, and no further exceedances of that standard, or any other standard, have occurred.

17. Ogden's Supplemental Waste Program was developed after DEP issued the relevant PSD permit and site certification. The "Ogden Waste Treatment Services: An Overview" provides in part:

#### HISTORY

Ogden's Supplemental Waste Program. . . was a natural outgrowth of service to our client communities. The program began as a means to provide an environmentally safe and efficient alternative for managing nonhazardous, non-RCRA/non-TSCA-regulated commercial and industrial wastes. [*These waste streams often require special handling to ensure safe and proper disposal. OWTS refers to these waste streams as "supplemental wastes." These are waste streams brought to the waste-to-energy facility in addition - as a supplement -- to the community's waste stream.*] This designation is also indicative of the

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<sup>4</sup> Copies of each of these documents are attached to Petitioner's Memorandum as Composite Exhibit 10.

waste generators' need for confidentiality, assured destruction and environmental destruction. . .<sup>5</sup> (Emphasis added)

18. The Amendment to the Amended and Restated Service Agreement between the Petitioners provides, in pertinent part:

WHEREAS, in addition to the disposal of municipal solid waste, the Parties wish to have disposed of at the Facility certain wastes designated as Additional Solid Wastes. . .<sup>6</sup>

19. There is no evidence that the permitting proceeding for the County's PSD permit and site certification included a review of OWTS's internal procedures for handling the waste streams as described in (1) Ogden Waste Treatment Services: An Overview, and (2) Material Characterization Forms and Instructions for Waste Generators. Similarly, the DEP's review did not include the Amendment to the Amended and Restated Service Agreement between the Petitioners<sup>7</sup>.

21. On May 16, 1989, the Department promulgated the Solid Waste Grants Program Rule and in section 17-716.200(6), Fla. Admin. Code, the Department defined municipal solid waste as:

any solid waste, except for sludge, resulting from the operation of residential, commercial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service. The term includes yard trash, but does not include solid waste from industrial, mining, or agricultural operations.

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<sup>5</sup> Petitioners' Composite Exhibit 10, Page 1.

<sup>6</sup> Petitioners' Exhibit 7.

<sup>7</sup> Petitioners' Exhibit 7.

This definition is similar to the combined descriptions of "garbage" and "trash" found in Chapter 17-7, Fla. Admin. code.

Additionally, the Department incorporated certain EPA standards, including the definition of municipal solid waste, into its present air pollution program. Section 62-204.800(8)(b), Fla. Admin. code. This definition reads in full:

Municipal solid waste or **municipal-type solid waste** or MSW means household, commercial/retail, and/or institutional waste. Household waste includes material discarded by single and multiple residential dwellings, hotels, motels, and other similar permanent or temporary housing establishments or facilities. Commercial/retail waste includes material discarded by stores, offices, restaurants, warehouses, nonmanufacturing activities at industrial facilities, and other similar establishments or facilities. Institutional waste includes material discarded by schools, nonmedical waste discarded by hospitals, material discarded by nonmanufacturing activities at prisons and government facilities, and material discarded by other similar establishments or facilities. Household, commercial/retail, and institutional waste does not include used oil; sewage sludge; wood pallets; construction, renovation, and demolition wastes (which includes but is not limited to railroad ties and telephone poles); clean wood; industrial process or manufacturing wastes; medical waste; or motor vehicles (including motor vehicle parts or vehicle fluff). Household, commercial/retail, and institutional wastes include:

- (1) Yard waste;
- (2) Refuse-derived fuel; and
- (3) Motor vehicle maintenance materials limited to vehicle batteries and tires except as specified in § 60.50b(g). (Emphasis added).

40 CFR Part 60, Subpart Eb § 60.51b (1996). The EPA adopted an almost identical definition in 1991. 40 CFR Part 60, Subpart Ea, § 60.51a (1991). The definitions in the Department's and the EPA's regulations show where the

Department was headed and verify the intent of the Department's restriction on the fuel stream of the Facility.

### CONCLUSIONS OF LAW

1. As to the burden of proof in this proceeding, the Petitioners have the burden of going forward with the evidence as well as the ultimate burden of demonstrating the PSD permit authorizes the combustion of Additional Solid wastes. Young v. Department of Community Affairs, 625 So. 2d at 831, 835 (Fla. 1993).

2. Pasco County's PSD permit application and Power Plant Siting Act certification both identified the fuel source for the proposed facility as "municipal solid waste." Specific Condition 1(e) of the PSD permit provides the County's municipal waste combustors (MWC) shall be fueled with municipal solid waste *only*. The combustion of other wastes requires the prior written approval of DEP. The Conditions of Certification provide the [Facility] shall utilize *refuse* such as *garbage and trash* (as defined in Chapter 17-7, FAC) as its fuel.

3. The PSD permit was issued prior to the effective date of 40 CFR 60, Subpart Ea, which specifically applies to municipal solid waste incinerators. The Petitioners concede the facility is subject to the provisions of 40 CFR Part 60, Subpart E, Standards of Performance of Incinerators.

4. The term "municipal solid waste" was not specifically defined in either the applicable federal or state regulations at the time the PSD permit was issued. However, 40 CFR § 60.40, defined "solid waste" to mean:

refuse, more than 50 percent of which is municipal type waste consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible, and noncombustible materials such as glass and rock.

5. The Subpart E definition of "solid waste" encompasses wastes other than municipal solid waste: however, the definition describes "municipal type wastes" as consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustibles. . . ." Given this definition it is reasonable to conclude that municipal solid waste is a type of solid waste. Phrased another way, MSW is a subset of solid waste.

6. The DEP's applicable rules did define the term "solid waste." Rule 17-7.020(58), F.A.C., contained the following definition of Solid Waste:

. . . sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material. . . resulting from domestic , industrial, commercial, mining, agricultural, or governmental operations.

7. Rule 17-7.020(21), F.A.C., defined "Garbage" to mean:

all kitchen and table food waste, animal or vegetative waste that is attendant with or results from the storage, preparation, cooking or handling of food materials.

8. Rule 17-7.020(65), F.A.C., defined "Trash" to mean:

combinations of yard trash and construction and demolition debris along with other debris such as paper, cardboard, cloth, glass, street sweepings, vehicle tires and other like matter.

9. The Petitioners have failed to meet their burden to provide competent substantial evidence to demonstrate the PSD permit and site certification authorize the combustion of the Additional Solid Waste ("ASW"). The DEP cannot be bound by the provisions and definitions contained in an agreement between Petitioners, an agreement to which DEP was not a party.

10. The Petitioners assert the combustion of the ASW is authorized because the combustion of ASW is not expressly prohibited by the permit. Although the PSD permit does not expressly define the term MSW, this lack of such a definition does not create a presumption that the combustion of ASW is authorized under the PSD permit. This argument attempts to shift the burden of proof to DEP to demonstrate the combustion of waste stream is not authorized under the PSD permit.

Clearly, the burden is on the Petitioners to demonstrate the combustion of the ASW is authorized by the PSD permit. The question is not whether an argument may be crafted today which makes it appear that a particular issue may or may not have been addressed during the permitting process. Rather, the relevant inquiry is whether the issue was addressed during the permitting process.

11. The Petitioners assert there was no regulatory definition of municipal solid waste at the time the "PSD permit or conditions of site certification were issued, and therefore, the other terms specified in the

permit and Conditions of Certification are controlling in determining what fuels are allowed." The Petitioners contend the term municipal solid waste should be construed as being synonymous with the definition of solid waste. The Petitioners contend this conclusion flows from the fact the permit application defined the term municipal solid waste to have the same meaning as the term solid waste.

With regard to the definition of MSW contained in County's PSD permit application, the County asserts that it was "*well aware that the terminology used in the application to describe the fuel stream was not defined in agency regulations.*" The County also alleges that it created its own "*definition to describe the type of materials that would be processed at the facility.*" However, the County concedes the DEP had already adopted a regulatory definition of the term solid waste at the time the County submitted the PSD permit application.

If the County and DEP intended the term municipal solid waste to be construed as being synonymous with the definition of solid waste, then why was it necessary for the County to create its own definition of MSW? If the County and DEP intended the term MSW to have the same meaning as the term solid waste, then there is no basis for County's assertion that "*the terminology used in the application to describe the fuel steam was not defined in agency regulations.*" The County's permit application could have simply cross-referenced the existing definition of solid waste contained in

Rule 17-7.020(58), F.A.C. Instead, the County made the decision to use the term municipal solid waste - a term which was not defined in the applicable regulations. A logical and permissible inference is that the County did not plan on accepting solid waste as defined under the DEP's existing rule. There is no competent substantial evidence to explain why the County did not incorporate the DEP's existing definition.

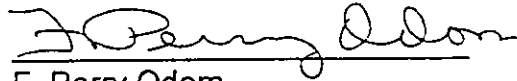
12. A similar analysis may be applied to the specific condition in the PSD permit which limits fuel to the combustion to MSW. If the term municipal solid waste is to be construed as being synonymous with the definition of solid waste, then one would reasonably expect the PSD permit to incorporate the existing definition of solid waste.

13. Based on the presumption that DEP was aware of the definitions contained within its own rules, then the fact the permit does not incorporate the definition of solid waste is significant. The PSD permit's failure to incorporate the definition of solid waste is evidence of the fact that DEP did not consider the definition of solid waste to be synonymous with the definition of MSW. The issue becomes even murkier when reviewing the conditions of site certification. These conditions provide the [Facility] shall utilize refuse such as garbage and trash (as defined in Chapter 17-7, FAC) as its fuel. Again, there is no evidentiary basis to explain why the site certification fails to incorporate the definition of solid waste.



CONCLUSION

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department hereby DENIES the Petitioners' request for the entry of a Final Order holding that the PSD Permit No. PSD-FL-127 and Conditions of Certification in Case No.PA 87-23 authorized the permittee (County) to burn "Additional Solid Waste" at the Facility except upon prior written approval of the Department.



F. Perry Odom  
Hearing Officer  
Douglas Building  
3900 Commonwealth Boulevard  
Mail Station #35  
Tallahassee, Florida 32399-3000  
Telephone: (850) 488-9314

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing was mailed on this 10<sup>th</sup> day of December, 1997, to Mary F. Smallwood, Esq., 215 South Monroe Street, Tallahassee, Fl. 32301, W. Douglas Beason, Assistant General Counsel, 2600 Blair Stone Road, Tallahassee, Fl. 32301, and Andrew J. Smith, Esq, 1115 North Gadsden Street, Tallahassee, Fl. 32303.



Memorandum

Florida Department of  
Environmental Protection

TO: Scott Gorland  
Al Linero ✓  
Bill Thomas

FROM: Buck Oven *BHO*

DATE: January 19, 1999

SUBJECT: Pasco County RRF PA 87-23

**RECEIVED**

JAN 20 1999

BUREAU OF  
AIR REGULATION

Pasco County has submitted the attached amendment of their Resource Recovery plant. Please review the request and supporting material for completeness and sufficiency. Submit any recommendations to me by February 18, 1999. In my opinion, Mr Strobridge is incorrect. If the emission limits are changed to reflect the new Federal requirements, the Conditions of Certification must be MODIFIED not amended.

cc: Steve Palmer

Attach:

Attach:

**CDM** Camp Dresser & McKee Inc.

consulting  
engineering  
construction  
operations

1715 North Westshore Boulevard, Suite 875  
Tampa, Florida 33607  
Tel: 813 281-2900 Fax: 813 288-8787

January 14, 1999

Mr. Hamilton Oven, Jr  
Power Plant Siting Coordinator  
Department of Environmental Protection  
2600 Blair Stone Road  
Twin Towers Office Building  
Tallahassee, Florida 32399

**DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

**JAN 19 1999**

**SITING COORDINATION**

Subject: Amendment to Application for Pasco County Solid Waste Resource  
Recovery Facility (Case No. PA 87-23)

Dear Mr. Oven:

At the request of Pasco County, I am sending this letter to the Department because Pasco County wishes to amend its application for certification of the Pasco County Solid Waste Resource Recovery Facility ("Facility").

Pasco County would like to install a system for controlling nitrogen oxide emissions ("deNOx System") and an improved continuous emissions monitoring system ("CEMS") in accordance with 40 CFR 60, Subpart Cb requirements. The proposed improvements will be installed entirely on the certified site for the Facility. An ammonia storage tank, its containment structure and appurtenances for the deNOx System, and a new CEMS prefabricated metal building will be installed adjacent to the Facility. Other associated improvements will be contained within the Facility structure.

The County has corresponded with the Department's Bureau of Air Regulation and they have concluded that the improvements do not constitute a modification of the air emission source as defined by Rule 62-210.200 F.A.C. The County has agreed to supply certain information and details of these improvements when they become available. Copies of this correspondence is attached for your review.

Based upon Camp Dresser & McKee's knowledge of the equipment and construction associated with its installation and the fact that the lower air emissions will result from the operation of the proposed improvements, it is our opinion that the deNOx System and the CEMS improvements will cause no significant or adverse environmental impacts.

Further, based on our review of the conditions of certification for the Facility, we have concluded that the proposed amendment to the application for certification does not conflict with any of the conditions of certification. Consequently, we believe that it is unnecessary to amend or modify any of the conditions of certification for the Facility due to these improvements at this time.

Mr. Hamilton Oven, Jr.  
January 14, 1999  
Page 2

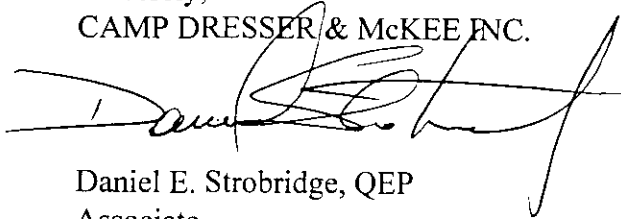
Upon completion of the proposed improvements, we will request that the conditions of certification regarding air emissions be amended to reflect the emission limits contained in 40 CFR 60 Subpart Cb as adopted in DEP 62-204.800(8)(b).

This letter is the County's formal notification to the Department of the County's intent to install the deNOx System and CEMS improvements on the certified site. This letter constitutes an amendment to Pasco County's application for Site Certification for the Facility. It is our understanding that the submittal of this letter is sufficient to accomplish this amendment.

If the Department has any questions about this amendment, please call Mr. Doug Bramlett, Assistant County Administrator for Public Utilities at (727) 847-8145 or call me at (813) 281-2900.

Thank you for your assistance in this matter.

Sincerely,  
CAMP DRESSER & MCKEE INC.



Daniel E. Strobridge, QEP  
Associate

c: Doug Bramlett (w/attachments)  
Vince Mannella (w/attachments)

ac

Florida Department of  
Environmental Protection

Memorandum

To Ogden/Pasco  
PSD Files

TO: Buck Oven

THROUGH: Scott Sheplak, PE *ms.*  
 Al Linero, PE *ad*  
 C. H. Fancy, PE *FD*

FROM: Edward Svec *[Signature]*

DATE: January, 4, 1999

SUBJECT: Pasco County RRF PA 87-23

Thank you for the opportunity to review the above referenced request for completeness and sufficiency. The Division of Air Resources Management deems the request and the supporting, air related, materials to be complete and sufficient. Additionally, the air permitting requirements for this project are adequately addressed by the specific conditions contained in permit 1010056-001-AC issued by the Department's Southwest District office on March 20, 1996.