



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

October 31, 2006

ELECTRONICALLY SENT – Received Receipt Requested

Mr. Brad Crispell
Responsible Official
Covanta Lake II, Inc.
3830 Rogers Industrial Park Road
Okahumpka, FL 34762

Re: PROPOSED Title V Permit Renewal Project No.: 0690046-006-AV
Covanta Lake II, Inc.
Lake County Resource Recovery Facility

Dear Mr. Crispell:

One copy of the “PROPOSED Determination” for the Covanta Lake II, Inc.’s Lake County Resource Recovery Facility located at 3830 Rogers Industrial Park Road, Lake County, is enclosed. This letter is only a courtesy to inform you that the DRAFT Permit has become a PROPOSED Permit.

An electronic version of this determination has been provided to the United States Environmental Protection Agency (USEPA) Region 4 office for their review. The web site address is:

“http://www.dep.state.fl.us/air/permitting/airpermits/AirSearch_ltd.asp”

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED Permit is made by the USEPA within 45 days, the PROPOSED Permit will become a FINAL Permit no later than 55 days after the date on which the PROPOSED Permit was mailed (posted) to USEPA. If the USEPA has an objection to the PROPOSED Permit, the FINAL Permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Bruce Mitchell at 850/413-9198.

Sincerely,

Trina L. Vielhauer
Chief
Bureau of Air Regulation

TLV/jfk/bm

Enclosures

Copy furnished to:

Mr. Brad Crispell, R.O. (bcrispell@covantaenergy.com)
Mr. Len Kozlov, P.E., DAPA, CD (Leonard.Kozlov@dep.state.fl.us)
Mr. Joseph R. Treshler, P.E., CE (jtreshler@covantaenergy.com)
Mr. Viet Ta, Application Contact, CLI (vta@covantaenergy.com)
Ms. Catherine C. Hanson, Chairman, Lake County BCC (chanson@lakecountyfl.gov)
Mr. Gregg Worley, U.S. EPA, Region 4 (worley.gregg@epamail.epa.gov)

“More Protection, Less Process”

Printed on recycled paper.

PROPOSED Determination

Covanta Lake II, Inc.
Lake County Resource Recovery Facility

PROPOSED Title V Air Operation Permit Renewal No.: 0690046-006-AV
Facility ID: 0690046

I. Public Notice.

An "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" to Covanta Lake II, Inc., for the Lake County Resource Recovery Facility located at 3830 Rogers Industrial Park Road, Okahumpka, Lake County, was clerked on August 30, 2006. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" was published in The Orlando Sentinel on September 16, 2006. The Draft Permit was available for public inspection at the Department's Central District office in Orlando and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" was received on October 2, 2006.

II. Public Comment(s).

Comments were received regarding the DRAFT Title V Air Operation Permit and minor changes were made to the permit. The changes were not considered significant enough to reissue a Revised DRAFT Title V Air Operation Permit and require another Public Notice. The comments were received from one respondent during the 30 (thirty) day public comment period. Listed below is the comment letter and a response to each comment in the order that the comment was received. Where duplicative comments exist, the original response is referenced.

A. Letter from Mr. Joseph Treshler, P.E. of record, received September 27, 2006, via e-mail.

1. Section II. Facility-wide Conditions.

a. Comment 1. There are two (2) conditions labeled as No. 3.

Response. The conditions will be renumbered after first Condition No. 3.

2. Section III. Subsection A.

a. Comment 2. Description Area (2nd paragraph, 5th sentence). Delete the phrase "to be" because the carbon system is operational.

Response. The request is acceptable and the change was made as follows:

"Mercury (Hg) and certain organic (dioxin) emissions ~~to be~~ controlled by activated carbon injection....."

b. Comment 3. Specific Condition A.29. Don't state here that the averaging period for HCl is the average of 3 runs because specific condition A.49(5) specifies the compliance determination from 3 test runs.

Response. Specifying the averaging period in Specific Condition A.29. makes the HCl standard clear. No change was made.

c. Comment 4. Specific Condition A.46.(1)(vii). The phrase "no more" should be replaced with "no less" to reflect the intent of the 9 to 15 month testing window.

Response. Due to a transcription error in updating the rule text in the permit, the request is acceptable and the correction was made as follows:

".....year basis (no ~~more~~less than 9 calendar months and no more than 15 calendar months....."

d. Comment 5. Specific Condition A.49(7). Request that the "9 to 15 month" testing window to be allowed.

Response. The May 10, 2006 amended rules retained the testing requirement on an "annual basis (no more than 12 calendar months following the previous performance test)". Therefore, no change was made.

e. Comment 6. Specific Condition A.50.(5)(iii). The applicant pointed out that this facility is allowed the standard for reduced testing of “15 nanograms” and not “7 nanograms” pursuant to 40 CFR 60.38b(b).

Response. The regulations at 40 CFR 67.38b(b) states “For approval, a State plan shall include for designated facilities the alternative performance testing schedule for dioxins/furans specified in Sec. 60.58(g)(5)(iii) of subpart Eb of this part, as applicable, for those designated facilities that achieve a dioxin/furan emissions level less than or equal to 15 nanograms per dry standard cubic meter total mass, corrected to 7 percent oxygen”. Due to a transcription error in updating the rule text in the permit, the request is acceptable and the correction was made.

f. Comment 7. Specific Condition A.51.(6). The value “9095” should be changed to “95”.

Response. Due to a transcription error in updating the rule text in the permit, the request is acceptable and the correction was made as follows:

“.....hours per calendar quarter and for 9095 percent of the.....”

g. Comment 8. Specific Condition A.52.(4). Applicant requests that the “9 to 15 month” testing window be allowed.

Response. The May 10, 2006 amended rules retained the testing requirement on an “annual basis (no more than 12 calendar months following the previous performance test)”. Therefore, no change was made.

h. Comment 9. Specific Condition A.80.(14). Duplicate language should be deleted.

Response. Text was repeated and was corrected.

i. Comment 10. Specific Condition A.88. Due to the definition of excess emissions in Condition A.89. and the fact that Covanta conducts testing of PM, HCl, multi-metals, dioxin/furan annually, Covanta requests clarification that the quarterly report required by Condition A.88. covers CEMS and COMS.

Response. The Department agrees with the applicant that this specific condition would include data from CEMS and COMS, as well as stack test data, fuel sampling data, and any other records that the facility generates and acquires about its operation that show non-compliance. Therefore, the text was not changed.

j. Comment 11. Specific Conditions A.79., A.80., A.81. and A.82. There appears to be stray subsection letters at the beginning of each specific condition identified.

Response. These “letters” are intentionally placed before the text to denote the specific citing under “40 CFR 60.59b” that is being stated. Therefore, no change was made.

3. The next-to-last paragraph solicited the Departments position regarding the necessity to include in the permit that the facility is allowed to burn on-site generated hazardous waste subject to the exemption in Rule 62-730.270(3), F.A.C., as allowed under 40 CFR 261.5(f) and (g) and 40 CFR 266.100(c)(3).

Response. Condition A.11. of the permit prohibits the firing of hazardous waste. No change was made.

B. Section I. Subsection C. Relevant Documents.

The following comment submittal will be identified under the following title as follows:

These documents are on file with the permitting authority:

Letter from Mr. Joseph Treshler received September 27, 2006, via e-mail.

III. Conclusion.

The permitting authority will issue the PROPOSED Title V Air Operation Permit, No. 0690046-006-AV, with any changes noted above.