Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Ryan E. Mathews
Interim Secretary

(Sent by Electronic Mail – Return Receipt Requested)

Mr. Jose Gonzalez
New Hope Power Company
Post Office Box 9
South Bay, Florida 33493

Re: Title V Air Operation Permit Revision
Proposed Permit No. 0990005-041-AV
Okeelanta Sugar Mill and Refinery

Dear Mr. Gonzalez:

One copy of the proposed permit determination for the revision of the Title V air operation permit for the Okeelanta Sugar Mill and Refinery located at 8001 US Highway 27 South, Palm Beach 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 posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. Interested persons may view the proposed permit by visiting the following website: https://fldep.dep.state.fl.us/air/emission/apds/default.asp and entering the permit number shown above.

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the proposed Title V air operation 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 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permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.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 Lara Rabbath, at 850/717-9082.

Executed in Tallahassee, Florida.

David Lyle Read, P.E.
2017.03.01 10:56:37 -05'00'

For:

Syed Arif, P.E., Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

SA/dlr/lcr

Copies sent by electronic mail to the following:

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Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

Lynn Scearce

2017.03.01 12:52:41 -05'00'

Permit No. 0990005-041-AV

I. Public Notice.

An Intent To Issue Air Permit issued to Okeelanta Corporation for the Okeelanta Sugar Mill and Refinery located at 8001 US Highway 27 South, Palm Beach County, was clerked on November 10, 2016. The Public Notice Of Intent To Issue Air Permit was published in Palm Beach Post on January 25, 2017. The draft Title V air operation permit was available for public inspection at the permitting authority's office in Tallahassee. Proof of publication of the Public Notice Of Intent To Issue Air Permit was received on January 26, 2017.

II. Public Comment(s).

No Comments were received from the public during the 30-day public comment period. However, informal comments were received from the Permittee. The comments were not considered significant enough to reissue the draft Title V air operation permit and require another Public Notice; therefore, the draft Title V air operation permit was changed. Those comments are addressed below. Additions to the permit are indicated by a double underline. Deletions from the permit are indicated by a ~~strike through~~.

Letter from David Buff dated January 6, 2017.

Comment 1. Permit Placard Page. The first sentence should also refer to permit no. 0990332-024-AC.

Response 1. The Department does not include air construction permit numbers into the Title V cover page.

Comment 2. Regulatory Categories. The units are now subject to 40 CFR 63 Subpart DDDDD (not "potentially" subject), and any permitting note stating that the applicability of Subpart DDDDD to the cogeneration units is currently subject to reconsideration by the USEPA can be removed.

Response 2. The Department agrees and has removed the obsolete language.

Comment 3. Section I. Facility Information, Emissions Unit (EU) Description. 060 Okeelanta Reciprocating Internal Combustion Engines (RICE) should state "10" RICE, not "11".

Response 3. The emissions unit description to EU 060 Okeelanta RICE has been revised.

Comment 4. Condition **FW.3**, Appendices. This should refer to Section IV, not Section 4.

Response 4. All references to Section 4 have been revised to refer to Section IV.

Comment 5. Condition **FW.8**, Objectionable Odor Prohibited. The reference to Permit PSD-FL-333 is incorrect.

Response 5. The Department agrees. The reference to PSD-FL-333 has been removed.

Comment 6. Emissions Unit Description. The new text should be revised as follows: "The boilers may cease ~~will not be~~ firing wood; however, they will retain the ability to fire wood in the future."

Response 6. The emissions unit description to the cogeneration boilers (EU 001 – 003) has been revised accordingly.

Comment 7. The Facility is not actually subject to NSPS Subpart Ea. Subpart Ea, in 60.50a(d), states that any cofired combustor is not subject to this subpart if the owner or operator of the cofired combustor has a federally enforceable condition (limiting MSW firing to 30% or less on a calendar quarter basis), and keeps records demonstrating such. So although there is a condition in the Title V permit for Okeelanta/NHPC addressing this (Condition **A.10**), which is derived from Subpart Ea, the cogeneration boilers are not actually subject to Subpart Ea.

Response 7. As seen on Page HI-6 of 7 of Appendices No. 0990005-041-AV, the permitting history indicates that Permit No. 0990332-001-AC (PSD-FL-196A) references NSPS, Subpart Ea. The unit must comply with the requirements that exempt the unit from this subpart. A permitting note has been added to clarify that the facility is not subject to this subpart under Specific Condition **A.23**. The subpart is placed into the Title V appendices for this reason.

Comment 8. The cogeneration boilers are not subject to Reasonably Available Control Technology (RACT) for Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) under Rule 296.570, F.A.C. The facility when originally built was subject to RACT, but later became subject to Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD), for NOx and VOC. Therefore, RACT is no longer applicable.

Response 8. The Department agrees. The obsolete references to RACT for VOC and NOx under Rule 296.570, F.A.C. have been removed.

Comment 9. Throughout the permit, references are made to Permit No. PSD-FL-196P and 0990332-017-AC. However, we believe many of these references should be to PSD-FL-196Q and 0990332-020-AC, since many of these conditions were contained in these permits.

Response 9. Permit No. 0990332-020-AC (PSD-FL-196Q) contains conditions that supplement all previously issued air construction and operation permits for these emission units. Unless otherwise specified, these conditions are in addition to all other applicable permit conditions and regulations.

Additional language must be added to the Title V permit and additional research needs to be conducted in order to identify which permit needs to be referenced for each condition before replacing citations for PSD-FL-196P with PSD-FL-196Q. The Department finds the request to exceed the scope of the project.

Comment 10. Condition **A.13**, Emissions Standards. Conditions b(4) and d(2) should be removed since these are based on the RACT rule, which no longer applies.

Response 10. The Department agrees. Conditions related to RACT, Rule 296.570, F.A.C., have been removed.

Comment 11. Condition **A.13.i(3)**, Visible Emissions. The 10% opacity limit based on 40 CFR 63 Subpart DDDDD is an operating limit, not an emission limit, and should be removed from this condition. This requirement can be placed under the Subpart DDDDD conditions as an operating limit. Also noted that it is applied as a daily block average.

Response 11. Language has been added to clarify Condition **A.13.i.(3)** as an operational limit, however, will not be removed.

Comment 12. Condition **A.14**, Startup, Shutdown, and Malfunction Requirements. The definitions in Condition **A.14.a**. should be revised, or a permitting note added to this condition, to indicate that these definitions do not apply for purposes of compliance with 40 CFR Part 60, Subpart DDDDD. Subpart DDDDD contains different definitions for startup and shutdown.

Response 12. A permitting note has been added for clarity.

Comment 13. Condition **A.16.a**, Stack Testing Requirements, Initial Tests. This condition should be revised to clarify when initial testing must commence.

Response 13. Changes have been made to Condition **A.16**. to incorporate Permit No. 0990332-025-AC.

Comment 14. Condition **A.23**, NSPS Provisions. The boilers are not subject to NSPS Subpart Ea. The boilers are also not subject to NSPS Subpart DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units (CISWI Units).

Response 14. The Department agrees. References to NSPS Subparts Ea and DDDD have been removed. A permitting note has been added below to clarify that the boilers must comply with the exemption requirements of NSPS Subpart Ea.

Comment 15. Condition **A.28.c**, Initial Compliance. For clarification, this condition should state "For each boiler that is subject to a CO limit and uses a CO CEMS to comply, conduct a performance.

Response 15. The requested language has been added.

Comment 16. Condition **A.31**, Fuel Analysis and Procedures. The underlined verbiage being added to this condition should be removed. This verbiage is not part of Subpart DDDDD requirements and is already contained in Appendix FM as a requirement. Instead, the procedures contained in 40 CFR 63.7515(e) should be added here.

Response 16. Condition **A.31** has been revised to include the procedures contained in 40 CFR 63.7515(e).

Comment 17. Conditions **A.36.a**, **A.36.f**, **A.37**, **A.37.e** and Conditions **A.38.a**., **b.** and **c**. should be revised to conform to the November 20, 2015 Federal Register revisions to Subpart DDDDD.

Response 17. The conditions listed above under Compliance Requirements for 40 CFR 63 Subpart DDDDD have been revised accordingly.

Comment 18. Conditions **A.39.a**, **A.39.b**, **A.42.a**. through **d.**, **A.43.a** and **b.** should be revised to conform to the November 20, 2015 Federal Register revisions to Subpart DDDDD.

Response 18. Similar to Response 15, the conditions listed above have been revised.

Comment 19. Condition **A.43.c**, Compliance Reports. The reference to 63.7505(b) should be to (d).

Response 19. The reference to 40 CFR 63.7505(d) has been corrected.

Comment 20. Condition **A.48**, Recordkeeping. Add the word "semi-annual" prior to "compliance report" at end of the first sentence.

Response 20. The Department agrees. The requested language has been added.

Comment 21. Condition **A.49**, Startup and Shutdown. The language from 63.7555(d)(11), (12) and (13) should be added to conform to the November 20, 2015, Federal Register revisions to Subpart DDDDD

Response 21. The Department agrees. Condition **A.49**. has been revised accordingly.

Comment 22. Condition **A.51**, General Provisions. According to Table 10 of 40 CFR 63, Subpart DDDDD, a number of other general provisions from 50 CFR 63, Subpart A, appear to be applicable.

Response 22. Specific Condition **A.51**. has been removed. Condition **A.25**. is an abbreviated condition that serves the same purpose.

Comment 23. First sentence below Condition **C.8,** Delay of Performing Work Practice Requirements. The sentence should refer to "two of five engines".

Response 23. The added language is not contained in 40 CFR 63, Subpart ZZZZ, Table 2c, footnote 1. Revising descriptions to work practice requirements contained in Subsection C., Reciprocating Internal Combustion Engines, exceed the scope of the project.

Comment 24. Condition **I.14.a** through **d**., Compliance Reports Schedule. The language should conform to the November 20, 2015, Federal Register revisions to Subpart DDDDD.

Response 24. Conditions **I.14.a** through **d** have been revised accordingly.

Comment 25. Appendix 60Ea and 60DDDD should be removed as they are not applicable. In addition, Appendix 63DDDDD should be replaced with the most recent version of 40 CFR 63, Subpart DDDDD, as amended on November 20, 2015.

Response 25. Appendix 60DDDD has been removed for inapplicability purposes. Appendix 60Ea remains due to exemption purposes. Appendix63DDDDD has been replaced with the most recent version of 40 CFR 63, Subpart DDDDD.

Comment 26. Appendix FM. Pg. FM-6 of 7. Condition **1**, Wood Material – Sampling and Analysis. To be consistent with the Boiler Maximum Achievable Control Technology Subpart DDDDD requirements, it is requested that the method for heating value be changed to "ASTM D5864 or equivalent".

Response 26. The Department agrees. The method for heating value has been revised accordingly.

Comment 27. Appendix FM. Pg. FM-6 of 7. Condition **2**, Wood Material- Prohibited Materials. To be consistent with Permit No. 0990332-022-AC wording, should read as follows: "Based on the analysis of a composite sample, wood material containing more than 70.7 ppm arsenic or 83.3 ppm chromium or 62.8 ppm copper, on a wet, as-received basis, shall not be burned."

Response 27. Appendix FM. Pg. FM-6 of 7, Condition **2** has been revised as follows:

> Wood Material - Prohibited Materials: Based on the analysis of a composite sample, wood material containing more than 70.7 ppm arsenic or 83.3 ppm chromium or 62.8 ppm copper, on a wet, as-received basis, shall not be burned ~~on an as fired basis~~.

III. Conclusion.

The enclosed proposed Title V air operation permit includes the aforementioned changes to the draft Title V air operation permit.

The permitting authority will issue the proposed Permit No. 0990005-041-AV, with the changes noted above.