Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

NOTICE OF ADMINISTRATIVELY CORRECTED TITLE V AIR OPERATION PERMIT

In the Matter of a Request for Administrative Correction:

Ms. Kelsi Oswald, Director Division of Solid Waste
Pinellas County Board of County Commissioners
3095 114th Avenue North
St. Petersburg, Florida 33716

Project No. 1030117-014-AV
Administrative Correction to:
Permit No. 1030117-013-AV
Pinellas County

Enclosed is the administratively corrected page to Title V Air Operation Permit No. 1030117-013-AV for the operation of the Pinellas County Resource Recovery Facility located at 3001 110th Avenue North, St. Petersburg, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated October 10, 2016, to remove a reference to an obsolete state rule previously identified as applicable to Emissions Units 001 – 003 (Municipal Waste Combustor (MWC) Units 1 – 3). This corrective action does not alter the effective dates of the existing permit. A copy of this corrective action shall be kept on file at the facility with the permit being corrected and shall be incorporated into the permit the next time it is opened.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, Agency_Clerk@dep.state.fl.us, before the deadline. Petitions must be filed within 14 days of receipt of this administratively corrected permit. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this written notice. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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

Executed in Tallahassee, Florida.

David Lyle Read, P.E.
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For:
Syed Arif, P.E., Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

SA/dlr/sh

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit (including the corrected page) *or* a link to these documents made available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:

Ms. Kelsi Oswald, Pinellas County Department of Solid Waste: koswald@co.pinellas.fl.us
Ms. Tamara Stankunas, Earthshine Environmental, Inc.: tstankunas@earthshineinc.com
Mr. Christopher Tilman, P.E., ARCADIS U.S., Inc.: christopher.tilman@arcadis.com
Mr. Paul Grego, Covanta Projects, LLC: pgrego@covanta.com
Southwest District Air Permitting: SWD_Air_Permitting@dep.state.fl.us
Southwest District Compliance: SWD_Air@dep.state.fl.us
Mr. Ajaya Satyal, Pinellas County Air Quality Division: asatyal@co.pinellas.fl.us
DEP Siting Office: SCO@dep.state.fl.us
Ms. Natasha Hazziez, EPA Region 4: hazziez.natasha@epa.gov
Ms. Ana Oquendo, EPA Region 4: oquendo.ana@epa.gov
Ms. Lynn Scearce, DEP OPC: lynn.scearce@dep.state.fl.us (for posting with US EPA)
Ms. Barbara Friday, DEP OPC: barbara.friday@dep.state.fl.us (for posting with US EPA)

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

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The following permit subsection is revised as indicated. ~~Strikethrough~~ is used to denote the deletion of text. Double-underlines are used to denote the addition of text. All changes are emphasized with shading.

On October 10, 2016, the applicant requested an administrative correction for the removal of a reference to Rule 62-296.401(2), F.A.C. from Section I, Subsection C. of Title V air operation permit no. 1030117-013-AV. This rule is applicable to existing incinerators, other than those which are operated or utilized for the disposal or treatment of biological waste, with a charging rate equal to or greater than 50 tons per day. Rule 62-210.200(116), F.A.C. defines "existing emissions unit" as an emissions unit which was in existence, in operation, or under construction, or had received a permit to begin construction prior to January 18, 1972. Since the MWC units at the facility were permitted and constructed in the early-to-mid 1980's, Rule 62-296.401(2), F.A.C. does not apply to these units. Furthermore, Rule 62-204.800(9)(b)3.a., F.A.C. which implements the MWC Emission Guidelines, 40 CFR 60 Subpart Cb, is an order of magnitude more stringent than Rule 62-296.401(3), F.A.C., which applied to new units before MWC units in Florida were equipped with modern air pollution controls. Therefore, Section I. Subsection C. is hereby changes as follows:

Subsection C. Applicable Regulations.

Based on the Title V air operation permit renewal application received on December 1, 2015, this facility is a major source of hazardous air pollutants (HAP). The existing facility is a prevention of significant deterioration (PSD) major source of air pollutants in accordance with Rule 62-212.400, F.A.C. A summary of applicable regulations is shown in the following table:

Regulation	EU No(s).
Federal Rule Citations	
40 CFR 60, Subpart A, NSPS General Provisions	001 – 003, 005, 009, 011, 012, 017, 018
40 CFR 60, Subpart Cb, Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors Constructed on or Before September 20, 1994	001 – 003, 005
40 CFR 60, Subparts Cc/WWW, Emission Guidelines and Compliance Times/New Source Performance Standards for Municipal Solid Waste Landfills	009
40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (Auxiliary Burners)	001 – 003
40 CFR 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	012, 017, 018
40 CFR 61, Subpart A, NESHAP General Provisions	009
40 CFR 61, Subpart M, National Emissions Standards for Asbestos	009
40 CFR 63, Subpart A, NESHAP General Provisions	011
40 CFR 63, Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines	011
State Rule Citations	
Rule 62-204.800, Federal Regulations Adopted by Reference, F.A.C.	001 – 003, 005, 009, 011, 012, 017, 018
Rule 62-212.400, Prevention of Significant Deterioration (BACT), F.A.C.	001 – 003, 005
~~Rule 62-296.401(2), Existing Incinerators, F.A.C.~~	~~001 – 003~~
Rule 62-296.416, Waste-to-Energy Facilities, F.A.C.	001 – 003