



Georgia-Pacific Corporation

Georgia-Pacific Corporation
c/o Tax Department
133 Peachtree Street NE (30303)
P.O. Box 105681
Atlanta, GA 30348-5681
Telephone (404) 652-2670

RECEIVED

DEC 3 2008

LARRY PATCHETT

December 3, 2008

Mr. Justin Edwards, CFE
Office Operations Supervisor
Putnam County Property Appraiser
P. O. Box 1920
Palatka, FL 32178-1920

Re: Property Owner: Georgia-Pacific Corp.
Acct. #: 821328
Pulp & Paper Mill

Dear Justin,

Enclosed are the letters from the PE regarding the 2007 asset additions. They include the assets below that you had said you had granted the pollution control designation.

Item	Base Description	InService Date	Fin Cost
0045-8542	PRIMARY CLARIFIER REPLACEMENT	01/01/2007	\$85,334.81
0046-3222	PRIMARY CLARIFIER SCREENING SYSTEM	07/31/2007	\$186,635.47
0046-3225	PRIMARY CLARIFIER WASTEWATER DIVERSION	07/31/2007	\$107,961.08

The letter also covers the two assets below that you said you still need the PE letter to submit to the DEP.

Item	Base Description	InService Date	Fin Cost
0045-9485	RECOVERY BOILER PRECIPITATOR CHLORIDE PURGE SYST	03/15/2007	\$23,090.00
0046-3218	OXIDATION POND BERM REINFORCEMENT	09/01/2007	\$106,734.50

I did not get anything from them regarding the asset addition below. And presume they did not believe it qualified after all.

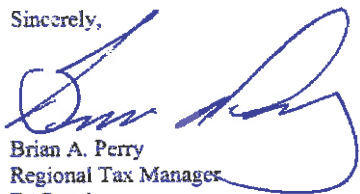
Item	Base Description	InService Date	Fin Cost
0045-7022	OVERDUTIED SWITCHGEAR PHASE III - P B PRECIPATOR	01/01/2007	\$6,000.00

I am still waiting to get the letter regarding the below asset addition.

Item	Base Description	InService Date	Fin Cost
0046-3211	BROWN STOCK WASHING & O2 DELIG	01/01/2007	\$3,266,609.39

Please give me a call if you have any questions.

Sincerely,


Brian A. Perry
Regional Tax Manager
BAP:wab

Pollution Control Equipment

Environmental Regulatory Background: Georgia Pacific Industrial Wastewater Facility Permit FL0002763, issued by the Florida Department of Environmental Protection – is issued under the provisions of Chapter 403, of the Florida Statutes. The permit requires certain pollution control equipment to operate a 40 MGD average wastewater treatment facility providing primary clarification followed by secondary treatment consisting of 900 plus acres of facultative and aerobic lagoons. The following projects are an environmental regulatory requirement.

1. Wastewater Treatment Plant Berm

 Project Description: The 900 plus acre lagoons are an above grade treatment system. The biological treatment system consists of several treatment ponds which have been developed by a series of earthen berms. This project involved the stabilization and major repair of the side slopes.

2. Wastewater Treatment Primary Clarifier Screening System

Project Description: The wastewater treatment plant at the GP Palatka Facility includes both primary and secondary treatment. The initial step in the wastewater treatment plant is removal of large material that has the potential to damage the upstream wastewater equipment. This project involved the purchase and installation of a second screening system at the primary clarifier. This project was necessary to provide redundant equipment to improve the operation of the wastewater system.

3. Wastewater Treatment Primary Clarifier Diversion Line and Valves

Project Description: The wastewater treatment system has the ability to divert the incoming wastewater to a stabilization basin or around the primary clarifier. This project involved the installation of automatic valves in the piping system verses the manually operated valves. These valves are located in the piping system at the primary clarifier and provide additional automatic diversion capacity for wastewater from the primary clarifier to a treatment facility.

The projects identified above are projects or machinery are exempt is required by *Florida Statutes Chapter 212.051* - Pollution Control Equipment: Sales, use or privilege taxes shall not be collected with respect to any facility or machinery used primarily for the control of pollution in manufacturing, processing, compounding, or producing for sale items of tangible personal property at a fixed location. must be installed to meet a law implemented by the Department of Environmental Protection.

Signed: _____

 PE 52248

Pollution Control Equipment

Environmental Regulation Background: Georgia Pacific is also operating it facility under Administrative Order 039-NE. Within the AO. conditions of issuance are identified which insure environmental pollution control is achieved. The following project is an environmental regulatory requirement.

1. Recovery Boiler Purge System ~~ex~~

~~Washdown~~ station

Project Description: This project is to remove Saltcake from the manufacturing process to manage the sulfidity and chloride level of the process liquors. The purging system minimizes the amount of saltcake discarded from the manufacturing process and provides the facility a new removal point. The new location selectively removes saltcake with the highest chloride level which minimizes the overall saltcake removal.

The projects identified above are projects or machinery are exempt is required by *Florida Statutes Chapter 212.051* - Pollution Control Equipment: Sales, use or privilege taxes shall not be collected with respect to any facility or machinery used primarily for the control of pollution in manufacturing, processing, compounding, or producing for sale items of tangible personal property at a fixed location.

Signed: _____

Mark J. Aquilino PE 52248



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

October 6, 2008

Mr. Justin Edwards, C.F.E.
Putnam County Property Appraiser
Office Operations Supervisor
312 Oak Street
Palatka, Florida 32178-1920

Re: Georgia-Pacific
Pollution Control Devices

Dear Mr. Edwards:

I have reviewed the material attached to your letter dated October 2, 2008 regarding pollution control devices at Georgia-Pacific Consumer Products LLC. I also received information directly from Georgia-Pacific dated September 3, 2008. In my opinion, items associated with the primary clarifier for the wastewater treatment facility, the #4 CB and #5 PB precipitators, and the Kraft water savings equipment listed for Georgia-Pacific are "primarily for the purpose of pollution control" and are eligible for assessment as pollution control devices pursuant to §193.621, Florida Statutes.

The oxygen delignification system (required in Administrative Order No. 039-NE) is not, in my opinion, "primarily for the purpose of pollution control". Based on the best information available to this office, this system's primary function serves as a part of the manufacturing process. However, there are clearly environmental benefits associated with the use of this system consistent with Order No. 039-NE which requires certain manufacturing process improvements (including oxygen delignification) "in order to improve the effluent water quality..." from the facility. Therefore, I recommend that you consider allowing a percentage (I suggest perhaps half) of the value of the equipment listed as Brown Stock Washing - O2 Delig System as eligible for assessment.

The above is consistent with recommendations made by this office last year. More information is required for the newly listed items associated with the washdown station, and the oxidation pond berm reinforcement in order for me to make a recommendation on those items.

Additionally, certification from the reviewing Professional Engineer is not included. In accordance with DEP Rule chapter 62-8, Florida Administrative Code, a current evaluation of equipment by a registered Professional Engineer in the State of Florida must be submitted. My advice is to obtain the Florida registration number for the engineer responsible for the evaluation, and upon such proof of registration, approve accordingly.

If there are any questions on this determination, please contact me at (850) 245-8002.

Sincerely,

Michael P. Halpin, P.E.
Administrator, Siting Office



Georgia-Pacific

Georgia-Pacific
c/o Tax Department
133 Peachtree Street NE (30303)
P.O. Box 105681
Atlanta, GA 30348-5681
Telephone (404) 652-2670
Fax (404) 654-8641

September 3, 2008

Mr. Hamilton S. Oven, P.E.
Department of Environmental Protection
Marjory Stoneman Douglas building
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

SEP 05 2008

SITING COORDINATION

Re: Property Owner: Georgia-Pacific Consumer Products LLC
Acct. #: 821328
Pulp & Paper Mill

Dear Mr. Oven,

Enclosed is a copy of the letter sent last year. The 2007 asset additions below are associated with 2006 additions approved in the prior year (also listed below). You qualified the 2006 assets as pollution control equipment in using the documentation enclosed with the letter (copy enclosed) sent in 2007. Two of these are actually negative adjustments to the assets capitalized in 2006.

Item	Base Description	InService Date	Fin Cost
0045-8542	PRIMARY CLARIFIER REPLACEMENT	01/01/2007	\$85,384.81
0045-9476	#4 CB PRECIPITATOR OVERHAUL	01/01/2007	(\$785.66)
0045-9477	#5 PB PRECIPITATOR OVERHAUL	01/01/2007	(\$785.66)
0046-3211	BROWN STOCK WASHING & O2 DELIG	01/01/2007	\$3,266,609.39
0046-3233	KRAFT WATER SAVINGS	01/01/2007	\$192,800.54

2006 Additions approved Prior Year:

<u>Item</u>	<u>Cost</u>	<u>Acq Date</u>	<u>Description</u>
258-2712006200603-002	\$14,088,894	30-Nov-06	PRIMARY CLARIFIER REPLACEMENT
258-2722006200603-003	\$1,087,410	30-Nov-06	#4 CB & #5 PB PRECIPITATOR OVERHAUL
258-2772006200601-010	\$19,262,005	1-Mar-06	BROWN STOCK WASHING - O2 DELIG SYS
258-2952006200602-002	\$7,920,714	20-Dec-06	KRAFT WATER SAVINGS

Documentation sent last year regarding 2006 additions with the enclosed cover letter but not this year:

- The 2007 asset addition BROWN STOCK WASHING - O2 DELIG SYS asset is associated with the same project as the assets listed as 2006 additions and is covered by the Administrative Order NO. 039-NE - ORDER ESTABLISHING COMPLIANCE.
- Enclosed are two permit documents from the DEP related to the #4 CB & #5 PB PRECIPITATOR OVERHAUL.
- Also enclosed is the CONSENT ORDER OGC Number: 05-0443 for the PRIMARY CLARIFIER REPLACEMENT asset.



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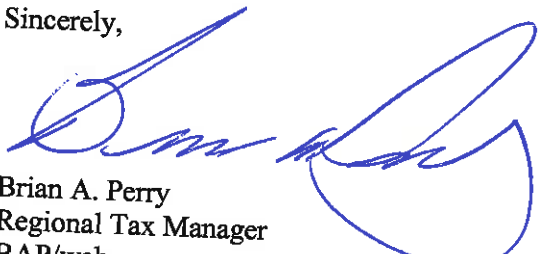
Below is a list of 2007 asset additions that we are still working on documentation from a PE to support them as pollution control.

Item	Base Description	InService Date	Fin Cost
0045-7022	OVERDUTIED SWITCHGEAR PHASE III - P B PRECIPATOR	01/01/2007	\$6,000.00
0045-9485	RECOVERY BOILER PRECIPITATOR CHLORIDE PURGE SYST	09/15/2007	\$23,000.00
0046-3222	PRIMARY CLARIFIER SCREENING SYSTEM	07/31/2007	\$186,635.47
0046-3225	PRIMARY CLARIFIER WASTEWATER DIVERSION	07/31/2007	\$107,961.68

I had hoped to send all the documentation together for all asset additions, but since we were still waiting on the letter from the PE for the assets above, which were not associated with 2006 projects previously approved. I thought maybe letting you review the 2007 asset additions, which were associated with 2006 projects you previously approved may help expedite the process.

Please give me a call if you have any questions.

Sincerely,



Brian A. Perry
Regional Tax Manager
BAP/wab

Cc: Putnam County Property Appraiser
Attn: Justin Edwards, CFE
P. O. Box 1920
Palatka, FL 32178-1920

386-329-0286

Jim Ford
Georgia Pacific Corp. FL180-1



Georgia-Pacific

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c/o Tax Department
133 Peachtree Street NE (30303)
P.O. Box 105681
Atlanta, GA 30348-5681
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June 8, 2007

Mr. Hamilton S. Oven, P.E.
Department of Environmental Protection
Marjory Stoneman Douglas building
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Re: Property Owner: Georgia-Pacific Consumer Products LLC
Acct. #: 821328
Pulp & Paper Mill

Dear Mr. Oven,

Below is a list of the asset additions during last year. Attached are various documents i.e. consent orders and permits with the DEP.

Item	Cost	Acq Date	Description
258-2712006200603-002	\$14,088,894	30-Nov-06	PRIMARY CLARIFIER REPLACEMENT
258-2722006200603-003	\$1,087,410	30-Nov-06	#4 CB & #5 PB PRECIPITATOR OVERHAUL
258-2772006200601-010	\$19,262,005	1-Mar-06	BROWN STOCK WASHING - O2 DELIG SYS
258-2952006200602-002	\$7,920,714	20-Dec-06	KRAFT WATER SAVINGS

I believe you qualified the assets below as pollution control equipment last year using the enclosed documentation. The BROWN STOCK WASHING - O2 DELIG SYS asset is associated with the same project as the assets listed below and is covered by the enclosed Administrative Order NO. 039-NE - ORDER ESTABLISHING COMPLIANCE.

Item	Cost	Acq Date	Description
258-2772005200502-001	\$24,299,000	7-Nov-05	BROWN STOCK WASHING - #7 WASH LINE
258-2772005200503-002	\$2,817,000	7-Nov-05	BROWN STOCK WASHING - DNCG
258-2772005200504-001	\$23,840,000	5-Dec-05	BROWN STOCK WASHING - #6 WASH LINE
258-2772005200505-001	\$23,932,000	22-Dec-05	BROWN STOCK WASHING - #5 WASH LINE

- Enclosed are two permit documents from the DEP related to the #4 CB & #5 PB PRECIPITATOR OVERHAUL.
- Also enclosed is the CONSENT ORDER OGC Number: 05-0443 for the PRIMARY CLARIFIER REPLACEMENT asset.



Georgia-Pacific

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We have not received documentation from the DEP on the Kraft Water Saving Project. Jan Delaney with the Florida DEP met Michael Curtis at our facility and has agreed that this project qualifies as pollution control equipment. We are waiting for a letter regarding this, but if you wish to contact Jan directly to discuss – this may expedite the process.

Please give me a call if you have any questions.

Sincerely,

Brian A. Perry
Regional Tax Manager
BAP/wab

Cc: Putnam County Property
Appraiser
Attn: Marsha Denton
P. O. Box 1920
Palatka, FL 32178-1920
SENT VIA FAX (386)329-0447

Jim Ford
Georgia Pacific Corp. FL180-1

**BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

CERTIFIED MAIL

IN THE MATTER OF:

Georgia-Pacific Corporation
Palatka Operations
Post Office Box 919
Palatka, Florida 32178-0919

**IN THE OFFICE OF THE
NORTHEAST DISTRICT**
Administrative Order No. 039-NE

Wastewater Permit No. FL0002763

**ORDER ESTABLISHING COMPLIANCE SCHEDULE UNDER
403.088 (2) (f), F.S.**

I. STATUTORY AUTHORITY

The Department of Environmental Protection (Department) issues this order under the authority of section 403.088 of the Florida Statutes. The Secretary of the Department has delegated this authority to the Director of District Management, who issues this order and makes the following findings of fact.

II. FINDINGS OF FACT

1. Georgia-Pacific Corporation is a person under section 403.031 of the Florida Statutes (F.S.).
2. Georgia-Pacific Corporation owns and operates a bleached and unbleached kraft pulp and paper mill in Putnam County, Florida, which discharges treated wastewater to Rice Creek, "waters" of the state as defined in section 403.031 of the Florida Statutes.
3. On June 22, 1994, temporary operation permit No. IT54-220788 was issued for the discharge of the mill effluent to Rice Creek. The temporary operation permit included a compliance schedule which required Georgia-Pacific Corporation to apply for and construct a new discharge pipeline to the St. Johns River. On July 1, 1994, the Department received an application for the construction of the new discharge pipeline to the St. Johns River. On July 10, 1995, the Department received the application for renewal of existing operation permit FL0002763 (Permit) which was combined with the existing state temporary operation

permit to become the National Pollutant Discharge Elimination System (NPDES) permit. The application for the new discharge to the St. Johns River and for the renewal of the NPDES Permit FL0002763 were deemed complete on September 30, 1996. The associated wastewater permit constitutes Department approval for the construction and operation of the pipeline system to the St. Johns River.

4. This Order establishes the overall schedule for the construction of the pump station, force main, and required appurtenances for the final effluent discharge to the St. Johns River, in accordance with Part III. 4. of this Order, and for meeting the new Cluster Rule discharge requirements for bleached kraft mill as required by Part I.B.13. of NPDES Permit FL0002763 (in accordance with the revised Title 40, chapter I of the Code of Federal Regulations (CFR) Part 430, Subpart B, promulgated April 15, 1998). This is consistent with Section 403.151 and 403.088, F.S., which allows the Department to establish a schedule for compliance with a permit or rules of the Department.

5. Sections 403.088(2)(e) and (f) of the Florida Statutes authorize the Department to issue a permit for the discharge of wastes into waters of the state, accompanied by an order establishing a schedule for achieving compliance with all permit conditions, if specified criteria have been met.

6. The Department makes the following findings pursuant to Section 403.088, F.S.:

- a. Georgia-Pacific Corporation has submitted plans and a reasonable schedule for constructing, installing, or placing into operation, an approved pollution abatement facility or alternative waste disposal system;
- b. Georgia-Pacific Corporation needs permission to continue to discharge to waters within the state for a period of time necessary to complete research, planning, construction, installation, and operation of an approved and acceptable pollution abatement facility or alternative waste disposal system;
- c. There is no present, reasonable, alternative means of disposing of the waste other than by discharging it into the waters of the state;
- d. The granting of an operation permit will be in the public interest.

7. This order and associated wastewater Permit FL0002763 constitute the Department's authorization to discharge pollutants to waters of the state under the NPDES program. This order also includes a schedule for project implementation.

Part III.2.a. continued

Parameters	Effluent Sampling Location	Discharge Limitations			Measure Frequency	Sample Method/Type
		Other	Daily Max.	Daily Average		
BOD5-day (lbs/day) Winter (Dec. 1 - May 31)	See Part III.2.b.	--	14,340, See Part III.2.k.	7,170, See Part III.2.k.	3 Days/Week	**24-hour composite
TSS, mg/l	See Part III.2.b.	--	Report	Report	3 Days/Week	**24-hour composite
TSS (lbs/day) - Summer (June 1 - Nov. 30)	See Part III.2.b.	--	10,000, See Part III.2.k.	5,000, See Part III.2.k.	3 Days/Week	**24-hour composite
TSS (lbs/day) - Winter (Dec. 1 - May 31)	See Part III.2.b.	--	17,500, See Part III.2.k.	10,000, See Part III.2.k.	3 Days/Week	**24-hour composite
pH (S.U.)	See Part III.2.b.	6.0 Daily Min	8.5	--	5 Days/Week	Grab
Total Nitrogen, as N (mg/l)	See Part III.2.b.	--	Report	--	1/Month	Grab
TKN, as N (mg/L)	See Part III.2.b.	--	Report	--	1/Month	Grab
Total Ammonia, as N (mg/l)	See Part III.2.b.	--	Report	--	1/Month	Grab
Un-ionized Ammonia (mg/L) as NH ₃	See Part III.2.b.	--	Report	--	1/Quarter	Calculated, See Pt III.2.u.
Color, PCU	See Part III.2.b.	--	Report	--	1/Month	Grab
Fecal Coliform, #/100 ml	See Part III.2.b.	200	800	--	1/Month	Grab
Total Coliform, #/100 ml	See Part III.2.b. and t.	1000	2400	--	1/Month	Grab
Settleable Solids, (ml/l/hr)	See Part III.2.b.	--	0.1	--	1/Month	Grab
*Iron, total recoverable, mg/L	See Part III.2.b.	--	Report	--	1/Quarter	Grab
*Zinc, total recoverable, ug/l	See Part III.2.b.	--	See Part III.2.f.	--	1/Quarter	Grab
*Cadmium, total recoverable (ug/l)	See Part III.2.b.	--	Report	--	1/Quarter	Grab
*Lead, total recoverable (ug/l)	See Part III.2.b.	--	Report	--	1/Quarter	Grab
Temperature, Degrees F.	See Part III.2.b.	--	Report	--	1/Quarter	Grab

Part III.2.a. continued

Parameters	Effluent Sampling Location	Discharge Limitations			Measure Frequency	Sample Method/Type
		Other	Daily Max.	Daily Average		
Total Hardness, mg/l as CaCO ₃	See Part III.2.b.	--	Report	--	1/Quarter	Grab
Specific Conductance, umhos/cm	See Part III.2.b.	--	Report	--	1/Month	Grab
Turbidity, NTU	See Part III.2.b.	--	Report	--	1/Month	Grab
Dissolved Oxygen, mg/l	See Part III.2.b.,d.,e.	Report	--	--	5 Days/Week	Grab or insitu
Dissolved Oxygen, mg/l Summer-Jun. 1 - Nov. 30	See Part III.2.h.	4.0 daily min., See Pt III.2.g.	--	--	5 Days/Week	Grab or insitu
Dissolved Oxygen, mg/l Winter-Dec. 1 - May 31	See Part III.2.h.	5.0 daily min., See Part III.2.g.	--	--	5 Days/Week	Grab or insitu
Oxygen Injected, lb/day Summer-Jun. 1 - Nov. 30	See Part III.2.d.	4,150, See Part III.2.g.	--	--	5 Days/Week	Log
Oxygen Injected, lb/day Winter-Dec. 1 - May 31	See Part III.2.d.	1,950, See Part III.2.g.	--	--	5 Days/Week	Log
Oxygen Injected, lb/day Summer-Jun. 1 - Nov. 30	See Part III.2.e.	5,750, See Part III.2.g.	--	--	5 Days/Week	Log
Oxygen Injected, lb/day Winter-Dec. 1 - May 31	See Part III.2.e.	2,800, See Part III.2.g.	--	--	5 Days/Week	Log
2,3,7,8-TCDD, pg/l	See Part III.2.b.	--	--	0.014, See Part III.2.n.	Quarterly, See Part III.2.n.	Composite See Part III.2.n.
COD, mg/l	See Part III.2.b.	--	Report	--	1/Month	**24-hour composite
Adsorbable Organic Halides (AOX), (lbs/day) (EPA Method 1650)	See Part III.2.b.	1077 monthly average	1644	--	Daily	**24 hour composite
2,3,7,8 TCDD, pg/l (EPA Method 1613)	See Part III.2.c.	--	<10.0	--	Monthly	**24 hour composite
2,3,7,8 TCDF, pg/l (EPA Method 1613)	See Part III.2.c.	--	<31.9	--	Monthly	**24 hour composite

Part III.2.a. continued

Parameters	Effluent	Discharge Limitations			Measure Frequency	Sample Method/Type
	Sampling Location	Other	Daily Max.	Daily Average		
Chloroform, (lbs/day)	See Part III.2.c.	--	11.96	7.16	Weekly	**24 hour composite
Trichlorosyringol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<2.5	--	Monthly	**24 hour composite
3,4,5 - trichlorocatechol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<5.0	--	Monthly	**24 hour composite
3,4,6 - trichlorocatechol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<5.0	--	Monthly	**24 hour composite
3,4,5 - trichloroguaiacol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<2.5	--	Monthly	**24 hour composite
3,4,6 - trichloroguaiacol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<2.5	--	Monthly	**24 hour composite
4,5,6 trichloroguaiacol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<2.5	--	Monthly	**24 hour composite
2,4,5 - trichlorophenol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<2.5	--	Monthly	**24 hour composite
2,4,6 - trichlorophenol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<2.5	--	Monthly	**24 hour composite
Tetrachlorocatechol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<5.0	--	Monthly	**24 hour composite
Tetrachloroguaiacol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<5.0	--	Monthly	**24 hour composite
2,3,4,6 - tetrachlorophenol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<2.5	--	Monthly	**24 hour composite

Part III.2.a. continued

Parameters	Effluent Sampling Location	Discharge Limitations			Measure Frequency	Sample Method/Type
		Other	Daily Max.	Daily Average		
Pentachlorophenol, ug/l (EPA Method 1653)	See Part III.2.c.	--	<5.0	--	Monthly	**24 hour composite
Acute Whole Effluent Toxicity, (%)	Effluent See Part III.2.b.	LC50 >100, see Part III.6.a			See Part III.6.a	**24-hour composite
Chronic Whole Effluent Toxicity, (%)	Effluent See Part III.2.b.	Report, see Part III.6.b.			See Part III.6.b	**24-hour composite

* Applied based on the total recoverable fraction pursuant to Rule 62-302.500(2)(d), FAC. The Permittee may request department approval for an alternative fraction.

** The 24-hour composite sample shall consist of 6 representative separate grab samples taken every 4 hours or continuous sampler.

- b. Monitoring point A shall be located after final treatment but prior to actual discharge or mixing with the receiving waters. Monitoring of all parameters except effluent dissolved oxygen and internal bleach plant monitoring required by the Cluster Rule may be at a point above the effluent riffleway. Monitoring and reporting for effluent dissolved oxygen shall be monitored below the effluent riffleway. Flow shall be reported as the sum of flows from Outfalls D-001 and D-002.
- c. The Permittee shall submit a plan identifying internal monitoring locations for the internal bleach plant monitoring required by the Cluster Rule. Upon Department review and approval, these internal monitoring locations will become an enforceable part of this permit.
- d. Outfall D-001 (Monitoring Point B) - Shall be located near Little Rice Creek mile point 3.4 (upstream from mouth) and shall measure total pounds of oxygen injected per day and flow for one of two oxygenated effluent sidestreams.
- e. Outfall D-002 (Monitoring Point C) - Shall be located near Rice Creek mile point 2.4 (upstream from mouth) and shall measure total pounds of oxygen injected per day and flow for one of two oxygenated effluent sidestreams.
- f. A sample for effluent hardness as mg/l CaCO₃ must be taken at the same time of sampling for zinc from the effluent discharge. The hardness value must be used to determine compliance with the standard in rule 62-302.530(71) where the total recoverable zinc concentration in the effluent shall not be $> e^{(0.8473[\ln H]+0.7614)}$, where $[\ln H]$ is the natural logarithm of total hardness expressed as mg/l of CaCO₃. The hardness shall be set at 25 mg/l if actual hardness is <25 mg/l and set at 400 mg/l if actual hardness is >400 mg/l.
- g. The oxygen injection rates shall be adjusted at the specified monitoring locations (B&C) to maintain applicable dissolved oxygen standards within Rice Creek. The dissolved oxygen concentrations apply at location R3 (Rice Creek mile point 1.4) when the high tide condition of Etonia and Rice Creek is less than 1.5 feet. When the high tide condition of Etonia and Rice Creek is greater than or equal to 1.5 feet, the minimum amount of liquid oxygen injected (lbs/day) shall be met, unless instream D.O. concentration (mg/l) exceeds the standards listed in Part III.2.a. During periods of high stage levels (greater than or equal to 1.5 feet) in Rice and Etonia Creeks, the Permittee will only be held responsible for violations of the D.O. standards (listed in Part III.2.a) attributable to the mill effluent. If at anytime the facility is adding more oxygen than is listed in Part III.2.a. the dissolved oxygen standards do not apply at monitoring location R3. It is the responsibility of the Permittee to monitor

and maintain records of the stage heights within the creeks. The Permittee shall obtain Department approval for an alternate method to add oxygen to Rice Creek which does not include the use of effluent.

- h. Instream monitoring point shall be located at sample point R3 (Rice Creek mile point 1.4, upstream from mouth).
- i. There shall be no discharge of floating solids or visible foam in other than trace amounts.
- j. The discharge shall not cause a visible sheen on the receiving water.
- k. For BOD₅ and TSS, the total loadings per day (lb/day) shall be determined by measuring the 24 hour composited effluent concentrations (mg/l) at the monitoring point in Part III.2.b. and multiplying these values by the sum of the effluent flows (MGD) from Outfalls D-001 and D-002 and by the conversion factor.
- l. The effluent sidestreams discharged through Outfalls D-001 and D-002 shall be withdrawn from the final wastewater treatment pond at a location adjacent to where the effluent is routed through the monitoring point referenced in Part III.2.b. of this order.
- m. A mixing zone for total dissolved gases (TDG) is hereby established for the side stream discharges into Rice Creek. The Permittee's discharges shall not cause an exceedance of the Chapter 62-302.530(67) F.A.C., Class III fresh water standard of 110% of the saturation value for gases at the existing atmosphere and hydrostatic pressures outside the boundaries of the mixing zones described below.

Milepoint 2.4

The mixing zone shall extend linearly upstream and downstream from the discharge point such that the cumulative upstream and downstream distances from the discharge point does not exceed 725 meters, in the tidal influenced areas of Rice Creek.

Milepoint 3.4

The mixing zone shall extend linearly upstream and downstream from the discharge point such that the cumulative upstream and downstream distances from the discharge point does not exceed 225 meters in the tidal influenced areas of Rice Creek.

- n. After three consecutive sampling events indicating dioxin compliance the sampling analysis frequency shall be reduced to once per year. If the concentration of 2,3,7,8-TCDD is determined to be less than the minimum detection level of 10 pg/l for method 1613, then compliance with the 2,3,7,8-TCDD limitation in this permit is demonstrated. The samples shall be a 72-hour composite sample consisting of three 24-hour composite samples. The effluent limitation for 2,3,7,8-TCDD is for that isomer only.

o. Fish Tissue - Interim

The Permittee shall submit, within 30 days of the effective date of this Administrative Order, a revised Plan of Study (POS) to annually assess the levels of all chloro-dibenzo dioxin and furans in ambient fish and shellfish tissue in Rice Creek.

p. Dissolved Oxygen Maintenance Plan (Interim)

The Permittee is allowed to perform maintenance of the oxygen injection sidestream stations B and C, as defined in Parts III.2.d. and e. of this order, under the following conditions:

- 1. When maintenance occurs at Station C, oxygen shall be injected at Station B at such a rate that applicable dissolved oxygen levels are maintained in accordance with Part III.2.a.

2. When maintenance occurs at Station B, oxygen shall be injected at Station C such that applicable dissolved oxygen levels are maintained in accordance with Part III.2.a.
 3. Maintenance which does not comply with items 1. and 2 above is allowed at Stations B and C due to upsets, provided it shall not exceed a total of 36 hours in any calendar month and shall not exceed a total of 12 hours in any 24 hours period. For purposes of calculating the maximum time frames set forth in this Specific condition, concurrent discharges from Stations B and C shall be considered as one Discharge.
 4. Exceedances of the above time restrictions shall not result in violations of this Order if the Permittee can demonstrate to the satisfaction of the Department through stream monitoring during the time frame of the exceedance that applicable water quality standards were maintained.
- q. If planned maintenance is scheduled for Station B and C which will exceed the time limits of Part III.3.p. above, the Permittee shall notify the Department in writing 7 days in advance of the maintenance. Such maintenance shall be performed only under favorable stream conditions which shall be documented in the written notification (i.e., winter months, high stream flows, etc.). The Permittee shall perform a stream survey in accordance with Part I.D.4 of the permit each day during the maintenance period until the system is operational to verify compliance with applicable dissolved oxygen levels within Rice Creek. The Permittee may temporarily discontinue the discharge into the creek during the maintenance period in lieu of performing the daily stream surveys.
 - r. The effluent sidestream discharged at Monitoring Locations B and C shall be withdrawn from the final wastewater treatment pond at a location adjacent to the existing parshall flume.
 - s. The Permittee shall conduct quarterly instream surveys at R7, E2, and Buffalo Bluff in accordance with Part I.D.4. of Permit FI0002763.
 - t. After three consecutive years of demonstrating compliance with the Total Coliform standard pursuant to 62-302.530(7), FAC, the Permittee may discontinue monitoring for Total Coliform. In the event that after three years of monitoring compliance with the Total Coliform is not achieved, the Permittee shall submit a Corrective Action Plan to the Department for review and approval in accordance with Part III. 5.I. of this order.
 - u. Shall be calculated based on the effluent pH, temperature, and total ammonia as N at the time of sampling using attachment 2.
- 3. Manufacturing Process Improvements**
- a. By no later than 84 months from effective date of this Administrative Order, the Permittee shall construct and place into operation the manufacturing process improvements in order to improve the effluent water quality to the extent that the effluent discharge may remain in Rice Creek, as opposed to construction of a pipeline for a direct discharge to the St. Johns River. The manufacturing process improvements consist of: 1) the construction of a new bleach line; 2) enhanced (i.e. two stage) oxygen delignification system (or like system producing similar or better environmental benefits) 3) new brownstock washing systems to replace four existing brownstock wash lines; 4) green liquor dregs filter; 5) minimize all pulping liquor leaks and spills; 6) handling the chlorine dioxide generator waste (i.e., salt cake), including efforts to find a viable, long term sustainable market for such material and evaluation of alternative technologies for treating such material; and 7) required appurtenances. These improvements are also consistent with the Cluster Rule requirements (Title 40, chapter I of the Code of Federal Regulations (CFR) Part 430, Subpart B, promulgated April 15, 1998). The discharge points at Outfalls D-001 and D-002 may be used for supplemental oxygen addition in Rice Creek and for

seasonal supplemental oxygen addition in the event of a direct discharge to the St. Johns River through Outfall D-003.

- b. The Permittee shall comply with Part III.5.i. of this order in accordance with the completion dates for new technologies in Part III. 3.a. as follows:

1)	New bleach line	4/15/2001
2)	Green liquor dregs filter	8/15/2003
3)	New Brownstock washing system	4/15/2006
4)	Oxygen Delignification	4/15/2008

4. Surface Water Discharge – Final

- a. Construction and operation of a pipeline for a direct discharge into the St. Johns River is authorized by the Department, unless the Permittee demonstrates an ability to meet applicable water quality standards in Rice Creek in accordance with Part III 5. of this Administrative Order. In the event the pipeline is deemed necessary, and in accordance with NPDES Permit FL0002763, the proposed modifications for a discharge to the St. Johns River will consist of the construction of a pump station, 4 mile long 48 inch diameter ductile iron pipe force main, high purity oxygen will be added to the pump station discharge from a liquid oxygen storage tank to provide for the required dissolved oxygen at the discharge and required appurtenances for the conveyance of the effluent from the treatment lagoons to the river through Outfall D-003 via a 1043 foot long diffuser. Discharges to Outfalls D-001 and D-002 shall cease, except as needed for supplemental oxygen addition or for emergencies in accordance with the upset and bypass provisions of Rule 62-620.610, FAC.
- b. Pursuant to the completion of Part III 5. of this Administrative Order, the pipeline construction shall be completed and placed into operation no later than 27 months following submittal of the final report referenced in Part III.5.c. of this order therein.
- c. Compliance with the final effluent limitations as described in Part I.B.1 of NPDES Permit FL0002763 shall be achieved upon placing the pipeline system into operation with the exception of Part I.B.13. of NPDES Permit FL0002763 (Cluster Rule effluent limitations and monitoring requirements) which must be complied with by April 15, 2001.
- d. The mixing zones described in Part I.B.8 of NPDES Permit FL0002763 were based on dilution rates extracted from modeling presented in the Level II WQBEL. Within 3 months of the effective date of this order, Permittee must provide verification of the dilution rates or recommend a modification. Upon concurrence by the Department, the mixing zone sizes may be revised in accordance with any modification to the dilution factors.

5. Compliance Schedules

a. Optimization of Manufacturing Process Improvements

Within 12 months of completion of construction of the manufacturing process improvements, the Permittee shall fully optimize and submit an Optimization Report on the operation of the new technologies incorporated in the manufacturing process improvements described in Part III. 3. of this Administrative Order. The report will describe the permittee's efforts to optimize the proposed modifications. The report will document the permittee's efforts to: 1) improve kappa numbers of the pulp entering the bleach plant to levels below those called for by the Voluntary Advanced Technology program (20 for softwood and 13 for hardwood); 2) optimize washer efficiencies and minimize soda loss; 3) minimize spills throughout the entire mill; and 4) to achieve other water

quality standards. In addition, the permittee shall also include in this report its efforts to handle the chlorine dioxide generator waste (i.e., salt cake), including its efforts to find a viable, long term sustainable market for such material and its evaluations of alternative technologies for treating such material.

b. Rice Creek Water Quality Monitoring POS

Within 6 months prior to certification of completion of construction of the manufacturing process improvements described in Part III. 3. of this Order, the Permittee shall submit a plan of study (POS), including a proposed implementation schedule, designed to demonstrate whether the Permittee's effluent can comply with the table below for continued discharge in Rice Creek. The POS shall include monitoring of the effluent and Rice Creek for a minimum of one (1) year to commence no later than upon certification of completion of optimization of the manufacturing process improvements. If additional parameters of concern come to the attention of the Permittee or the Department for good cause, in accordance with 62-620.325 (1), FAC, the table shall be modified to include such parameters.

Parameter	Water Quality Standards (Chapter 62-302, FAC)	Mixing zone length (meters) ¹	Effluent limit ⁵	Sampling Location	Sampling Frequency	EPA Test Method
Conductivity (umhos/cm)	1275	800	1650	Final Effluent	TBD by POS	120.1
Color (PCU) ²	The compensation depth shall not be reduced by more than 10% as compared to natural background.	800	TBD ¹⁰	Background, Final Effluent	TBD by POS	110.2
Turbidity (NTU)	< or = 29 above natural background	800	48	Background, Final Effluent	TBD by POS	180.1
TKN, TN (mg/l)	See footnote 7.	800	TBD by the TMDL process	Final Effluent	TBD by POS	351.2, 353.2
Unionized Ammonia (ppm) Winter/Summer ⁴	0.02	800	0.028	Final Effluent	TBD by POS	350.1, 170.1, 150.1
Iron, total recoverable (mg/l) ³	< or = 1.0	None	1.0	Background, Final Effluent	TBD by POS	200.7
Silver, total recoverable (ug/l) ³	< or = 0.07	None	0.07	Background, Final Effluent	TBD by POS	272.2
Cadmium, total recoverable (ug/l) ³	$\exp(0.7852 \ln H - 3.49)$	800	1.6	Background, Final Effluent	TBD by POS	213.2
Lead, total recoverable (ug/l) ³	$\exp(1.273 \ln H - 4.705)$	800	4.5	Background, Final Effluent	TBD by POS	239.2

Part III.5.b

Total Coliform (#/100ml) ⁹	< or = 1000	None	2400	Final Effluent	TBD by POS	9222B (membrane filter)
Chronic Toxicity	See footnote 6.	800	NOEC > or = 72% ⁸	TBD by POS	TBD by POS	EPA/600/4- 91/002
Biological Integrity % reduction of Shannon-Weaver	< or = 25 as compared to established background levels	800	< or = 25	TBD by POS	TBD by POS	DEP IZ-29, IZ-3, IZ-6, IZ-7, IZ-8, IZ-13
Stream Condition Index	NA	800	MO	TBD by POS	TBD by POS	DEP IZ-30, IZ-2, IZ-6, IZ-7, IZ-8, IZ-13
Florida Index	NA	800	MO	TBD by POS	TBD by POS	DEP IZ-30, IZ-2, IZ-6, IZ-7, IZ-8, IZ-13

Footnotes:

¹ For the purposes of this interim evaluation period the Permittee is to evaluate the effluent parameters outlined in the table above assuming an 800 meter mixing zone. If Rice Creek is listed as impaired for the parameters above, or any other parameters, the Permittee shall not cause or contribute to applicable water quality violations at the point of discharge.

² Color is to be used as a surrogate parameter for monitoring compliance with the transparency standard pursuant to 62-302.530(68), FAC.

³ Applied based on the total recoverable fraction pursuant to Rule 62-302.500(2)(d) FAC. The Permittee may request department approval for an alternative fraction.

⁴ Calculated based on temperature, total ammonia, and pH.

⁵ Effluent Limit to achieve compliance at Boundary of Mixing Zone at Mile Point 2.4 or closer to the mouth of Rice Creek.

⁶ There shall not be the presence of substances or characteristics, which are chronically toxic in accordance with FAC Rule 62-302.530(62) or produce adverse physiological or behavioral response in humans, plants, or animals.

⁷ The nutrient concentrations of the water body shall not be altered so as to cause an imbalance in natural populations of aquatic flora or fauna.

⁸ Theoretical NOEC based on dilution characteristics available. The POS shall be designed to determine the actual NOEC.

⁹ Total Coliform shall be eliminated from the table provided the Permittee demonstrates compliance with 62-302.530(7), FAC, in accordance with Part III. 2.t. of this order.

¹⁰ Upon the effective date of this Administrative Order and in conjunction with the instream quarterly surveys required by Part I.D.4. of Permit F10002763, the Permittee shall, for four consecutive surveys,

also measure color, secchi depth, and light extinction (with a submersible photometer) at stations R1, R2, R3, R5, J1 and one station within the grassbed located in the St. Johns River along the shoreline that is northwest of the confluence of Rice Creek and the St. Johns River. Within 30 days of completing the fourth survey the Permittee shall submit a summary report to the Department for review and approval. The summary report shall incorporate the data and findings of the studies "Light Characteristics in the Lower St. Johns River" and "Light and Nutrient Requirements for Submerged Aquatic Vegetation" as contracted by the St. Johns River Water Management District that may be available by that date. The summary report shall propose an effluent limit and provide information supporting boundary conditions for a mixing zone evaluation. The summary report shall also verify the relationship between color and light transparency and address the appropriate flow regime for evaluating color and transparency boundary conditions and effluent limits. The Department will review the summary report within 45 days of its receipt and will either approve the report or notify the Permittee of deficiencies that must be corrected. The Permittee shall make such corrections and re-submit the summary report within 45 days of the Department's notification or request an administrative hearing as provided in Part III. 7 of this order. The report and effluent limit shall be incorporated into this order upon approval.

Table Codes:

TBD: To be determined NA: Not applicable
NA: Not applicable H: Hardness
MO: Monitoring only
POS: Plan of Study as defined by Section III 5.b. of Administrative Order No. 039-NE.

c. Rice Creek Water Quality Monitoring Final Report

Within 3 months of conclusion of the POS and no later than 27 months after completion of construction of the manufacturing process improvements, the Permittee shall submit a final report to the Department. The final report shall contain monitoring data and an analysis of the viability of achieving compliance with the table above in Part III. 5.b. of this order.

d. Re-opener to remain in Rice Creek

In the event that the results of the final report indicate that the Permittee can comply with water quality standards in Rice Creek, NPDES Permit FL0002763 shall be automatically re-opened to revise the final Outfall location from Outfall D-003 to D-002. The permit revision process shall determine a schedule for construction of a pipeline, final effluent limits, and applicable moderating provisions, as necessary and in accordance with Chapter 62-650 FAC.

e. Pipeline Construction

In the event that the results of the final report indicate that the Permittee cannot meet water quality standards in Rice Creek, the Permittee is authorized to construct a pipeline to discharge to Outfall D-003 in accordance with Part III. 4. of this Administrative Order and Part V. of NPDES Permit FL0002763.

- f.** The Permittee shall not be required to install or implement any additional specific technologies except for those technologies adopted by EPA or the Department through the appropriate rulemaking process. This condition does not relieve the Permittee from complying with applicable water quality standards.

g. Progress Reports

The Permittee shall, within 30 days of the effective date of this Administrative Order, and at semi-annual intervals thereafter, submit to DEP concise progress reports on the Permittee's actions and efforts to comply with the requirements of the compliance schedules contained in Part V. of NPDES Permit FL0002763 and Part III. 5. of this Administrative Order. In the case of specific actions being required, a written notice of compliance or non-compliance within 14 calendar days following a date identified in the above schedule of compliance, unless otherwise specified in this order, is required. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement. Copies of the progress reports to the Water Facilities Administrator, Florida Department of Environmental Protection, 7825 Baymeadows Way, Suite 200B, Jacksonville, Florida, 32256-7577, and the Administrator, Industrial Wastewater Section, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400.

h. Pipeline Engineering Evaluation Report for Outfall D-003

Within 6 months from completing installation of Manufacturing Process Improvements in Part III. 3. of this Administrative Order, based on projected water conservation measures, the Permittee shall provide an engineering report and implementation schedule to evaluate the feasibility of using a smaller diameter pipeline and alternative materials of construction for the effluent discharge to the St. Johns River via Outfall D-003.

i. Manufacturing Process Improvements - Notification of Completion of Construction

Within 30 days from completion of construction of each new technology referenced in Part III. 3. a. and b. of this Administrative Order, the Permittee shall submit DEP Form 62-620.910(12), Notification of Completion of Construction for Wastewater Facilities.

j. Manufacturing Process Improvements - Availability of Record Drawings - Within 6 months from completion of construction of all of the components in Part III.3. of this Administrative Order, the notification of the availability of record drawings shall be filed with the Department. Notification shall be made on DEP Form 62-620.910(13).

k. Alternate method to add oxygen to Rice Creek

The Permittee shall, within 12 months prior to discharge from Outfall D-003, submit a proposal to the Department for an alternate method to add oxygen to Rice Creek, which does not include the use of effluent. The Department will review the proposal within 60 days of its receipt and will either approve the plan or notify the Permittee of deficiencies that must be corrected. The Permittee shall make such corrections and re-submit the plan within 60 days of the Department's notification or request an administrative hearing as provided in Part III. 7. of this order. The plan and implementation schedule shall become an enforceable condition of this order upon approval. If applicable, and prior to effluent discharge from outfall D-003, the permit will be re-opened and modified pursuant to Part VI.F to include effluent limitations and monitoring requirements based on the mechanism utilized for oxygen injection.

l. Total Coliform Corrective Action Plan (CAP)

The Total Coliform CAP, if required pursuant to Part III. 2.t. of this order, shall be submitted within 3 months of conclusion of the three consecutive years of effluent monitoring specified in Part III.2.a. of this order. The Department will review the CAP within 60 days of its receipt and will either approve the plan or notify the Permittee of deficiencies that must be corrected. The Permittee shall make such corrections and re-submit the CAP within 60 days of the Department's notification or request an administrative hearing as provided in Part III. 7. of this order. The plan and implementation schedule shall become an enforceable condition of this order upon approval.

m. Mixing Zone Dilution Verification

The mixing zones described in Part I.B.8 of NPDES Permit FL0002763 were based on dilution rates extracted from modeling presented in the Level II WQBEL. Within 3 months of the effective date of this order, Permittee must provide verification of the dilution rates or recommend a modification. Upon concurrence by the Department, the mixing zone sizes may be revised in accordance with any modification to the dilution factors.

6. Other Limitations and Monitoring and Reporting Requirements

a. Acute Whole Effluent Toxicity Monitoring Program

In accordance with Part III.2.a. of this order, the Permittee shall initiate the series of tests described below to evaluate acute whole effluent toxicity of the discharge from Outfall D001. Tests shall be conducted quarterly beginning within 30 days of the effective date of this order. All test species, procedures and quality assurance criteria used shall be in accordance with Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms, EPA/600/4-90/027F (4th edition), or the most current edition. The control and dilution water will be moderately hard water as described in EPA/600/4-91/002, Table 3. A standard reference toxicant quality assurance acute test shall be conducted concurrently with each species used in the toxicity tests and the results submitted with the discharge monitoring report (DMR). Alternatively, if monthly QA/QC reference toxicant tests are conducted, these results must be submitted with the DMR. Any deviation from the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use.

1. Routine Test Requirements

a. The Permittee shall conduct 96 hour acute static renewal toxicity tests using the *Ceriodaphnia dubia* (water flea) and the *Cyprinella Leedsii* (bannerfin shiner). All tests shall be 24-hour composite samples and shall consist of 6 representative separate grab samples taken every 4 hours or the 24 hour accumulation of a continuous sampler. The toxicity tests specified above shall be conducted using a control (0% effluent) and a test concentration of 100% final effluent. These tests are referred to as "routine tests".

b. If control mortality exceeds 10% for either species in any test, the test(s) for that species (including the control) shall be repeated. A test will be considered valid only if control mortality does not exceed 10% for either species. If, in any separate test, 100% mortality occurs prior to the end of the test, and control mortality is less than 10% at that time, that test (including the control) shall be terminated with the conclusion that the sample demonstrates a violation of the acute toxicity limit.

c. Results from "routine" tests shall be reported according to EPA/600/4-90/027F, Section 12, Report Preparation (or the most current edition), and shall be submitted within thirty (30) days to:

Florida Department of Environmental Protection
Northeast District
7825 Baymeadows Way Suite B-200
Jacksonville, Florida 32256

The results shall be entered on the DMR in the following manner: if less than 50% survival of test species occurs "<100%" shall be entered on the DMR for that species. If 50% or greater survival occurs in the composite sample tests, ">100%" shall be entered.

2. Additional Testing Requirements

a. If unacceptable acute toxicity (greater than 20% mortality in any grab sample of 100% effluent) is determined in a routine test, the Permittee shall conduct a minimum of three (3) valid additional 96 hour acute static renewal definitive tests on the specie(s) indicating toxicity. The first test shall begin within 7 days of the failed routine test and be conducted weekly thereafter until three valid additional tests are complete. The additional tests sample collection requirements and test acceptability criteria specified in paragraphs '1.a.' and '1.b.' above must be met for the tests to be considered valid. All additional definitive tests shall be conducted with a control (0% effluent) and effluent concentrations of 6.25%, 12.5%, 25%, 50%, and 100%. The dilution series may be modified in the second and third tests to more accurately identify the toxicity, such that at least two dilution's above and two dilution's below the target toxicity and a control (0% effluent) are run. The additional tests will be used to determine if the toxicity found in the routine test is still present.

b. Results for each additional test will include the determination of LC50 values with 95% confidence limits. Results from the additional tests, required due to unacceptable acute toxicity in the "routine" tests, shall be submitted in a single report prepared according to EPA/600/4-90/027F, Section 12, Report Preparation (or the most current edition) and submitted within thirty (30) days of completion of the three valid additional tests. If the additional tests demonstrate continued unacceptable toxicity, the Permittee will meet with the Department within 30 days of the report submittal to identify corrective actions necessary to remedy the unacceptable toxicity.

c. For all tests conducted, a final effluent sample must be used.

b. Interim Chronic Whole Effluent Toxicity Monitoring Program

In accordance with Part III.2.a of this order, the Permittee shall initiate the series of tests described below to evaluate chronic whole effluent toxicity of the discharge from Outfall D001. Tests shall be conducted quarterly beginning within 30 days of the effective date of this order. For the purposes of this section, "Interim", shall cover that period of time beginning upon the effective date of the permit and administrative order and ending upon establishing a final limit for chronic toxicity pursuant to Part III.5.d of this Order. All test species, procedures and quality assurance criteria used shall be in accordance with Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, EPA/600/4-91/002, or the most current edition. The control and dilution water will be moderately hard water as described in EPA/600/4-91/002, Table 3. A standard reference toxicant quality assurance chronic toxicity test shall be conducted concurrently with each species used in the toxicity tests and the results submitted with the bioassay report or if monthly QA/QC reference toxicant tests are conducted, these results must be submitted. Any deviation from the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use.

1. The Permittee shall conduct a daphnid, Ceriodaphnia dubia, Survival and Reproduction test and a fathead minnow, Pimephales promelas, Larval Survival and Growth Test. These tests shall be conducted using a control (0% effluent) and one test concentration of 100%. All test results shall be statistically analyzed according to the Appendix in EPA/600/4-91-002, or the most current edition.

2. For each set of tests conducted, a 24-hour composite sample of final effluent shall be collected and used per the sampling schedule discussed in EPA/600/4-91/002, Section 8 (or the most current edition). All test solutions shall be renewed daily. Two additional composite samples collected on day two and day four of the test, used as renewal solutions, shall be collected according to the protocol.

3. If control mortality exceeds 20% for either species in any test, the test(s) for that species (including the control) shall be repeated. A test will be considered valid only if control mortality does not exceed 20% for either species. If, in any separate test, 100% mortality occurs prior to the end of the test, and control mortality is less than 20% at that time, that test (including the control) shall be terminated with the conclusion that the sample demonstrates un-acceptable acute toxicity. Additionally, all tests must meet the acceptability criteria for each species as defined in EPA/600/4-91/002 Section 13.11 and Section 11.11, respectively.

4. The toxicity tests specified above shall be conducted once every three months during the interim period. These tests are referred to as "routine" tests. Upon the completion of four valid tests during the final period which demonstrate that no chronic toxicity has occurred, the Permittee may petition the Department for a reduction in monitoring frequency.

5. Results from "routine" tests shall be reported according to EPA/600/4-91/002, Section 10, Report Preparation (or the most current edition), and shall be submitted to:

FL Department of Environmental Protection
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256
Attn: Industrial Waste Section

Additionally, all results shall be recorded and submitted as instructed on the Discharge Monitoring Report (DMR).

- c. The Permittee shall maintain and operate its facilities in compliance with the conditions of Permit FL0002763, unless otherwise specified herein.
- d. The Permittee shall continue the implementation of the ongoing study (Masculinization and others) to demonstrate benefits to aquatic health from manufacturing process improvements and provide periodic updates in accordance with Part III.5.g. of this Administrative Order.
- e. The Permittee, in operating the Wetdeck, shall on a weekly basis keep a written record of the water usage, including make up water source and volume, and any water discharged to the wastewater treatment system resulting from extreme storm events. A quarterly summary report shall be submitted describing the water flows through the Wetdeck system.
- f. The Permittee shall allow all authorized representatives of the Department access to the property at reasonable times for the purpose of determining compliance with this order and rules of the Department.
- g. This order may be modified as set forth in Chapter 62-620 of the Florida Administrative Code.
- h. This order does not operate as a permit under section 403.088 of the Florida Statutes.
- i. Failure to comply with the requirements of this order shall constitute a violation of this order and DEP Permit FL0002763, and may subject the Permittee to penalties as provided in section 403.161 of the Florida Statutes.

7. Administrative Proceeding

With regard to any determination by the Department of any POS, report, CAP, and in reopening the permit, the Permittee, may file a petition for formal or informal administrative proceeding, pursuant to sections 120.569 and 120.57, Florida Statutes, and chapter 62-103, Florida Administrative Code, if it disagrees with or otherwise disputes the Department's determination. The petition must conform with the requirement of rule 62-103.155, Florida Administrative Code, and must be received by the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within twenty-one (21) days after receipt of written notice from the Department of any determination that Georgia-Pacific wishes to challenge. Failure to file a petition within this time period shall constitute a waiver by Georgia-Pacific of its right to request an administrative proceeding under section 120.57, Florida Statutes. The Department's determination, upon expiration of the 21-day time period if no petition is filed, or the Department's final order as a result of the filing of the petition, shall be incorporated by reference into this permit and made a part thereof. Notwithstanding other terms of the permit, Georgia-Pacific shall have the right to judicial review of the Department's final order entered after any administrative hearing held pursuant to this paragraph, as provided by section 120.68, Florida Statutes.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Ernest E. Frey, P.E.
Director of District Management
7825 Baymeadows Way, Suite 200B,
Jacksonville, Florida, 32256-7577



Jeb Bush
Governor

Ticker
6-27-05 R-405
2-27-06

Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

cc: J. Morgan
W.M. J. Morgan
Kelli Dowell
DK

received
5-31-05

2nd copy to M. Davis
Fax 2-27-06

Colleen M. Castille
Secretary

May 27, 2005

CERTIFIED MAIL - RETURN RECEIPT

Mr. Theodore D. Kennedy, Vice-President
Georgia-Pacific Corporation, Palatka Operations
Post Office Box 919
Palatka, Florida 32178-0919

Dear Mr. Kennedy:

Re: Industrial Wastewater Enforcement
OGC Consent Order No. 05-0443
Georgia-Pacific Corporation FL0002763

Enclosed is an executed copy of the Consent Order to resolve Case No. 05-0443. May 27, 2005 is the effective date of this Consent Order, and all time frames will be referenced from this date.

As a reminder, the Consent Order is a binding legal document and was voluntarily entered into by both parties in order to resolve existing violations. Should you have any questions concerning the Consent Order, please feel free to contact Chet McGhee at (904) 807-3340.

Your continued cooperation is appreciated.

Sincerely,

William C. Green
Acting District Director

WCG:ec:mmml:cm

cc: Larry Morgan, DEP, OGC, Tallahassee
Kelli Dowell, DEP, OGC, Tallahassee
Chet McGhee, FDEP, NED

"More Protection, Less Process"

Printed on recycled paper.

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,	)	IN THE OFFICE OF THE NORTHEAST DISTRICT
	)	
Complainant,	)	
	)	
vs.	)	OGC FILE NO. 05-0443
	)	
GEORGIA-PACIFIC CORPORATION	)	
	)	
Respondent:	)	

CONSENT ORDER

This Consent Order is entered into between the State of Florida Department of Environmental Protection ("Department") and Georgia-Pacific Corporation ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and the Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida's air and water resources and to administer and enforce the provisions of Chapter 403, Florida Statutes, and the rules promulgated thereunder, Title 62, Florida Administrative Code. The Department has jurisdiction over the matters addressed in this Consent Order.
2. Respondent is a person within the meaning of Section 403.031(5), Florida Statutes.
3. Respondent is the owner and is responsible for the operation of the Georgia-Pacific Palatka Pulp and Paper Mill, which is a fully integrated pulp and paper mill producing both bleached and unbleached pulp and paper utilizing the kraft process. As part of the paper mill, Respondent owns and is responsible for the operation of a 40 MGD average wastewater treatment facility ("Facility") providing primary clarification followed by secondary treatment consisting of 900 plus acres of facultative and aerobic lagoons. Treated effluent is discharged into Rice Creek. Respondent operates the treatment system under Department wastewater permit No. FL0002763 (the "Permit"), which expires on August 5,

2007. The Facility is located on County Road 216, Palatka, Putnam County, Florida, more specifically at Latitude 29°41'38" North, Longitude 81°40'20" West.

4. On December 22, 2004, Respondent experienced a breach of the primary clarifier wall resulting in a discharge of approximately 5.3 million gallons of partially treated effluent into a swampy area and ditches on the Respondent's property. The Respondent reported the incident immediately to the State Warning Point and the Department's Northeast District Office. On December 22, 2004, Department staff took samples from multiple locations on Rice Creek. The sample results indicated that Rice Creek had not been impacted by the wastewater release. Respondent sampled Rice Creek daily from December 22 through December 24, from December 26 through December 28, and finally on January 10 confirming Rice Creek had not been impacted. After Department review and approval, Respondent decreased in-stream sampling to once per month from January 2005 through March 2005.

5. The clarifier breach occurred at approximately 12:09 am on December 22nd. Between 12:15 am and 12:50 am, the Respondent began the process of shutting down the processes that contribute the major load to the clarifier (i.e. power boilers and recovery boilers were slowed down, all other processes were shutdown). At approximately 12:30 am, the flow was diverted around the clarifier to the emergency settling basin. The Respondent recovered all partially treated wastewater that accumulated in on-site ditches.

6. The Department finds that the breach of the primary clarifier wall was a violation of Fla. Admin. Code Rules 62-620.300(5) and 62-4.030 and Fla. Stat. Sections 403.087(5) and 403.161(1)(b).

7. Having reached a resolution of the matter the Department and the Respondent mutually agree and it is

ORDERED:

8. Within 60 days of the effective date of this Consent Order the Respondent shall submit to the Department an Evaluation Report ("Report") describing steps the Facility will take to reduce the likelihood of future breaches of the clarifier wall. The Report should be signed and sealed by a Professional Engineer and should include a detailed description and schedule of the corrective actions

which need to be implemented at the Facility. The Respondent shall submit, by certified mail, all requested additional information, clarification, and modifications within 30 days of receipt of written notice. Upon written approval from the Department, the Respondent shall implement the corrective actions in accordance with the approved Report and schedule.

9. Within 30 days of the effective date of this Consent Order, Respondent shall pay the Department \$10,500.00 in settlement of the matters addressed in this Consent Order. This amount includes \$500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order. The civil penalties are apportioned as follows: \$10,000 for violation of Fla. Admin. Code Rules 62-620.300(5) and 62-4.030 and Section 403.087(5), Fla. Stat., which prohibit stationary installations that are reasonably expected to be a source of pollution from being operated in a manner that is inconsistent with the terms of its permit. Payment shall be made by cashier's check, corporate check, or money order. The instrument shall be made payable to the "Department of Environmental Protection" and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund." The payment shall be sent to the Department of Environmental Protection, Northeast District, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256-7590.

10. Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fails to timely comply with any of the requirements of Paragraphs 8 or 9 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to "The Department of Environmental Protection" by cashier's check, corporate check or money order and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, Northeast District, Suite B200, 7825 Baymeadows Way, Jacksonville, Florida 32256-7590. The Department may make demands for payment at any time after violations occur. Nothing in this Paragraph shall prevent the Department from filing suit

to specifically enforce any terms of this Consent Order. Any penalties assessed under this Paragraph shall be in addition to the settlement sum agreed to in Paragraph 10 of this Consent Order. If the Department is required to file a lawsuit to recover stipulated penalties under this Paragraph, the Department will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this Paragraph.

11. In the event of a sale or conveyance of the facility or of the property upon which the facility is located, if all of the requirements of this Consent Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the property or facility, (1) notify the Department of such sale or conveyance; (2) provide the name and address of the purchaser, or operator, or person(s) in control of the facility, and (3) provide a copy of this Consent Order with all attachments to the new owner. The sale or conveyance of the facility, or the property upon which the facility is located shall not relieve the Respondent of the obligations imposed in this Consent Order.

12. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Consent Order, the Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by the due diligence of the Respondent. Economic circumstances shall not be considered circumstances beyond the control of the Respondent, nor shall the failure of a contractor, subcontractor, materialman, or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of the Respondent, unless the cause of the late performance of the contractor was also beyond the control of the contractor. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, the Respondent shall notify the Department orally within twenty-four hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which the Respondent intends to implement these

measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of the Respondent, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of the Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of the right of the Respondent to request an extension of time for compliance with the requirements of this Consent Order.

13. Persons who are not parties to this Consent Order, but whose substantial interests are affected by this Consent Order, have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The petition must contain the information set forth below and must be filed (received) at the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within twenty-one days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the twenty-one days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

14. The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner; the Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how the substantial interests of each petitioner are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; and, (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

15. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the final action of the Department may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within twenty-one days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

16. A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

17. Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within ten days after the deadline as set forth above for the filing of a petition.

18. The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified

time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of the representative of each party who shall have authority to settle or recommend settlement; (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference; and, (h) The signatures of all parties or their authorized representatives.

19. As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within twenty-one days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

20. The Respondent shall allow all authorized representatives of the Department access to the Facility at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

21. All submittals and payments required by this Consent Order to be submitted to the Department shall be sent to the Department of Environmental Protection, 7825 Baymeadows way, Suite B-200, Jacksonville, Florida 32256-7590.

22. This Consent Order is a settlement of the civil and administrative authority of the Department arising under Florida law to resolve the matters addressed herein. This Consent Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law.

23. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order.

24. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, Florida Statutes. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.161(1)(b), Florida Statutes.

25. The Department, for and in consideration of the complete and timely performance by the Respondent of the obligations agreed to in this Consent Order, hereby waives its right to seek judicial imposition of damages or civil penalties for alleged violations through the date of the filing of this Consent Order as addressed in this Consent Order.

26. The Respondent is fully aware that a violation of the terms of this Consent Order may subject the Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation, and criminal penalties.

27. Entry of this Consent Order does not relieve the Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

28. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by both the Respondent and the Department.

29. The Respondent acknowledges and waives its right to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, on the terms of this Consent Order. The Respondent acknowledges its right to appeal the terms of this Consent Order pursuant to Section 120.68, Florida Statutes, and waives that right upon signing this Consent Order.

30. This Consent Order is a final order of the Department pursuant to Section 120.52(7), Florida Statutes, and it is final and effective on the date filed with the Clerk of the Department unless a petition for administrative hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition, this Consent Order will not be effective until further order of the Department.

FOR THE RESPONDENT

5/17/05
DATE

Theodore D. Kennedy
Theodore D. Kennedy
Vice President, Palatka Operations
Georgia-Pacific Corporation

DONE AND ORDERED this 27th day of MAY, 2005,
in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

William C. Green
William C. Green
Acting District Director

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

Roxanne Smith
Clerk

5/27/05
Date

Copies furnished to:

Larry Morgan, FDEP OGC
Kelli Dowell, FDEP OGC
Ollie Henderson, FDEP NED (two copies of executed version only)
David O'Brien, FDEP Tallahassee (executed version only)

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.
Roxanne Smith
Clerk
5/27/05
Date



Department of Environmental Protection

Jeb Bush
Governor

Northeast District
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256-7590

Colleen Castillo
Secretary

PERMITTEE:

Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

I.D. Number: 1070005
Permit/Cert Number: 1070005-036-AC
Date of Issue:
Expiration Date:
County: Putnam
Latitude/Longitude: 29°40'50" N; 81°40'56" W
UTM: E-(17) 434.0; N-3283.4
Project: No. 5 Power Boiler, EU # 015

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-210, 62-212, 62-296, 62-297 and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

PROJECT

For the addition of a third field to the existing two-field electrostatic precipitator (ESP) at the No. 5 Power Boiler. The ESP is designed to control the emissions of particulate matter from the boiler.

FACILITY DESCRIPTION

This facility is a Kraft pulp and paper mill that consists of major activities areas such as: chip handling, pulping, bleaching, chemical recovery, utilities, paper machines, converting, turpentine and tall oil production.

The No. 5 Power Boiler has a maximum steam production capacity of 475,000 pounds per hour based on steam conditions of 900° F at 1275 psi. The primary fuel is No. 6 fuel oil. Particulate Matter emissions are presently controlled by a single chamber, 2 field, Research Cottrell electrostatic precipitator. Exhaust gases exit at approximately 445° F from a 9' diameter stack that is ~~235~~ 237 tall.

REGULATORY CLASSIFICATION

The No. 5 Power Boiler is regulated under Rule 62-296.404, F.A.C. – Kraft Pulp Mills; Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 Million Btu per hour Heat Input; Rule 62-210.700; and, 40 CFR 63, Subpart S – Phase II as the boiler is utilized as the control device for TRS and HAP emissions from the Brown Stock Washer System and the Oxygen Delignification System.

OPERATING LOCATION

Located: North of County Road 216, West of U.S. Highway 17, Palatka, Putnam County, Florida.

PERMITTEE:

Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

I.D. Number: 1070005
Permit/Cert Number: 1070005-036-AC
Date of Issue:
Expiration Date:
County: Putnam

RELEVANT DOCUMENTS

The documents listed below are the basis of the permit. They are specifically related to this permitting action.
These documents are on file with the Department:

Application for Air Permit – Long Form received April 12, 2006
Additional Information Received July 3, 2006
Additional Information/Comments Received August 4, 2006
Comments from Applicant received September 27, 2006

PERMITTEE:

Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

I.D. Number: 1070005
Permit/Cert Number: 1070005-036-AC
Date of Issue:
Expiration Date:
County: Putnam

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permitted to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy any record that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

PERMITTEE:

Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

I.D. Number: 1070005
Permit/Cert Number: 1070005-036-AC
Date of Issue:
Expiration Date:
County: Putnam

GENERAL CONDITIONS:

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages, which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Compliance with New Source Performance Standards (NSPS)
- () Compliance with National Emission Standards for Hazardous Air Pollutants/ Maximum Available Control Technology (MACT)

PERMITTEE:

Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

I.D. Number: 1070005
Permit/Cert Number: 1070005-036-AC
Date of Issue:
Expiration Date:
County: Putnam

GENERAL CONDITIONS:

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurement;
 - the dates analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

PERMITTEE:

Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

I.D. Number: 1070005
Permit/Cert Number: 1070005-036-AC
Date of Issue:
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County: Putnam

Subsection A. This section addresses the following emissions unit.

The following specific conditions apply to the emissions unit(s) listed below:

E.U. ID

No.
015

Brief Description

#5 Power Boiler with an electrostatic precipitator to control particulate matter emissions.

- A.0. This permit authorizes the modification of the existing single chamber, two field, Research Cottrell electrostatic precipitator by the addition of a third field. The new third field (TR-12) shall be the first field in the chamber and of the same design as the two existing fields (TR's 22 and 32).

Each field's internals includes 21 collecting plates, a collecting surface length of 22.4 ft, a collecting area of 18,386 sq-ft, and 120 discharge electrodes.

The electrostatic precipitator has an inlet flow of ~~234,500~~ 230,000 acfm¹, 445° F, and an inlet loading of 0.04 grains per dry standard cubic foot of air flow².

The modification does not authorize changes to the existing ductwork, fans, or the inlet flow rate to the ESP.

~~The design of the ESP is based on an inlet flow rate of 234,500 acfm; however, the flow rate from the No. 5 Power Boiler is not to be applied to the ESP. The design inlet loading as stated in the 7/3/06 Response.~~
* The design inlet loading as stated in the 7/3/06 Response.

Operational Parameters

- A.1. **ESP Operation.** The No. 5 Power Boiler ESP (Research Cottrell) shall only be used as the Particulate Matter control device for the No. 5 Power Boiler. This construction permit does not authorize the utilization of this ESP as a "polishing unit" or as additional Particulate Matter control for the No. 4 Combination Boiler¹.

¹ The utilization of this ESP in this manner may require PSD Review or a modification/revision to the pending BACT analysis and Determination for the No. 4 Combination Boiler project being processed by DARM.

[Rule 62-4.070, F.A.C.]

- A.2. **Permitted Capacity.** The maximum heat input rate is 568.9 MMBtu/hr.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; Construction Permit No. 1070005-028-AC]

PERMITTEE:

Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

I.D. Number: 1070005
Permit/Cert Number: 1070005-036-AC
Date of Issue:
Expiration Date:
County: Putnam

A.3.a. Methods of Operation. This boiler may be fired with:

- No. 6 fuel oil with a sulfur content that shall not exceed 2.35%, by weight, and on-spec used oil.
- Natural gas as a startup fuel.
- Dilute non-condensable gases (DNCGs) during periods when the boiler is being utilized for their destruction.

[Rule 62-213.410, F.A.C.; Construction Permit No. 1070005-017-AC; Construction Permit No. 1070005-024-AC; Construction Permit No. 1070005-025-AC; PCP Exclusion dated March 14, 2002]

A.3.b. Methods of Operation. Except for infrequent periods of maintenance, all fields of the ESP shall be functioning when the No. 5 Power Boiler is in operation¹. Operation of the ESP shall meet the operating requirements of the established CAM plan.

The Permittee is authorized to operate two fields for the purposes of the compliance testing of the operational scenario required in Condition A.8.a.

[Rule 62-4.070, F.A.C.]

A.4. Hours of Operation. The hours of operation are not limited.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

Emission Limits and Standards

{Permitting Note: Unless otherwise specified, the averaging times for these conditions are based on the specified averaging time of the applicable test method.}

A.5.a. Particulate Matter Emissions- Steady State. The Permittee shall operate and maintain an electrostatic precipitator (ESP) to control particulate matter emissions. Particulate Matter Emissions shall not exceed 0.1lb/MMBTU heat input. [Equivalent emissions are: 56.89 lbs/hr and 218.0 TPY].

[Rule 62-296.405(1)(b), F.A.C.; Construction Permit No. 1070005-024-AC]

A.5.b. Particulate Matter Emissions- Soot Blowing & Load Change. The Permittee shall operate and maintain an electrostatic precipitator (ESP) to control particulate matter emissions. Particulate Matter emissions shall not exceed an average of 0.3 lb/MMBTU heat input (Equivalent Emissions are: 170.67 lbs/hr and 93.4 TPY), while soot blowing or during a load change. These excess emissions resulting from operation in either of these two modes shall not exceed 3 hours in any 24-hour period. Best operational practices to minimize emissions shall be adhered to and the duration of excess emissions shall be minimized.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

[Rule 62-210.700(3), F.A.C.; Construction Permit No. 1070005-024-AC;]

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Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

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- A.6.a. Visible Emissions- Steady State. Visible emissions shall not exceed 20% opacity except for up to 40% for 2 minutes/hr.

[Rule 62-296.405(1)(a), F.A.C.]

- A.6.b. Visible Emissions - Soot Blowing & Load Change. Visible emissions shall not exceed 60% opacity while soot blowing or during a load change. These excess emissions resulting from operation in either of these two modes shall not exceed 3 hours in any 24-hour period. Best operational practices to minimize emissions shall be adhered to and the duration of excess emissions shall be minimized.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

[Rule 62-210.700(3), F.A.C.]

- A.7.a. Sulfur Dioxide Emissions. Sulfur Dioxide emissions shall be limited to a maximum sulfur content of 2.35 %, by weight, in the fuel oil, 1544.3 lbs/hr and 6638.5 TPY.¹

¹ Includes SO₂ emissions due to dilute NCG (DNCG) burning of 82.6 lbs/hr and 236.3 TPY.²

² The yearly allowable limitation of 236.3 TPY is applicable to either the No. 5 Power Boiler or the No. 4 Combination Boiler, or the No. 5 Power Boiler and the No. 4 Combination Boiler combined for a total of 236.3 TPY.

[Rule 62-296.405(1)(c)1.j., F.A.C. subsumed; Construction Permit No. 107005-017-AC; Construction Permit No. 1070005-024-AC; Construction Permit No. 1070005-025-AC; PCP Exclusion dated April 23, 2004]

- A.7.b. Sulfur Dioxide Emissions – DNCG. The burning of DNCGs shall cease when the sum of the SO₂ emissions reaches the yearly allowable limitation of 236.3 tons.¹ When firing DNCGs, SO₂ emissions shall be determined as stated in Specific Condition No. A.10:

¹ The yearly allowable limitation of 236.3 TPY is applicable to either the No. 5 Power Boiler or the No. 4 Combination Boiler, or the No. 5 Power Boiler and the No. 4 Combination Boiler combined for a total of 236.3 TPY.

[PCP Exclusion dated April 23, 2004]

- A.8. Total Reduced Sulfur (TRS) Emissions. When the No. 5 Power Boiler is used to burn DNCGs, TRS emissions shall not exceed 5 ppm by volume on a dry basis at standard conditions corrected to 10 percent oxygen as a 12-hour average; and 3.9 lbs/hr and 17.1 TPY.

[Rule 62-296.404(3)(f)1., F.A.C.; Construction Permit No. 1070005-024-AC]

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Test Methods and Procedures

- A.9.a. **Particulate Matter Emissions – Steady State**. Particulate Matter testing shall comply with the applicable requirements in Rule 62-296.405(1)(e)2., F.A.C., (EPA Methods 1 through 5, incorporated and adopted by reference in Chapter 62-297, F.A.C.). An initial compliance test for the purposes of this construction permit^{1,2} shall be performed as described below and then once each federal fiscal year per Rule 62-297.310(7)(a)4., F.A.C.

The facility shall conduct a Particulate Matter compliance test (consisting of three, one-hour runs), under the following operational scenario:

ESP Fields	Power (Watts)
TR ₁ , TR ₃	PV ₁ + PV ₃

The following information shall also be obtained during the tests:

- i) Secondary voltage, secondary current reading per TR set of each field
- ii) The spark rate
- iii) Gas temperature (inlet and outlet)
- iv) Rapper frequency

¹ For the purposes of this construction permit only, if the results of the particulate matter compliance test conducted while the emissions unit is operating under soot blowing conditions demonstrates compliance with the PM emissions limiting standard in Specific Condition No. A.5.a, the facility may submit a waiver request to the Air Compliance section of this Office for the particulate matter compliance test required by Specific Condition A.9.a. Otherwise, the facility shall conduct the PM testing as required by this Specific Condition.

² GP shall continue to demonstrate compliance with the requirements of the FINAL Title V Permit No. 1070005-034-AV on the testing frequency required by that permit. This initial compliance test is to demonstrate compliance with the terms of this construction permit after construction is complete of the 3rd field of the ESP.

[Rule 62-296.405(1)(e)2., F.A.C.; Construction Permit No. 1070005-024-AC; Construction Permit No. 1070005-025-AC; FINAL Title V Operation Permit No. 1070005-034-AV]

- A.9.b. **Particulate Matter Emissions –Soot Blowing**¹. Particulate Matter testing shall comply with the applicable requirements in Rule 62-296.405(1)(e)2., F.A.C., (EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C.).

An initial compliance test for the purposes of this construction permit² shall be performed as described below and then once each federal fiscal year per Rule 62-297.310(7)(a)4., F.A.C.

The facility shall conduct a Particulate Matter compliance test (consisting of three, one-hour runs), under each of the following operational scenario:

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ESP Fields	Power (Watts)
TR ₁ , TR ₃	PV ₁ + PV ₃

The following information shall also be obtained during the tests:

- i) Secondary voltage, secondary current reading per TR set of each field
- ii) The spark rate
- iii) Gas temperature (inlet and outlet)
- iv) Rapper frequency

¹ For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., (Condition A.5b.), a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid fuel for more than 400 hours other than during startup.

² GP shall continue to demonstrate compliance with the requirements of the FINAL Title V Permit No. 1070005-034-AV on the testing frequency required by that permit. This initial compliance test is to demonstrate compliance with the terms of this construction permit after construction is complete of the 3rd field of the ESP.

[Rule 62-296.405(1)(e)2., F.A.C.; Rule 62-210.700(3), F.A.C; Rule 62-297.310(7)(a)2., F.A.C.; Construction Permit No. 1070005-024-AC; Construction Permit No. 1070005-025-AC- S.C. 20; FINAL Title V Operation Permit No. 1070005-034-AV]

A.10.a. Visible Emissions – Steady State. The Visible Emissions test method shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.¹

¹ GP shall continue to demonstrate compliance with the requirements of the FINAL Title V Permit No. 1070005-034-AV on the testing frequency required by that permit.

[Rules 62-296.405(1)(e)1. and 62-297.401(9), F.A.C.; Construction Permit No. 1070005-024-AC; Construction Permit No. 1070005-025-AC; FINAL Title V Operation Permit No. 1070005-034-AV]

A.10.b. Visible Emissions - Soot Blowing & Load Change. The Visible Emissions test method shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.¹

¹ GP shall continue to demonstrate compliance with the requirements of the FINAL Title V Permit No. 1070005-034-AV on the testing frequency required by that permit.

[Rule 62-297.401(9), F.A.C.; Rule 62-210.700(3), F.A.C.; Construction Permit No. 1070005-024-AC; Construction Permit No. 1070005-025-AC – S.C. 14,23; FINAL Title V Operation Permit No. 1070005-034-AV]

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- A.11. Sulfur Dioxide Emissions. In lieu of stack testing, SO₂ emissions due to the burning of fuel oil shall be determined as follows:

$$(\%S \text{ oil}/100) \times 8.2 \text{ lbs/gal} \times \text{lb mole S}/32 \text{ lbs S} \times \text{lb mole SO}_2/\text{lb mole S} \times 64 \text{ lbs SO}_2/\text{lb mole SO}_2 = (0.164 \times \%S) \text{ lbs SO}_2/\text{gal}$$

$$(0.164 \times \%S) \text{ lbs SO}_2/\text{gal} \times \text{gallons of fuel oil fired} = \text{lbs SO}_2$$

For purposes of this condition, daily SO₂ emissions from the #5 PB due to burning of DNCGs will be determined as follows:

$$(\text{Daily production in Tons ADUP} \times 0.35 \text{ lbs-S/ton ADUP} \times 2 \text{ lbs SO}_2/1\text{lb-S}) \times \text{Minutes DNCG's burned in \#5PB}/1440 \text{ minutes/day} = \text{lbs SO}_2 / \text{day from \#5PB}$$

A record shall be maintained for at least five years of the following:

- The date, time, and duration DNCGs are fired in the boiler,¹
- The sulfur content of the fuel oil fired (based upon a three barge rolling average),
- The amount (gallons) of fuel oil fired,
- The certified on-specification used oil analysis (when on-spec used oil is fired).

¹The mill shall obtain this information from the plant data information system or the Operators' DNGC Diversion log as backup to the plant data information system.

The yearly allowable limitation of 236.3 TPY is applicable to either the No. 5 Power Boiler or the No. 4 Combination Boiler, or the No. 5 Power Boiler and the No. 4 Combination Boiler combined for a total of 236.3 TPY.

A SO₂ emissions report of the above data shall be submitted to the Compliance Section of the Northeast District Office on an annual basis (by April 1 for the previous year).

[Rules 62-296.405(1)(f)1.b. and Rule 62-296.405(1)(e)3., F.A.C.; PCP Exclusion dated April 23, 2004; Construction Permit No. 1070005-024-AC]

- A.12. TRS Emissions. It is assumed that compliance with the TRS emissions limit stated in Condition No. A.8 is achieved by maintaining the minimum temperature of 1200° F and the 0.5-second residence time.

[40 CFR 60.283(a)(1)(iii); Construction Permit No. 1070005-024-AC]

- A.13. TRS Emissions. When routing TRS gases to this boiler for thermal destruction, the gases shall be introduced with the primary fuel or into the flame zone, or with the combustion air. The TRS gases shall be subject to a minimum temperature of 1200° F for at least 0.5 second.

[Rules 62-296.404(3)(a)1. and 62-296.404(5)(d), F.A.C.; 40 CFR 60.283(a)(1)(iii); Construction Permit No. 1070005-024-AC;]

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- A.14. Compliance Test Procedures. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.

[Rule 62-296.414(3)(b), F.A.C.]

- A.15. Compliance Test Notification. At least 15 days prior the date on which each formal compliance test is due to begin, the permittee shall provide written notification of the test to the Air Compliance Section of this Office. The notification must include the following information: the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company and telephone number of the person conducting the test.

[Rule 62-297.310(7)(a)9., F.A.C.]

- A.16. Test Reports. Reports of the required compliance tests shall be filed with the Air Compliance Section of this Office as soon as practical but no later than 45 days after the last test is completed.

[Rule 62-297.310(8)(b), F.A.C.]

- A.17. Operation During Compliance Test. Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operation at permitted capacity as defined in Specific Condition A.2. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit.

[Rule 62-297.310(2)(b), F.A.C.]

- A.18. Stack sampling facilities. Stack sampling facilities shall comply with the requirements of Rule 62-297.310(6), FAC.

- A.19. Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

[Rule 62-297.310(7)(b), F.A.C.]

Initial Compliance Test Frequency

- A.20. The permittee shall conduct an initial formal compliance test as stated in Specific Condition No. A.9.a., within 60 days after the addition of the third field in the ESP.

[Rule 62-297.310(7)(a)1., F.A.C.]

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Subsequent Compliance Test Frequency

- A.21. Requirements for Annual Testing. The owner or operator shall meet all applicable requirements of Rule 62-297.310(4), F.A.C.

[Rule 62-297.310(4), F.A.C.]

Equipment Requirements

- A.22. Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

[Rule 62-297.310(5)(a), F.A.C.]

- A.23. Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5)(b), F.A.C.]

- A.24. Control Equipment. Control equipment shall be provided with a method of access that is safe and readily accessible.

[Rule 62-297.310(6), FAC.]

- A.25. Circumvention of Control Devices. No person shall circumvent any air pollution control device, or allow the emissions of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

Excess Emissions

{Permitting Note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS or NESHAP provision.}

- A.26. Excess emissions resulting from malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

- A.27. Excess Emissions resulting from startup or shutdown ~~are conditionally allowed for up to 3 hours in any 24-hour period unless specifically authorized by the Department for longer duration, provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.~~

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~~Rule 62-210.700(3), F.A.C.~~

- A.28. Excess Emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

Recordkeeping and Reporting Requirements

- A.29. Commencement of Operation: The permittee shall submit to the Air Compliance section of this Office written notification of the date of commencement of operation of the electrostatic precipitator as modified. This notification shall be submitted or postmarked with as many days prior to the date of operation commencement as practical, but no later than one (1) business day following commencement of operation.

[Rule 62-4.070, F.A.C.]

- A.30. The permittee shall submit an Operation and Maintenance Plan for the electrostatic precipitator. The O&M plan may be submitted with the Title V Air Operation Permit Revision application.

[Rule 62-4.070, F.A.C.]

- A.31. The permittee shall submit the final design information of the third field and the expected performance criteria. This information may be submitted with the Test Report required by Specific Condition No. A.16.

[Rule 62-4.070, F.A.C.]

- A.32. Annual Operating Report. Permittee shall submit an annual operation report to the Department for this emission unit(s) on the form(s) supplied for each calendar year on or before March 1.

[Rule 62-210.370(3), FAC]

- A.33. Excess Emissions – Malfunctions. In case of excess emissions resulting from malfunctions, the owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rule 62-210.700(6), F.A.C.]

Used Oil Requirements

- A.34. This emissions unit is also subject to the On-Spec Used Oil requirements specified in Subsection S of FINAL Title V Operation Permit No. 1070005-034-AV.

Periodic Monitoring

- A.35. This emissions unit is also subject to applicable Periodic Monitoring Requirements specified in Subsection W of FINAL Title V Operation Permit No. 1070005-034-AV.

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Compliance Assurance Monitoring

A.36. This emissions unit is also subject to Compliance Assurance Monitoring as required by 40 CFR Part 64.

[40 CFR 64; and, Rule 62-204.800, F.A.C]

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Subsection B. This section addresses the following emissions units.

Common Conditions:

E.U. ID

<u>No.</u>	<u>Brief Description</u>
015	#5 Power Boiler with an electrostatic precipitator to control particulate matter emissions.

B.1. The ID Number and Project Name for this source shall be used on all correspondences.

B.2. **Definitions.** Rules 62-210.200(159), (230) and (245), F.A.C. define the following terms.

- a. *Startup* is defined as the commencement of operation of any emissions unit which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical or pollution control device imbalances, which result in excess emissions.
- b. *Shutdown* is the cessation of the operation of an emissions unit for any purpose.
- c. *Malfunction* is defined as any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner.

[Rule 62-210.200(159), (230), and (245), FAC.]

B.3. **Applicable Regulations.** The facility is subject to the following regulations: Florida Administrative Code Chapters 62-4; 62-103; 62-204; 62-210; 62-212, 62-213, 62-214, 62-296, and 62-297. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations.

[Rule 62-210.300, F.A.C.]

B.4. **General Conditions.** The owner and operator is subject to and shall operate under the General Permit Conditions 1 through 15 of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes.

[Rule 62-4.160, F.A.C.]

B.5. The modification authorized by this construction permit shall reasonably conform to the plans and schedule submitted in the application. If the permittee is unable to complete construction on schedule, the Department must be notified in writing sixty (60) days prior to the expiration of the construction permit. A new schedule and request for an extension of the construction permit shall be submitted.

[Rule 62-4.080(2), FAC.]

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- B.6. Construction Permit Required. Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new, reconstructed, or modified facility or emissions unit, or any new pollution control equipment¹ prior to the beginning of construction, reconstruction pursuant to CFR 60.15 or 63.2, or modification of the facility or emissions unit or addition of the air pollution control equipment; or to establish a PAL; in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C.

¹ Applicable to a new or replacement ESP for this emissions unit.

[Rule 62-210.300(1)(a), F.A.C.]

- B.7. All reports, tests, notifications or other submittals required by this permit shall be submitted to the:

Department of Environmental Protection
Northeast District – Air Program
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256
Telephone: 904/807-3300
Fax: 904/448-4366

- B.8. An air construction permit shall be issued for a period of time sufficient to allow construction of the emissions unit and operation while the new emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit. Subsequent to construction and demonstration of compliance with the conditions of the construction permit, the owner or operator of shall obtain an initial air operation permit in accordance with all applicable provisions of Chapter 62-210, Chapter 62-213, and Chapter 62-4. The permittee shall submit an application for a Title V Permit Revision at least 90 days prior to the expiration date of this permit but, no later than 180 days after the ESP commences operation as modified.

[Rules 62-4.210, 62-210.300(1)(a); 62-210.300(2); and 62-213.420(1)(a)4., F.A.C.]

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

DRAFT

Christopher L. Kirts, P.E.
District Air Program Administrator



Department of Environmental Protection

Jeb Bush
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Colleen Castille
Secretary

September 29, 2006

Mr. Keith Wahoske, Vice President
Palatka Operations
Georgia-Pacific Corporation
Post Office Box 919
Palatka, Florida 32178-0919

Putnam County – Air Permitting
Georgia-Pacific Corporation - Palatka Operations
No. 5 Power Boiler – ESP Addition of 3rd Field
AIRS ID No. 1070005 Project No. 036

On September 15, 2006, the Department received Proof of Publication of the “PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT” that was issued on September 5, 2006, for the referenced project for Georgia-Pacific Corporation, Palatka Operations, located North of CR 216, west of US 17, Palatka, Putnam County, Florida. By this letter, the Department is informing you of minor changes being proposed to the draft construction permit, attached.

The Department will issue the permit with the additional changes unless a timely petition for an administrative hearing relating to such changes is filed pursuant to Sections 120.569 and 120.57 of F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this letter. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of receipt of this letter. 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department'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 how and when petitioner received notice of the agency action or proposed action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(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; and

(g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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 Department's final action may be different from the position taken by it in this letter. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Christopher L. Kirts, P.E.
District Air Program Administrator
Northeast District Office
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590
(904) 807-3300

CLK: RFS

cc: Office of General Counsel - Air Permitting
David A. Buff, P.E., Golder Associates, Inc.
Myra Carpenter, Georgia Pacific Corporation