



FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

Southeast District Office  
400 North Congress Avenue 3<sup>rd</sup> Floor  
West Palm Beach, Florida 33401

RICK SCOTT  
GOVERNOR

JENNIFER CARROLL  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

*March 4, 2013*

*Electronic Mail – Received Receipt Requested*

[bruce.chapin@ldcom.com](mailto:bruce.chapin@ldcom.com)

Mr. Bruce Chapin, Vice President  
Louis Dreyfus Citrus, Inc.  
4800 Main Street, Suite 600  
Kansas City, MO 64112

Re: Permit No. 0850002-010-AV  
Louis Dreyfus Citrus Indiantown  
Title V Air Operation Permit Renewal

Dear Mr. Chapin:

Enclosed is the draft/proposed permit package to renew the Title V Air Operation Permit for Louis Dreyfus Citrus Indiantown. This facility is located in Martin County at 19100 SW Warfield Boulevard, Indiantown, Florida. The permit package includes the following documents:

- The Statement of Basis, which summarizes the facility, the equipment, and the primary rule applicability, and the changes since the last Title V renewal.
- The draft/proposed Title V Air Operation Permit renewal, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the draft/proposed permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit is the actual notice that must be published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Air Permit must be published as soon as possible and the proof of publication must be provided to the Department within seven days of the date of publication. Because this permit is being processed as a combined draft/proposed permit in order to reduce processing time, a duplicate copy of the proof of publication must also be transmitted by electronic mail within seven days of the date of publication to Ms. Ana Oquendo at EPA Region 4 at the following address: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov).

If you have any questions, please contact the Project Engineer, Manuel P. Delosantos, by telephone at 561/681-6628 or by email at [manuel.delosantos@dep.state.fl.us](mailto:manuel.delosantos@dep.state.fl.us).

Sincerely,

Jill S. Creech, P.E.  
Southeast District Director

03/04/2013  
Date

JSC/LAB/md

## WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

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*In the Matter of an  
Application for Title V Air Operation Permit by:*

Louis Dreyfus Citrus, Inc.  
4800 Main Street, Suite 600  
Kansas City, MO 64112

*Responsible Official:*

Mr. Bruce Chapin, Vice President

Permit No. 0850002-010-AV  
Facility ID No. 0850002  
Louis Dreyfus Citrus Indiantown  
Title V Operation Permit Renewal  
Martin County, Florida

**Facility Location:** Louis Dreyfus Citrus, Inc. operates the Louis Dreyfus Citrus Indiantown, which is located in Martin County at 19100 SW Warfield Boulevard, Indiantown, Florida.

**Project:** The purpose of this project is to renew Title V Air Operation Permit No. 0850002-009-AV. Details of the project are provided in the application and the enclosed Statement of Basis.

**Permitting Authority:** Applications for Title V Air Operation Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V Air Operation Permit is required to operate the facility. The Department of Environmental Protection's Air Resource Section in the Southeast District Office is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical and mailing address is: 400 North Congress Avenue, 3er Floor, West Palm Beach, Florida 33401. The Permitting Authority's telephone number is 561/681-6600.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft permit, the statement of basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a draft/proposed Title V Air Operation Permit Renewal to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the draft/proposed Title V Air Operation Permit for a period of 30 days from the date of publication of the Public Notice.

## WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

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Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

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

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

**Mediation:** Mediation is not available in this proceeding.

**WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT**

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**EPA Review:** EPA has agreed to treat the draft/proposed Title V Air Operation Permit as a proposed Title V Air Operation Permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: [quendo.ana@epamail.epa.gov](mailto:quendo.ana@epamail.epa.gov). Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V Air Operation Permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V Air Operation Permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/florida.htm>.

Executed in West Palm Beach, Florida  
Department of Environmental Protection



Bill S. Creech, P.E.  
Southeast District Director

03/04/2013  
Date

  
JSC/LAB/md

**WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT**

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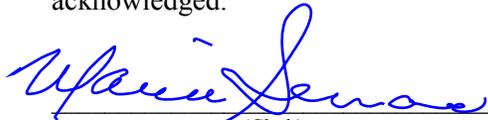
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Title V Air Operation Permit (including the Public Notice, the Statement of Basis, and the Draft/Proposed Permit), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on March 4, 2013 to the persons listed below.

Mr. Bruce Chapin, Vice President, Louis Dreyfus Citrus, Inc.: [bruce.chapin@ldcom.com](mailto:bruce.chapin@ldcom.com)  
Mr. Marcelo Bellarde, Facility Manager Louis Dreyfus Citrus, Inc.: [marcelo.bellarde@ldcom.com](mailto:marcelo.bellarde@ldcom.com)  
Mr. Wayne E. Griffin, G2 Services, Ltd.: [G2services@aol.com](mailto:G2services@aol.com)  
Ms. Katy Forney, U.S. EPA Region 4: [forney.kathleen@epamail.epa.gov](mailto:forney.kathleen@epamail.epa.gov)  
Ms. Ana Oquendo, EPA Region 4: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov)  
Ms. Barbara Friday, DEP BAR: [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)

Clerk Stamp

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

  
\_\_\_\_\_  
(Clerk)

  
\_\_\_\_\_  
(Date)

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

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Florida Department of Environmental Protection  
Southeast District Office  
Draft/Proposed Permit No. 0850002-010-AV  
Louis Dreyfus Citrus, Inc., Louis Dreyfus Citrus Indiantown  
Martin County, Florida

**Applicant:** The applicant for this project is Louis Dreyfus Citrus, Inc. The applicant's responsible official and mailing address are: Mr. Bruce Chapin, Vice President Louis Dreyfus Citrus, Inc., Louis Dreyfus Citrus Indiantown, 19100 SW Warfield Boulevard, Indiantown, Martin County, Florida 34956.

**Facility Location:** The applicant operates the existing Louis Dreyfus Citrus Indiantown, which is located in Martin County at 19100 SW Warfield Boulevard, Indiantown, Martin County, Florida 34956.

**Project:** The applicant applied on December 26, 2012, to the Department for a Title V Air Operation Permit Renewal. This is a renewal of Title V Air Operation Permit No. 0850002-009-AV. The existing facility consists of two citrus peel dryers connected to two waste heat evaporators, three citrus peel pellet coolers; one steam fired waste heat evaporator and process equipment, which includes fruit washes, oil and juice extraction equipment, cooling towers, fruit and peel conveyance equipment, lime silo and peel storage

**Permitting Authority:** Applications for Title V Air Operation Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V Air Operation Permit is required to operate the facility. The Department of Environmental Protection's Air Resource Section in the Southeast District Office is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical and mailing address is: 400 North Congress Avenue, 3<sup>rd</sup> Floor, West Palm Beach, Florida 3340-2913. The Permitting Authority's telephone number is 561/681-6600.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit, the statement of basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a draft/proposed Title V Air Operation Permit Renewal to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the draft/proposed Title V Air Operation Permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

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revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

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

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

**Mediation:** Mediation is not available for this proceeding.

**EPA Review:** EPA has agreed to treat the draft/proposed Title V Air Operation Permit as a proposed Title V Air Operation Permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: [ouquendo.ana@epamail.epa.gov](mailto:ouquendo.ana@epamail.epa.gov). Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V Air Operation Permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

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address: <http://www.epa.gov/region4/air/permits/florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V Air Operation Permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/florida.htm>.

## STATEMENT OF BASIS

Louis Dreyfus Citrus, Inc.

Indiantown Facility

Facility ID No.: 0850002

Martin County

Title V Air Operation Permit renewal

DRAFT PROPOSED Permit No.: 0850002-010-AV

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### APPLICANT

The applicant for this project is Louis Dreyfus Citrus, Inc. The applicant's responsible official and mailing address are: Mr. Bruce Chapin, Vice President, Louis Dreyfus Citrus, Inc., 4800 Main Street, Suite 600, Kansas City, MO 64112.

### FACILITY DESCRIPTION

The applicant operates the Louis Dreyfus Citrus Indiantown, which is located at 19100 SW Warfield Blvd., Indiantown, Florida 34956.

Louis Dreyfus Citrus Indiantown is a citrus processing facility that processes up to 22.0 million boxes of various citrus products and animal feed. The facility consists of two citrus peel dryers connected to two waste heat evaporators, three citrus peel pellet coolers; one steam fired waste heat evaporator and process equipment, which includes fruit washes, oil and juice extraction equipment, cooling towers, fruit and peel conveyance equipment, lime silo and peel storage.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

### PROJECT DESCRIPTION

The purpose of this permitting project is to renew the existing Title V Operation Permit for the above referenced facility.

### PROCESSING SCHEDULE AND RELATED DOCUMENTS

New Title V Air Operation Permit issued July 3, 2008

Citrus Statute Repermitting issued May 9, 2008

Application for a Title V Air Operation Permit Renewal received December 26, 2012

Notice of Intent to Issue TV Air Operation Permit issued **Pending**

Public Notice Published **Pending**

### PRIMARY REGULATORY REQUIREMENTS

Title III: The facility is not identified as a major source of hazardous air pollutants (HAP).

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, Florida Administrative Code (F.A.C.).

PSD: The facility is not a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility does not operate units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60.

NESHAP: The facility does not operate units subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) of 40 CFR 63.

CAIR: The facility is not subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility.

## PROJECT REVIEW

Changes were made as part of this permit renewal. After the facility performed three consecutive tests demonstrating compliance with the Particulate Matter limits for the Pellet Coolers, the test frequency in a previous operation permit, had been reduced from annually to prior to permit renewal. The common conditions and Facility-Wide Testing Requirements were moved to the new combined appendices.

Emissions Units 008, 016, 017

~~**B.8. PM/PM10.** The test method for PM/PM10 shall be EPA Method 5, incorporated in Chapter 62-297, F.A.C. The PM/PM10 test shall be conducted annually. [0850002-008-AC]~~

**B.8. Particulate Matter Test:** The test method for PM/PM10 shall be EPA Method 5, incorporated in Chapter 62-297, F.A.C. The PM/PM10 test shall be conducted prior to permit renewal. [Application 0850002-010-AV]

## CONCLUSION

This project renews the Title V Air Operation Permit No. 0850002-009-AV, which was issued on July 3, 2008. This Title V Air Operation Permit Renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210 and 62-213, F.A.C.

Louis Dreyfus Citrus, Inc.  
Louis Dreyfus Citrus Indiantown

Facility ID No. 0850002  
Martin County

**Title V Air Operation Permit Renewal**

Permit No. 0850002-010-AV  
Renewal of Title V Air Operation Permit No. 0850002-009-AV



**Permitting and Compliance Authority:**

State of Florida  
Department of Environmental Protection  
Air Resource Management, Southeast District

400 North Congress Ave. 3rd Floor  
West Palm Beach, Florida 33401-2913

Telephone: (561) 681-6600  
Fax: (561) 681-6655

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Title V Air Operation Permit Renewal  
Permit No. 0850002-010-AV

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## ***DRAFT/PROPOSED PERMIT***

**PERMITTEE:**

Louis Dreyfus Citrus, Inc.  
19100 SW Warfield Blvd.  
Indiantown, Florida 34956

Permit No. 0850002-010-AV  
Plant Name: Louis Dreyfus Indiantown Plant  
Facility Id No. 0850002  
Title V Air Operation Permit Renewal

The purpose of this permit is to renew the Title V air operation permit for the above referenced facility. The existing Louis Dreyfus Citrus Indiantown is located in Martin County at 19100 SW Warfield Blvd., Indiantown, Florida. UTM Coordinates are: Zone 17, 548.4 Km East and 2991.5 Km North. Latitude is: 27°-01'-45" North; and, Longitude is: 80°-31'-10" West.

The Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213. The above named permittee is hereby authorized to operate the facility in accordance with the terms and conditions of this permit.

Effective Date:  
Renewal Application Due Date:  
Expiration Date:

***Draft/Proposed***

\_\_\_\_\_  
Jill S. Creech, P.E.  
Southeast District Director

\_\_\_\_\_  
Date

JSC/LAB/md

## SECTION I. FACILITY INFORMATION.

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### **Subsection A. Facility and Project Description.**

Louis Dreyfus Citrus Indiantown processes up to 22.0 million boxes of various citrus products and animal feed. The facility consists of two citrus peel dryers connected to two waste heat evaporators, three citrus peel pellet coolers; one steam fired waste heat evaporator and process equipment, which includes fruit washes, oil and juice extraction equipment, cooling towers, fruit and peel conveyance equipment, lime silo and peel storage.

### **Subsection B. Summary of Emissions Units.**

| <b>EU No.</b>                           | <b>Brief Description</b>                   |
|---|--|
| <b><i>Regulated Emissions Units</i></b> |  |
| 005                                     | 60,000 pounds per hour Peel Dryer (No. 2)  |
| 008                                     | 27 tons per hour Pellet Cooler (No. 2)     |
| 013                                     | 60,000 pounds per hour Peel Dryer (No. 1A) |
| 016                                     | 20 tons per hour Pellet Cooler (No. 1A)    |
| 017                                     | 20 tons per hour Pellet Cooler (1B)        |

### **Project Description and Affected Emissions Units**

In the TV Air Operation Permit Renewal application submitted to the Department on December 26, 2012, the permittee requested to reduce particulate matter emission testing frequency for Pellet Cooler Nos. 1A, 1B, and 2 (Emissions Units 008, 016 and 017) from annually to once per permit period (prior to renewal).

### **Subsection C. Applicable Regulations.**

Based on the Title V air operation permit renewal application received December 26, 2012, this facility is not a major source of hazardous air pollutants (HAP).

A summary of applicable regulations is shown in the following table.

#### **State Regulations**

Chapter 62-4, F.A.C.

Chapter 62-204, F.A.C.

Chapter 62-210, F.A.C.

Chapter 62-212, F.A.C.

Chapter 62-213, F.A.C.

Chapter 62-296, F.A.C.

Chapter 62-297, F.A.C.

## SECTION II. FACILITY-WIDE CONDITIONS.

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### **The following conditions apply facility-wide to all emission units and activities:**

**FW1.** Appendices. The permittee shall comply with all documents identified in Section IV, Appendices, listed in the Table of Contents. Each document is an enforceable part of this permit unless otherwise indicated. [Rule 62-213.440, F.A.C.]

### **Emissions and Controls**

**FW2. Not federally Enforceable. Objectionable Odor Prohibited.** No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An “objectionable odor” means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

**FW3. General Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions.** The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed-necessary and ordered by the Department.

*{Permitting Note: Nothing is deemed necessary and ordered at this time.}*

**FW4. General Visible Emissions.** No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

**FW5. Unconfined Particulate Matter.** No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. [Rule 62-96.320(4)(c), F.A.C.]

### **Annual Reports and Fees**

See Appendix RR, Facility-wide Reporting Requirements for additional details.

**FW6. Annual Operating Report.** The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by April 1<sup>st</sup> of each year. [Rule 62-210.370(3), F.A.C.]

**FW7. Annual Emissions Fee Form and Fee.** The annual Title V emissions fees are due (postmarked) by March 1<sup>st</sup> of each year. The completed form and calculated fee shall be submitted to: Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070. The forms are available for download by accessing the Title V Annual Emissions Fee On-line Information Center at the following Internet web site: <http://www.dep.state.fl.us/air/emission/tvfee.htm>. [Rule 62-213.205, F.A.C.]

**FW8. Annual Statement of Compliance.** The permittee shall submit an annual statement of compliance to the compliance authority at the address shown on the cover of this permit within 60 days after the end of each calendar year during which the Title V permit was effective. [Rules 62-213.440(3)(a)2. & 3. and (3)(b), F.A.C.]

**FW9. Prevention of Accidental Releases (Section 112(r) of CAA).**

- a. As required by Section 112(r)(7)(B)(iii) of the CAA and 40 CFR 68, the owner or operator shall submit an updated Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center.

## SECTION II. FACILITY-WIDE CONDITIONS.

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- b. As required under Section 252.941(1)(c), F.S., the owner or operator shall report to the appropriate representative of the Department of Community Affairs (DCA), as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the owner or operator is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the CAA.
- c. The owner or operator shall submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S., and Rule 9G-21, F.A.C.
- d. Any required written reports, notifications, certifications, and data required to be sent to the DCA, should be sent to: Department of Community Affairs, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, Telephone: (850) 413-9921, Fax: (850) 488-1739.
- e. Any Risk Management Plans, original submittals, revisions, or updates to submittals, should be sent to: RMP Reporting Center, Post Office Box 10162, Fairfax, VA 22038, Telephone: (703) 227-7650.
- f. Any required reports to be sent to the National Response Center, should be sent to: National Response Center, EPA Office of Solid Waste and Emergency Response, USEPA (5305 W), 401 M Street SW, Washington, D.C. 20460, Telephone: (800) 424-8802.
- g. Send the required annual registration fee using approved forms made payable to: Cashier, Department of Community Affairs, State Emergency Response Commission, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2149

[Part IV, Chapter 252, F.S.; and, Rule 9G-21, F.A.C.]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Unit 005 and 013**

The specific conditions in this section apply to the following emissions units:

| EU No. | Brief Description   |
|--------|---|
| 013    | 60,000 pounds per hour Peel Dryer No. 1A with Waste Heat Evaporator |
| 005    | 60,000 pounds per hour Peel Dryer No. 2 with Waste Heat Evaporator  |

*EU 013 - Citrus Peel Dryer No. 1A with Waste Heat Evaporator, Model 60 manufactured by Gumaco, has a maximum heat input of 93.6 million Btu per hour and can process 50 tons per hour of wet citrus peel. The dryer is fired with natural gas, and was installed in 2004.*

*EU 005 - Citrus Peel Dryer No. 2 with Waste Heat Evaporator, Model 60 manufactured by Gulf, has a maximum heat input of 93.6 million Btu per hour and can process 50 tons per hour of wet citrus peel. The dryer is fired with natural gas and was installed in 1994.*

{Permitting note(s): These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required, and the applicable requirements of 0850002-008-AC.}

**Essential Potential to Emit (PTE) Parameters**

**A.1. Permitted Capacity.** The maximum allowable heat input rate is as follows:

| EU No. | MMBtu/hr Heat Input | Fuel Type   |
|--------|---------------------|-------------|
| 013    | 93.6                | Natural Gas |
| 005    | 93.6                | Natural Gas |

[Rules 62-4.160(2), 62-204.800, 62-210.200(PTE), 62-210.300, F.A.C.; and, Permit No.. 0850002-008-AC.]

**A.2. Methods of Operation. (Fuels).** The fuels that are allowed to be burned in these units is Natural gas: [Permit No. 0850002-008-AC.]

**A.3. Hours of Operation.** These emissions units may operate as necessary, to process 22.0 million boxes of citrus fruit in any consecutive 12 month period. [Rule 62-4.160(2) and 62-210.200(PTE).]

{Permitting Note: For emissions calculations, the hours of operation for each of these emissions unit are estimated not to exceed a total of 4,500 hours per year.}

**Emission Limitations and Standards**

*{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

**A.4. Visible Emissions.** Visible emissions from each dryer shall not exceed 20 percent opacity. [Rule 62-210.200(BACT), F.A.C., and 0850002-008-AC]

**A.5. PM Emissions.** Particulate matter emissions from each dryer shall not exceed 11.0 pounds per hour. [Rule 62-210.200(BACT), F.A.C. and 0850002-008-AC]

**Excess Emissions**

**A.6. Excess Emissions Allowed.** Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and 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.7. Excess Emissions Prohibited.** 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(1), F.A.C.]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Unit 005 and 013**

**Test Methods and Procedures**

**A.10. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit’s emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20% below the allowable emission limiting standard.

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

**A.8. Test Methods.** Required tests shall be performed in accordance with the following reference methods:

| <b>Method</b> | <b>Description of Method and Comments</b>  |
|---------------|--|
| 5             | Method for Determining Particulate Matter Emissions (All PM is assumed to be PM <sub>10</sub> .) |
| 9             | Visual Determination of the Opacity of Emissions from Stationary Sources                         |

*[The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. [62-297.401, F.A.C., AC No. 0850002-AC]*

**A.9. Common Testing Requirements.** Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]

**A.10. Annual Compliance Tests Required.** Prior to permit renewal the permittee shall test the emissions units to demonstrate compliance with the emissions standards for PM/PM10 [Rule 62-297.310(7), F.A.C.]

**A.11. Compliance Tests Prior To Renewal.** Compliance tests shall be performed for PM/PM10 prior to permit renewal. The tests shall occur prior to obtaining a renewed operating permit to demonstrate compliance with the emission limits in Specific Conditions **A.5. – A.10.** [Rules 62-210.300(2)(a) and 62-297.310(7)(a), F.A.C.]

**Recordkeeping and Reporting Requirements**

**A.12. Reporting Schedule.** The following reports and notifications shall be submitted to the Compliance Authority:

| <b>Report</b>              | <b>Reporting Deadline</b>                     | <b>Related Condition(s)</b> |
|----------------------------|---|-----------------------------|
| Notice of Excess Emissions | Quarterly                                     | A.6.                        |
| Notice of Compliance Test  | No later than 45 days after the last sampling | TR8.                        |

[Rule 62-213.440, F.A.C.]

**A.13. Other Reporting Requirements.** See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Unit 008, 016 and 017**

The specific conditions in this section apply to the following emissions units:

| EU No. | Brief Description                       |
|--------|---|
| 008    | 27 tons per hour Pellet Cooler (No. 2)  |
| 016    | 20 tons per hour Pellet Cooler (No. 1A) |
| 017    | 20 tons per hour Pellet Cooler (1B)     |

*EU 008 - Pellet Cooler #2 is a CPM Model 30, pellet cooler. Pellet Cooler #2 is run in conjunction with Peel Dryer #2. The design process rate is 27 tons per hour of dried citrus peel. Pellet Cooler #2 was installed in 1994.*

*EU 016 - Pellet Cooler #1A is a Universal Milling Tech Model 20 pellet cooler. Pellet Cooler #1A is run in conjunction with Peel Dryer #1A. This is the primary cooler for Peel Dryer #1A with excess peel going to Pellet Cooler #1B. The design process rate is 20 tons per hour of dried citrus peel. Pellet Cooler #1A was installed 2004*

*Pellet Cooler #1B is a Universal Milling Tech Model 20 pellet cooler. Pellet Cooler #1B run in conjunction with Peel Dryer #1A. This is the secondary cooler for Peel Dryer #1A. The design process rate is 20 tons per hour of dried citrus peel. Pellet Cooler #1B was installed 2004.*

{Permitting note: These emissions units are regulated under Rule 62-210.300, F.A.C. Permits Required and the applicable requirements of 0850002-008-AC.}

**Essential Potential to Emit (PTE) Parameters**

**B.1. Permitted Capacity.** The capacity of each pellet cooler is determined by the capacity of the operating citrus peel dryer. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

*{Permitting note: The pellet cooler input is equal to the output of dried peel from the peel dryer.}*

**B.2. Hours of Operation.** These emissions units are allowed to operate, as necessary, to process 22.0 million boxes of citrus fruit in any consecutive 12 month period. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

*{Permitting note: For emission calculations, the hours of operation for these emissions units are estimated not to exceed a total of 4,500 hours per year.}*

**Emission Limitations and Standards**

**B.3. Particulate Matter Emissions:** PM/PM10 emissions from each pellet cooler shall not exceed 1.0 pounds per hour. [0850002-008-AC]

**B.4. Visible Emissions.** Visible emissions shall not exceed 5 percent opacity. [0850002-008-AC]

**Excess Emissions**

**B.5.** Excess emissions resulting from startup, shutdown or 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.]

**B.6.** 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.]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

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**Subsection A. Emissions Unit 008, 016 and 017**

**Test Methods and Procedures**

**B.7. Particulate Matter Test:** The test method for PM/PM10 shall be EPA Method 5, incorporated in Chapter 62-297, F.A.C. The PM/PM10 test shall be conducted prior to permit renewal. [Application 0850002-010-AV]

*{Permitting Note: The permittee requested a reduction in test frequency after performing three consecutive tests showing compliance with the PM limit, according to permit No.: 0850002-009-AV}*

**B.8. Visible Emissions.** Test method for visible emissions shall be EPA Method 9, incorporated in Chapter 62-297, F.A.C. [Rules 62-213.440 and 62-297.401, F.A.C.]

APPENDIX A

ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS

**Abbreviations and Acronyms:**

° F: degrees Fahrenheit

**acfm:** actual cubic feet per minute

**AOR:** Annual Operating Report

**ARMS:** Air Resource Management System  
(Department's database)

**BACT:** best available control technology

**Btu:** British thermal units

**CAM:** compliance assurance monitoring

**CEMS:** continuous emissions monitoring system

**cfm:** cubic feet per minute

**CFR:** Code of Federal Regulations

**CO:** carbon monoxide

**COMS:** continuous opacity monitoring system

**DARM:** Division of Air Resources Management

**DCA:** Department of Community Affairs

**DEP:** Department of Environmental Protection

**Department:** Department of Environmental  
Protection

**dscfm:** dry standard cubic feet per minute

**EPA:** Environmental Protection Agency

**ESP:** electrostatic precipitator (control system for  
reducing particulate matter)

**EU:** emissions unit

**F.A.C.:** Florida Administrative Code

**F.D.:** forced draft

**F.S.:** Florida Statutes

**FGR:** flue gas recirculation

**Fl:** fluoride

**ft<sup>2</sup>:** square feet

**ft<sup>3</sup>:** cubic feet

**gpm:** gallons per minute

**gr:** grains

**HAP:** hazardous air pollutant

**Hg:** mercury

**I.D.:** induced draft

**ID:** identification

**ISO:** International Standards Organization (refers to  
those conditions at 288 Kelvin, 60% relative  
humidity and 101.3 kilopascals pressure.)

**kPa:** kilopascals

**LAT:** Latitude

**lb:** pound

**lbs/hr:** pounds per hour

**LONG:** Longitude

**MACT:** maximum achievable technology

**mm:** millimeter

**MMBtu:** million British thermal units

**MSDS:** material safety data sheets

**MW:** megawatt

**NESHAP:** National Emissions Standards for  
Hazardous Air Pollutants

**NO<sub>x</sub>:** nitrogen oxides

**NSPS:** New Source Performance Standards

**O&M:** operation and maintenance

**O<sub>2</sub>:** oxygen

**ORIS:** Office of Regulatory Information Systems

**OS:** Organic Solvent

**Pb:** lead

**PM:** particulate matter

**PM<sub>10</sub>:** particulate matter with a mean aerodynamic  
diameter of 10 microns or less

**PSD:** prevention of significant deterioration

**psi:** pounds per square inch

**PTE:** potential to emit

**RACT:** reasonably available control technology

**RATA:** relative accuracy test audit

**RMP:** Risk Management Plan

**RO:** Responsible Official

**SAM:** sulfuric acid mist

**scf:** standard cubic feet

**scfm:** standard cubic feet per minute

**SIC:** standard industrial classification code

**SNCR:** selective non-catalytic reduction (control  
system used for reducing emissions of nitrogen  
oxides)

**SOA:** Specific Operating Agreement

**SO<sub>2</sub>:** sulfur dioxide

**TPH:** tons per hour

**TPY:** tons per year

**ULSD:** Ultra Low Sulfur Diesel

**UTM:** Universal Transverse Mercator coordinate  
system

**VE:** visible emissions

**VOC:** volatile organic compounds

**x:** By or times

**APPENDIX A**

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**ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS**

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**Citations:**

*The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers and ID numbers.*

Code of Federal Regulations:

*Example: [40 CFR 60.334]*

|        |        |           |                             |
|--------|--------|-----------|-----------------------------|
| Where: | 40     | refers to | Title 40                    |
|        | CFR    | refers to | Code of Federal Regulations |
|        | 60     | refers to | Part 60                     |
|        | 60.334 | refers to | Regulation 60.334           |

Florida Administrative Code (F.A.C.) Rules:

*Example: [Rule 62-213.205, F.A.C.]*

|        |            |           |                         |
|--------|------------|-----------|-------------------------|
| Where: | 62         | refers to | Title 62                |
|        | 62-213     | refers to | Chapter 62-213          |
|        | 62-213.205 | refers to | Rule 62-213.205, F.A.C. |

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**Identification Numbers:**

Facility Identification (ID) Number:

*Example: Facility ID No.: 1050221*

*Where:*

|        |  |
|--------|--|
| 105 =  | 3-digit number code identifying the facility is located in Polk County |
| 0221 = | 4-digit number assigned by state database.                             |

Permit Numbers:

*Example: 1050221-002-AV, or  
1050221-001-AC*

*Where:*

|              |  |
|--------------|--|
| AC =         | Air Construction Permit  |
| AV =         | Air Operation Permit (Title V Source)                                  |
| 105 =        | 3-digit number code identifying the facility is located in Polk County |
| 0221 =       | 4-digit number assigned by permit tracking database                    |
| 001 or 002 = | 3-digit sequential project number assigned by permit tracking database |

*Example: PSD-FL-185  
PA95-01  
AC53-208321*

*Where:*

|        |  |
|--------|--|
| PSD =  | Prevention of Significant Deterioration Permit   |
| PA =   | Power Plant Siting Act Permit  |
| AC53 = | old Air Construction Permit numbering identifying the facility is located in Polk County |

APPENDIX I

LIST OF INSIGNIFICANT EMISSIONS UNITS AND/OR ACTIVITIES

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, or that meet the criteria specified in Rule 62-210.300(3)(b)1., F.A.C., Generic Emissions Unit Exemption, are exempt from the permitting requirements of Chapters 62-210, 62-212 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities

- |   |   |
|---|---|
| 1. Nitrogen Tanks   | 17. Sodium Hydroxide Tank                       |
| 2. 55 Gallon Drums of KOH Caustic Cleaner                 | 18. Enclosed Blasting Cabinet                   |
| 3. Heat Seal Machine (Electric)                           | 19. Pressurized Carbon Dioxide Tank             |
| 4. Caustic Cleaning of Product Tanks, Lines and Equipment | 20. Lime Handling, Storage and Blending         |
| 5. Storage of Caustic                                     | 30. Cooling Tower                               |
| 6. Chlorination and Chlorine Cylinders                    | 31. Dried Pellet Handling                       |
| 7. Storage of CS138 (Iodine Solution)                     | 22. Pesticide/Herbicide/Fungicide Application   |
| 8. Caustic Make-up Tank                                   | 23. Steam Cleaning                              |
| 9. Welding (Mig and Acetylene)                            | 24. Indoor Fugitives                            |
| 10. Air Compressors                                       | 25. Electric Vehicles                           |
| 11. Minimal Spot Painting (Spray Cans Touch-up)           | 26. Transformers, Switchgear, Etc.              |
| 12. Rotary Saw Not Continuous                             | 27. Vacuum Pumps                                |
| 13. Refrigeration Equipment                               | 28. Hydraulic Equipment                         |
| 14. Water Base Painting of Floors and Walls               | 29. Maintenance Shop Parts Washer               |
| 15. Sodium/Potassium Hydroxide Storage Tank               | 30. Cooling Tower                               |
| 16. Nitric Acid Storage Tank                              | 31. Dried Pellet Handling                       |
|   | 32. Wastewater Disposal                         |
|   | 33. Methanol Production form Peel Decomposition |

**APPENDIX RR**

**FACILITY-WIDE REPORTING REQUIREMENTS**

(Version Dated 9/17/2009)

**RR1. Reporting Schedule.** This table summarizes information for convenience purposes only. It does not supersede any of the terms or conditions of this permit.

| <b>Report</b>   | <b>Reporting Deadline(s)</b>  | <b>Related Condition(s)</b> |
|---|---|-----------------------------|
| Plant Problems/Permit Deviations                              | Immediately upon occurrence (See RR2.d.)  | RR2, RR3                    |
| Malfunction Excess Emissions Report                           | Quarterly (if requested)  | RR3                         |
| Semi-Annual Monitoring Report                                 | Every 6 months  | RR4                         |
| Annual Operating Report                                       | April 1   | RR5                         |
| Annual Emissions Fee Form and Fee                             | March 1   | RR6                         |
| Annual Statement of Compliance                                | Within 60 days after the end of each calendar year (or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement); and<br><br>Within 60 days after submittal of a written agreement for transfer of responsibility, or<br><br>Within 60 days after permanent shutdown. | RR7                         |
| Notification of Administrative Permit Corrections             | As needed   | RR8                         |
| Notification of Startup after Shutdown for More than One Year | Minimum of 60 days prior to the intended startup date or, if emergency startup, as soon as possible after the startup date is ascertained   | RR9                         |
| Permit Renewal Application                                    | 225 days prior to the expiration date of permit   | TV17                        |
| Test Reports  | Maximum 45 days following compliance tests  | TR8                         |

{Permitting Note: See permit Section III. Emissions Units and Specific Conditions, for any additional Emission Unit-specific reporting requirements.}

**RR2. Reports of Problems.**

- a. **Plant Operation-Problems.** If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.
- b. 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:
  - (1) A description of and cause of noncompliance; and
  - (2) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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.

**APPENDIX RR**  
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- c. 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 the 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.
- d. "Immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of Rule 62-4.160(15) and 40 CFR 70.6(a)(3)(iii)(B), "promptly" or "prompt" shall have the same meaning as "immediately". [Rule 62-4.130, Rule 62-4.160(8), Rule 62-4.160(15), and Rule 62-213.440(1)(b), F.A.C.; 40 CFR 70.6(a)(3)(iii)(B)]

**RR3. Reports of Deviations from Permit Requirements.** The permittee shall report in accordance with the requirements of Rule 62-210.700(6), F.A.C. (below), and Rule 62-4.130, F.A.C. (condition RR2.), deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. *Rule 62-210.700(6):* In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. (See condition RR2.). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.  
[Rules 62-213.440(1)(b)3.b., and 62-210.700(6)F.A.C.]

**RR4. Semi-Annual Monitoring Reports.** The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports. [Rule 62-213.440(1)(b)3.a., F.A.C.]

**RR5. Annual Operating Report.**

- a. The permittee shall submit to the Compliance Authority, each calendar year, on or before April 1, a completed DEP Form No 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year.
- b. Emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C.  
[Rules 62-210.370(2) & (3), and 62-213.440(3)(a)2., F.A.C.]

**RR6. Annual Emissions Fee Form and Fee.** Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

- a. If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to \$50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.
- b. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.
- c. A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee.  
[Rules 62-213.205(1), (1)(g), (1)(i) & (1)(j), F.A.C.]

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**RR7. Annual Statement of Compliance.**

- a. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:
  - (1) Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
  - (2) Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.
- b. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.
- c. The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.  
[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

**RR8. Notification of Administrative Permit Corrections.**

- a. A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
  - (1) Typographical errors noted in the permit;
  - (2) Name, address or phone number change from that in the permit;
  - (3) A change requiring more frequent monitoring or reporting by the permittee;
  - (4) A change in ownership or operational control of a facility, subject to the following provisions:
    - (a) The Department determines that no other change in the permit is necessary;
    - (b) The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
    - (c) The new permittee has notified the Department of the effective date of sale or legal transfer.
  - (5) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
  - (6) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
  - (7) Any other similar minor administrative change at the source.
- b. Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- c. After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.

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- d. For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

[Rule 62-210.360, F.A.C.]

**RR9. Notification of Startup.** The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

- a. The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.
- b. If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

**RR10. Report Submission.** The permittee shall submit all compliance related notifications and reports required of this permit to the Compliance Authority. {See front of permit for address and phone number.}

**RR11. EPA Report Submission.** Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to: Air, Pesticides & Toxics Management Division, United States Environmental Protection Agency, Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, GA 30303-8960. Phone: 404/562-9077.

**RR12. Acid Rain Report Submission.** Acid Rain Program Information shall be submitted, as necessary, to: Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #5510, Tallahassee, Florida 32399-2400. Phone: 850/488-6140. Fax: 850/922-6979.

**RR13. Report Certification.** All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C. [Rule 62-213.440(1)(b)3.c, F.A.C.]

**RR14. Certification by Responsible Official (RO).** In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]

**RR15. Confidential Information.** Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. Any permittee may claim confidentiality of any data or other information by complying with this procedure. [Rules 62-213.420(2), and 62-213.440(1)(d)6., F.A.C.]

**RR16. Forms and Instructions.** The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The forms are listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, by contacting the appropriate permitting authority or by accessing the Department's web site at: <http://www.dep.state.fl.us/air/rules/forms.htm>.

- a. Major Air Pollution Source Annual Emissions Fee Form (Effective 10/12/2008).
- b. Statement of Compliance Form (Effective 06/02/2002).
- c. Responsible Official Notification Form (Effective 06/02/2002).

[Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

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Unless otherwise specified in the permit, the following testing requirements apply to each emissions unit for which testing is required. The terms “stack” and “duct” are used interchangeably in this appendix.

**TR1. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

**TR2. Operating Rate During Testing.** Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate 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), F.A.C.]

**TR3. Calculation of Emission Rate.** For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]

**TR4. Applicable Test Procedures.**

a. *Required Sampling Time.*

- (1) Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
- (2) **Opacity Compliance Tests.** When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
  - (a) For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
  - (b) The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
  - (c) The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

- b. *Minimum Sample Volume.* Unless otherwise specified in the applicable rule or test method, the minimum

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sample volume per run shall be 25 dry standard cubic feet.

- c. *Required Flow Rate Range.* For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
- d. *Calibration of Sampling Equipment.* Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.

| TABLE 297.310-1 CALIBRATION SCHEDULE |  |   |   |
|--------------------------------------|--|---|---|
| ITEM                                 | MINIMUM CALIBRATION FREQUENCY                                      | REFERENCE INSTRUMENT  | TOLERANCE   |
| Liquid in glass thermometer          | Annually   | ASTM Hg in glass ref. thermometer or equivalent or thermometric points                    | +/-2%   |
| Bimetallic thermometer               | Quarterly  | Calib. liq. in glass  | 5° F  |
| Thermocouple                         | Annually   | ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer             | 5° F  |
| Barometer                            | Monthly  | Hg barometer or NOAA station  | +/-1% scale   |
| Pitot Tube                           | When required or when damaged                                      | By construction or measurements in wind tunnel D greater than 16" and standard pitot tube | See EPA Method 2, Fig. 2-2 & 2-3  |
| Probe Nozzles                        | Before each test or when nicked, dented, or corroded               | Micrometer  | +/- 0.001" mean of at least three readings; Max. deviation between readings, 0.004" |
| Dry Gas Meter and Orifice Meter      | 1. Full Scale:<br>When received, when 5% change observed, annually | Spirometer or calibrated wet test or dry gas test meter                                   | 2%  |
|                                      | 2. One Point:<br>Semiannually                                      |   |   |
|                                      | 3. Check after each test series                                    | Comparison check  | 5%  |

- e. *Allowed Modification to EPA Method 5.* When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

**TR5. Determination of Process Variables.**

- a. *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

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to determine the compliance of the emissions unit with applicable emission limiting standards.

- b. *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), F.A.C.]

**TR6. Sampling Facilities.** Permittee that are required to sample mass emissions from point sources shall install stack sampling ports and provide sampling facilities that meet the requirements of this condition. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must also comply with all applicable Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

- a. *Permanent Test Facilities.* The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.
- b. *Temporary Test Facilities.* The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.
- c. *Sampling Ports.*
- (1) All sampling ports shall have a minimum inside diameter of 3 inches.
  - (2) The ports shall be capable of being sealed when not in use.
  - (3) The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
  - (4) For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.
  - (5) On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.
- d. *Work Platforms.*
- (1) Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.
  - (2) On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.
  - (3) On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.
  - (4) All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toe board, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

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- e. *Access to Work Platform.*
- (1) Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.
  - (2) Walkways over free-fall areas shall be equipped with safety rails and toe boards.
- f. *Electrical Power.*
- (1) A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.
  - (2) If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.
- g. *Sampling Equipment Support.*
- (1) A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.
    - (a) The bracket shall be a standard 3 inch × 3 inch × one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.
    - (b) A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.
    - (c) The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.
  - (2) A complete monorail or dual rail arrangement may be substituted for the eyebolt and bracket.
  - (3) When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]

**TR7.** Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

- a. *General Compliance Testing.*
- (1) The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
  - (2) For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., 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 and/or solid fuel for more than 400 hours other than during startup.
  - (3) The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to sub-subparagraph 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
    - (a) Did not operate; or

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- (b) In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.
- (4) During each federal fiscal year (October 1 – September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
- (a) Visible emissions, if there is an applicable standard;
  - (b) Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and
  - (c) Each NESHAP pollutant, if there is an applicable emission standard.
- (5) An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.
- (6) For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.
- (7) For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to paragraph 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.
- (8) Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.
- (9) The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
- (10) An annual compliance test conducted for visible emissions shall not be required for units exempted from air permitting pursuant to subsection 62-210.300(3), F.A.C.; units determined to be insignificant pursuant to subparagraph 62-213.300(2)(a)1., A.C., or paragraph 62-213.430(6)(b), F.A.C.; or units permitted under the General Permit provisions in paragraph 62-210.300(4)(a) or Rule 62-213.300, F.A.C., unless the general permit specifically requires such testing.
- b. *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 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.
- c. *Waiver of Compliance Test Requirements.* If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of paragraph 62-297.310(7)(b), F.A.C., shall apply.
- [Rule 62-297.310(7), F.A.C.]

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**TR8. Test Reports.**

- a. The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.
- b. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- c. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information.
  - (1) The type, location, and designation of the emissions unit tested.
  - (2) The facility at which the emissions unit is located.
  - (3) The owner or operator of the emissions unit.
  - (4) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
  - (5) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
  - (6) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
  - (7) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
  - (8) The date, starting time and duration of each sampling run.
  - (9) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
  - (10) The number of points sampled and configuration and location of the sampling plane.
  - (11) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
  - (12) The type, manufacturer and configuration of the sampling equipment used.
  - (13) Data related to the required calibration of the test equipment.
  - (14) Data on the identification, processing and weights of all filters used.
  - (15) Data on the types and amounts of any chemical solutions used.
  - (16) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
  - (17) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
  - (18) All measured and calculated data required to be determined by each applicable test procedure for each run.
  - (19) The detailed calculations for one run that relate the collected data to the calculated emission rate.
  - (20) The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
  - (21) A certification that, to the knowledge of the owner or his authorized agent, all data submitted is true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

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**Operation**

- TV1. General Prohibition.** A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit. [Rule 62-4.030, Florida Administrative Code (F.A.C.)]
- TV2. Validity.** 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. [Rule 62-4.160(2), F.A.C.]
- TV3. Proper Operation and Maintenance.** 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. [Rule 62-4.160(6), F.A.C.]
- TV4. Not Federally Enforceable. Health, Safety and Welfare.** To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. [Rule 62-4.050(3), F.A.C.]
- TV5. Continued Operation.** An applicant making timely and complete application for permit, or for permit renewal, shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program and applicable requirements of the CAIR Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of subparagraphs 62-213.420(1)(b)3., F.A.C. [Rules 62-213.420(1)(b)2., F.A.C.]
- TV6. Changes Without Permit Revision.** Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:
- a. Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
  - b. A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
    - (1) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
    - (2) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
  - c. Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.
- [Rule 62-213.410, F.A.C.]
- TV7. Circumvention.** No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]

**Compliance**

- TV8. Compliance with Chapter 403, F.S., and Department Rules.** Except as provided at Rule 62-213.460, Permit Shield, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules. [Rule 62-4.070(7), F.A.C.]

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- TV9. Compliance with Federal, State and Local Rules.** Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]
- TV10. Binding and enforceable.** The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions. [Rule 62-4.160(1), F.A.C.]
- TV11. Timely information.** 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 the 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. [Rule 62-4.160(15), F.A.C.]
- TV12. Halting or reduction of source activity.** It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity. [Rule 62-213.440(1)(d)3., F.A.C.]
- TV13. Final permit action.** Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C. [Rule 62-213.440(1)(d)4., F.A.C.]
- TV14. Sudden and unforeseeable events beyond the control of the source.** A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference. [Rule 62-213.440(1)(d)5., F.A.C.]
- TV15. Permit Shield.** Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in this condition or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program or the CAIR Program. [Rule 62-213.460, F.A.C.]
- TV16. Compliance With Federal Rules.** A facility or emissions unit subject to any standard or requirement of 40 CFR, Part 60, 61, 63 or 65, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall comply with such standard or requirement. Nothing in this chapter shall relieve a facility or emissions unit from complying with such standard or requirement, provided, however, that where a facility or emissions unit is subject to a standard established in Rule 62-296, F.A.C., such standard shall also apply. [Rule 62-296.100(3), F.A.C.]

**Permit Procedures**

- TV17. Permit Revision Procedures.** The permittee shall revise its permit as required by Rules 62-213.400, 62-213.412, 62-213.420, 62-213.430 & 62-4.080, F.A.C.; and, in addition, the Department shall revise permits as provided in Rule 62-4.080, F.A.C. & 40 CFR 70.7(f).
- TV18. Permit Renewal.** The permittee shall renew its permit as required by Rules 62-4.090, 62.213.420(1) and 62-213.430(3), F.A.C. Permits being renewed are subject to the same requirements that apply to permit

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issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) [Application for Air Permit - Long Form], 62-213.420(3) [Required Information], 62-213.420(6) [CAIR Part Form], F.A.C. Unless a Title V source submits a timely and complete application for permit renewal in accordance with the requirements this rule, the existing permit shall expire and the source's right to operate shall terminate. For purposes of a permit renewal, a timely application is one that is submitted 225 days before the expiration of a permit that expires on or after June 1, 2009. No Title V permit will be issued for a new term except through the renewal process. [Rules 62-213.420 & 62-213.430, F.A.C.]

**TV19. Insignificant Emissions Units or Pollutant-Emitting Activities.** The permittee shall identify and evaluate insignificant emissions units and activities as set forth in Rule 62-213.430(6), F.A.C.

**TV20. Savings Clause.** If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect. [Rule 62-213.440(1)(d)1., F.A.C.]

**TV21. Suspension and Revocation.**

- a. Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.
- b. Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.
- c. A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:
  - (1) Submitted false or inaccurate information in his application or operational reports.
  - (2) Has violated law, Department orders, rules or permit conditions.
  - (3) Has failed to submit operational reports or other information required by Department rules.
  - (4) Has refused lawful inspection under Section 403.091, F.S.
- d. No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(5), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

[Rule 62-4.100, F.A.C.]

**TV22. Not federally enforceable. Financial Responsibility.** The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

**TV23. Emissions Unit Reclassification.**

- a. Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.
- b. If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

**TV24. Transfer of Permits.** Per Rule 62-4.160(11), F.A.C., this permit is transferable only upon Department approval in accordance with Rule 62-4.120, 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. The permittee

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transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility. The permittee shall also comply with the requirements of Rule 62-210.300(7), F.A.C., and use DEP Form No. 62-210.900(7). [Rules 62-4.160(11), 62-4.120, and 62-210.300(7), F.A.C.]

**Rights, Title, Liability, and Agreements**

**TV25. Rights.** As provided in Subsections 403.987(6) and 403.722(5), F.S., 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 this permit. [Rule 62-4.160(3), F.A.C.]

**TV26. Title.** 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. [Rule 62-4.160(4), (F.A.C.)]

**TV27. Liability.** 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 permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department. [Rule 62-4.160(5), F.A.C.]

**TV28. Agreements.**

- a. 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 reasonable times, access to the premises where the permitted activity is located or conducted to:
  - (1) Have access to and copy any records that must be kept under conditions of the permit;
  - (2) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
  - (3) 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.
- b. 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 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- c. 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.

[Rules 62-4.160(7), (9), and (10), F.A.C.]

**Recordkeeping and Emissions Computation**

**TV29. Permit.** The permittee shall keep this permit or a copy thereof at the work site of the permitted activity. [Rule 62-4.160(12), F.A.C.]

**TV30. Recordkeeping.**

- 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

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materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

- c. Records of monitoring information shall include:
- (1) The date, exact place, and time of sampling or measurements, and the operating conditions at the time of sampling or measurement;
  - (2) The person responsible for performing the sampling or measurements;
  - (3) The dates analyses were performed;
  - (4) The person and company that performed the analyses;
  - (5) The analytical techniques or methods used;
  - (6) The results of such analyses.

[Rules 62-4.160(14) and 62-213.440(1)(b)2., F.A.C.]

**TV31. Emissions Computation.** Pursuant to Rule 62-210.370, F.A.C., the following required methodologies are to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with Rule 62-210.370, F.A.C. Rule 62-210.370, F.A.C., is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.

For any of the purposes specified above, the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

- a. *Basic Approach.* The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.

- (1) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
- (2) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
- (3) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.

- b. *Continuous Emissions Monitoring System (CEMS).*

- (1) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
  - (a) The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or,
  - (b) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
- (2) Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:

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- (a) A calibrated flow meter that records data on a continuous basis, if available; or
  - (b) The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
  - (3) The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.
- c. *Mass Balance Calculations.*
- (1) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
    - (a) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and,
    - (b) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.
  - (2) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.
  - (3) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.
- d. *Emission Factors.*
- (1) An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.
    - (a) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
    - (b) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
    - (c) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
  - (2) If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.

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- e. *Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.
- f. *Accounting for Emissions During Periods of Startup and Shutdown.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.
- g. *Fugitive Emissions.* In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.
- h. *Recordkeeping.* The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

[Rule 62-210.370(1) & (2), F.A.C.]

**Responsible Official**

**TV32. Designation and Update.** The permittee shall designate and update a responsible official as required by Rule 62-213.202, F.A.C.

**Prohibitions and Restrictions**

**TV33. Asbestos.** This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source. [40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

**TV34. Refrigerant Requirements.** Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Chapter 62-281, F.A.C.

**TV35. Open Burning Prohibited.** Open burning is prohibited unless performed in accordance with the provisions of Rule 62-296.320(3) or Chapter 62-256, F.A.C.

**TV36. Heavy-Duty Vehicle Idling Reduction.** The permittee shall only allow idling of heavy-duty diesel engine powered motor vehicles in accordance with the following provisions:

- a. *Applicability.* This rule applies to any heavy-duty diesel engine powered motor vehicle. For the purposes of this rule:
  - (1) Heavy-duty diesel engine powered motor vehicle means a motor vehicle:
    - (a) With a gross vehicle weight rating equal to or greater than 8,500 pounds;
    - (b) Used on roads for the transportation of passengers or freight; and
    - (c) Serving a commercial, governmental, or public purpose.
  - (2) Gross vehicle weight rating means the value specified by the manufacturer as the maximum design loaded weight of a single vehicle.
- b. *Requirement.* Owners or operators of heavy-duty diesel engine powered motor vehicles are prohibited from idling for more than five consecutive minutes. Idling is the continuous operation of a vehicle's main drive engine while the vehicle is stopped.
- c. *Exemptions.* The idling restriction of subsection 62-285.420(2), F.A.C., shall not apply:

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- (1) To idling while stopped for traffic conditions over which the driver has no control, including being stopped for an official traffic control device or signal, in a line of traffic, at a railroad crossing, at a construction zone, or at the direction of law enforcement;
- (2) To idling of buses 10 minutes prior to passenger loading and when passengers are onboard if needed for passenger comfort;
- (3) To idling of an armored vehicle in which a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded.
- (4) If idling is necessary for a police, fire, ambulance, public safety, military, or other vehicle being used in an emergency or training capacity;
- (5) If idling is necessary to verify that the vehicle is in safe operating condition as required by law and that all equipment is in good working order, either as part of a daily vehicle inspection or as otherwise needed, provided that engine idling is mandatory for such verification;
- (6) If idling is necessary to accomplish work for which the vehicle was designed, other than propulsion, for example: collecting solid waste or recyclable material; controlling cargo temperature; or operating a lift, crane, pump, drill, hoist, mixer, or other auxiliary equipment other than a heater or air conditioner;
- (7) If idling is necessary to operate defrosters, heaters, air conditioners, or other equipment to prevent a safety or health emergency, but not solely for the comfort of the driver;
- (8) To idling while the driver is sleeping or resting in a sleeper berth. This exemption expires at midnight September 30, 2013.

[Rule 62-285.420, F.A.C.]

**The following attachments are included for convenient reference:**

Table H, Permit History.

Table 1, Summary of Air Pollutant Standards and Terms.

Table 2, Summary of Compliance Requirements.

Table 297.310-1 Calibration Schedule (version dated 10/07/96)

**TABLE H**  
PERMIT HISTORY

Louis Dreyfus Citrus, Inc.  
Louis Dreyfus Citrus Indiantown

Permit No. 0850002-010-AV  
Facility ID No.: 0850002

| <b>E.U. ID No.</b> | <b>Description</b> | <b>Permit No.</b>             | <b>Effective Date</b> | <b>Expiration Date</b> | <b>Project Type</b>         |
|--------------------|--------------------|-------------------------------|-----------------------|------------------------|-----------------------------|
| All                | Facility           | 0850002-008-AC and PSD-FL-398 | 4/30/2008             | 4/30/2013              | Construction (repermitting) |
| All                | Facility           | 0850002-009-AV                | 7/03/2008             | 7/03/2013              | New (repermitting)          |
| All                | Facility           | 0850002-010-AV                | ARMS 55               | Pending                | Renewal                     |

Louis Dreyfus Citrus, Inc.  
Louis Dreyfus Indiantown Facility

Permit No. 0850002-010-AV  
TV Operation Permit Renewal

**Table 1-1, Summary of Air Pollutant Standards and Terms**

**Facility Name:** Louis Dreyfus Citrus, Inc. **Permit Number:** 0850002-010-AV  
**Facility Location:** Indiantown Facility **Facility ID Number:** 0850002

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of the permit.

| <b>E.U ID No.</b> | <b>Brief Description</b>                            |
|-------------------|---|
| 013               | Citrus Peel Dryer No. 1A with Waste Heat Evaporator |
| 005               | Citrus Peel Dryer No. 2 with Waste Heat Evaporator  |

| <b>Pollutant</b> | <b>Fuel</b> | <b>Hours/Year</b>                  | <b>Allowable Emissions</b> |                  |            | <b>Equivalent Emissions*</b> |            | <b>Regulatory Citation(s)</b> | <b>See Permit Condition(s)</b> |
|------------------|-------------|------------------------------------|----------------------------|------------------|------------|------------------------------|------------|-------------------------------|--------------------------------|
|                  |             |                                    | <b>standard(s)</b>         | <b>lbs./hour</b> | <b>TPY</b> | <b>lbs./hour</b>             | <b>TPY</b> |                               |                                |
| PM/PM10 (013)    | Natural Gas | Time to process 22.0 million boxes |                            | 11.0             |            |                              | 24.75      | 0850002-008-AC                | A.2, A.3, A.5                  |
| PM/PM10 (005)    | Natural Gas | Time to process 22.0 million boxes |                            | 11.0             |            |                              | 24.75      | 0850002-008-AC                |                                |
| VE (013)         | Natural Gas |                                    | 20 % Opacity               |                  |            |                              |            | 0850002-008-AC                | A.2, A.4                       |
| VE (005)         | Natural Gas |                                    | 20 % Opacity               |                  |            |                              |            | 0850002-008-AC                |                                |

Notes:  
 \* The "Equivalent Emissions" listed are for informational purposes only

**Table 1-2, Summary of Air Pollutant Standards and Terms**

**Facility Name:** Louis Dreyfus Citrus, Inc. **Permit Number:** 0850002-010-AV  
**Facility Location:** Indiantown Facility **Facility ID Number:** 0850002

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of the permit.

| <b>E.U ID No.</b> | <b>Brief Description</b> |
|-------------------|--------------------------|
| 016               | Pellet Cooler No. 1A     |
| 017               | Pellet Cooler No. 1B     |
| 008               | Pellet Cooler No. 2      |

| <b>Pollutant</b> | <b>Fuel</b> | <b>Hours/Year</b>                  | <b>Allowable Emissions</b> |                 |            | <b>Equivalent Emissions*</b> |            | <b>Regulatory Citation(s)</b> | <b>See Permit Condition(s)</b> |
|------------------|-------------|------------------------------------|----------------------------|-----------------|------------|------------------------------|------------|-------------------------------|--------------------------------|
|                  |             |                                    | <b>Standard(s)</b>         | <b>lbs./hr.</b> | <b>TPY</b> | <b>lbs./hr.</b>              | <b>TPY</b> |                               |                                |
| PM/PM10 (016)    | N/A         | Time to process 22.0 million boxes |                            | 1.0             |            |                              | 2.25       | 0850002-008-AC                | B.2, B.3                       |
| PM/PM10 (017)    | N/A         | Time to process 22.0 million boxes |                            | 1.0             |            |                              | 2.25       | 0850002-008-AC                | B.2, B.3                       |
| PM/PM10 (008)    | N/A         | Time to process 22.0 million boxes |                            | 1.0             |            |                              | 2.25       | 0850002-008-AC                | B.2, B.3                       |
| VE (016)         | N/A         | Time to process 22.0 million boxes | 5%                         |                 |            |                              |            | 0850002-008-AC                | B.2, B.4                       |
| VE (017)         | N/A         | Time to process 22.0 million boxes | 5%                         |                 |            |                              |            | 0850002-008-AC                | B.2, B.4                       |
| VE (008)         | N/A         | Time to process 22.0 million boxes | 5%                         |                 |            |                              |            | 0850002-008-AC                | B.2, B.4                       |

Notes:  
 \* The "Equivalent Emissions" listed are for informational purposes only

**Table 2-1, Summary of Compliance Requirements**

**Facility Name:** Louis Dreyfus Citrus **Permit Number:** 0850002-010  
**Facility Location:** Indiantown Facility **Facility ID Number:** 0850002

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of the permit.

**E.U ID No.**      **Brief Description**  
 013                  Citrus Peel Dryer No. 1 with Waste Heat Evaporator  
 005                  Citrus Peel Dryer No. 2 with Waste Heat Evaporator

| <b>Pollutant Name or Parameters</b>  | <b>Fuel(s)</b> | <b>Compliance Method</b> | <b>Testing Time Frequency</b> | <b>Frequency Base Date*</b> | <b>Minimum Compliance Test Duration</b> | <b>CMS**</b> | <b>See Permit Condition(s)</b> |
|--|----------------|--------------------------|-------------------------------|-----------------------------|---|--------------|--------------------------------|
| VE   | All            | EPA Method 9             | Annual                        |                             | 30 Minutes                              |              | A.8                            |
| PM/PM10  | All            | EPA Method 5             | Annual                        |                             | 3 – 1 hr. runs                          |              | A.8                            |
| Notes:<br>* The frequency base date will be established by the initial compliance test date. The frequency base date is for planning purposes only; see Rule 62-297.310, F.A.C.<br>** CSM [=] continuous monitoring system |                |                          |                               |                             |   |              |                                |

**Table 2-2, Summary of Compliance Requirements**

**Facility Name:** Louis Dreyfus Citrus **Permit Number:** 0850002-010  
**Facility Location:** Indiantown Facility **Facility ID Number:** 0850002

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of the permit.

| <b>E.U ID No.</b> | <b>Brief Description</b> |
|-------------------|--------------------------|
| 016               | Pellet Cooler No. 1A     |
| 017               | Pellet Cooler No. 1B     |
| 008               | Pellet Cooler No. 2      |

| <b>Pollutant Name or Parameters</b> | <b>Fuel(s)</b> | <b>Compliance Method</b> | <b>Testing Time Frequency</b> | <b>Frequency Base Date*</b> | <b>Minimum Compliance Test Duration</b> | <b>CMS**</b> | <b>See Permit Condition(s)</b> |
|-------------------------------------|----------------|--------------------------|-------------------------------|-----------------------------|---|--------------|--------------------------------|
| VE                                  | N/A            | EPA Method 9             | Annual                        |                             | 30 Minutes                              |              | B.8                            |
| PM/PM10                             | N/A            | EPA Method 5             | Prior to renewal              |                             | 3 – 1 hr. run                           |              | B.7                            |

Notes:  
 \* The frequency base date will be established by the initial compliance test date. The frequency base date is for planning purposes only; see Rule 62-297.310, F.A.C.  
 \*\* CSM [=] continuous monitoring system

**TABLE 297.310-1 CALIBRATION SCHEDULE**  
**(version dated 10/07/96)**

[Note: This table is referenced in Rule 62-297.310, F.A.C.]

| ITEM                            | MINIMUM CALIBRATION FREQUENCY  | REFERENCE INSTRUMENT  | TOLERANCE  |
|---------------------------------|--|---|--|
| Liquid in glass thermometer     | Annually   | ASTM Hg in glass ref. thermometer or equivalent, or thermometric points                   | +/-2%  |
| Bimetallic thermometer          | Quarterly  | Calib. liq. in glass thermometer  | 5 degrees F  |
| Thermocouple                    | Annually   | ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer             | 5 degrees F  |
| Barometer                       | Monthly  | Hg barometer or NOAA station  | +/-1% scale  |
| Pitot Tube                      | When required or when damaged  | By construction or measurements in wind tunnel D greater than 16" and standard pitot tube | See EPA Method 2, Fig. 2-2 & 2-3   |
| Probe Nozzles                   | Before each test or when nicked, dented, or corroded   | Micrometer  | +/-0.001" mean of at least three readings<br>Max. deviation between readings .004" |
| Dry Gas Meter and Orifice Meter | 1. Full Scale:<br>When received,<br>When 5% change observed,<br>Annually<br>2. One Point:<br>Semiannually<br>3. Check after each test series | Spirometer or calibrated wet test or dry gas test meter                                   | 2%   |
|                                 |  | Comparison check  | 5%   |

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