FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

DRAFT PERMIT

PERMITTEE
Sun West Acquisitions, Inc.
PO Box 468
Aripeka, Florida 34679

Authorized Representative:
John G. Grubbs, President

Air Permit No. 1010515-001-AC
Permit Expires: 09/10/2014
Sun West Mine
Initial Air Construction Permit
Air Curtain Incinerator

This is the final air construction permit which authorizes the construction of an air curtain incinerator. The proposed work will be conducted at the Sun West Mine site (Standard Industrial Classification No. 4953) located in Pasco County at 16405 US Highway 19 in Hudson, Florida. The UTM coordinates are Zone 17, 336.96 km East, and 3144.88 km North. As noted in the Final Determination provided with this final permit, no changes or only minor changes and clarifications were made to the draft permit.

This final permit is organized by the following sections:

Section 1. General Information

Section 2. Administrative Requirements and Facility-wide Specific Conditions

Section 3. Emissions Unit Specific Conditions

Section 4. Appendices

Due to the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

This air pollution permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Hillsborough County, Florida
DRAFT

_____ _____
Kelley M. Boatwright — Effective Date
District Air Program Administrator
Southwest District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination, the Final Permit and the Appendices) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on the date indicated below to the persons listed below.

John G. Grubbs, Sun West Acquisitions, Inc. (jgrubbs@grubbses.com)

James Shirk, Creative Environmental Solutions, Inc. (Shirkje@gmail.com)

George K. Foster, Creative Environmental Solutions, Inc. (gfoster@creativeenvironmental.com)

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.

DRAFT

_____ _____

(Clerk) (Date)

FACILITY AND PROJECT DESCRIPTION

Project Description and Proposed Emission Unit

This project is the initial air construction permit for a proposed air curtain incinerator to control air emissions from the disposal of wood waste ignited within an earthen trench or thermo ceramic lined pit. The air curtain incinerator is subject to the requirements of 40 CFR 60, Subpart CCCC- Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999 or for Which Modification or Reconstruction is Commenced On or After June 1, 2001.

This project will create the following emissions unit (EU).

EU ID No.	Emissions Unit Description
001	Air Curtain Incinerator

NOTE: *Please reference the Permit No., Facility ID, and Emission Unit ID in all correspondence, test report submittals, applications, etc.*

Exempt Emission Sources/Activities

- A 125 HP engine fired with diesel fuel at 2,160 gallons/yr and pursuant to Rule 62-210.300(3)(a)35, F.A.C. (Categorical and Conditional Exemptions - Stationary Reciprocating Internal Combustion Engines)

  This engine is subject to all the limitations and requirements of Title 40, Code of Federal Regulations, Part 63, Subpart ZZZZ- National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. This federal regulation is adopted by reference in Rule 62-204.800(11)(b), F.A.C.

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAPs).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.
- This facility is a synthetic non-Title V source for the pollutant particulate matter less than 10 microns (PM_{10}). The emission limitations, restriction on hours of operation, restriction on the type or amount of material combusted, stored or processed in this permit will ensure that the facility's PM_{10} emissions will be below the threshold for a Title V source.

PERMIT HISTORY/AFFECTED PERMITS

No previous air permits have been issued for this facility.

ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority - The permitting authority for this project is the Florida Department of Environmental Protection (Department), Southwest District Office's Air Permitting Program. The mailing address and phone number is:

Florida Department of Environmental Protection
Southwest District Office
Air Permitting Program
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-470-5700

All documents related to applications for permits shall be submitted to the above address.

2. Compliance Authority - The compliance authority for this project is the Florida Department of Environmental Protection (Department), Southwest District Office's Compliance Assurance Program. The mailing address and phone number is:

Florida Department of Environmental Protection
Southwest District Office
Compliance Assurance Program
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-470-5700

All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the above address.

3. Appendices - The following Appendices are attached as part of this permit:

a. Appendix A. Citation Formats and Glossary of Common Terms;

b. Appendix B. General Conditions;

c. Appendix C. Common Conditions; and

d. Appendix D. Common Testing Requirements.

4. Applicable Regulations, Forms and Application Procedures - Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.

5. New or Additional Conditions - For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time.
[Rule 62-4.080, F.A.C.]

6. Modifications - Unless otherwise exempt by rule, the permittee shall not initiate any construction, reconstruction, or modification at the facility and shall not install/modify any pollution control device at the facility without obtaining prior authorization from the Department. Modification is defined as: Any

physical change or changes in the method of operations or addition to a facility that would result in an increase in the actual emissions of any air pollutant subject to air regulations, including any not previously emitted, from any emission unit or facility.
[Rules 62-210.200 - Definition of "Modification" and 62-210.300(1)(a), F.A.C.]

7. Annual Operating Report - On or before **April 1** of each year, the permittee shall submit a completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility" (AOR) for the preceding calendar year. The report may be submitted electronically in accordance with the instructions received with the AOR package sent by the Department, or a hardcopy may be sent to the Compliance Authority.
[Rule 62-210.370(3), F.A.C.]

8. Application for Non-Title V Air Operation Permit - This permit authorizes construction of the permitted emissions unit and initial operation to determine compliance with Department rules. A Non-Title V air operation permit is required for continued operation of the permitted emissions unit(s). The permittee shall apply for a Non-Title V air operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation or commencing operation as modified. Commencing operation means setting into operation of any emissions unit for any purpose. To apply for a Non-Title V air operation permit, the applicant shall submit the following:

a. the appropriate permit application form *(see current version of Rule 62-210.900, F.A.C. (Forms and Instructions), and/or FDEP Division of Air Resource Management website at: http://www.dep.state.fl.us/air/)*;

b. the appropriate operation permit application fee from Rule 62-4.050(4)(a), F.A.C.;

c. a copy of the initial compliance test report required by Specific Condition Nos. A.8 and A.17, if not previously submitted;

d. copies of the most recent month of records/logs specified in Specific Condition No. A.16.

[Rules 62-4.030, 62-4.050, 62-4.220 and Chapter 62-210.900, F.A.C.]

FACILITY-WIDE SPECIFIC CONDITIONS

9. Reasonable Precautions - All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter. These provisions are applicable to any source, including, but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions shall include the following:

a. paving and maintenance of roads, parking areas, and yards;

b. posting and enforcing a 5 mph speed limit;

c. cleaning traveled surfaces;

d. curtailing operations during extremely windy conditions;

e. the ash removed from the pit shall be watered as necessary;

f. reasonable care will be taken in loading and unloading the pit to avoid particulate matter from becoming airborne; and

g. watering roads as necessary, utilizing a water truck.

[Rules 62-4.070(3) and 62-296.320(4)(c), F.A.C.; Permit Application dated July 5, 2013]

A. EU No. 001- Air Curtain Incinerator

This section of the permit addresses the following emissions unit (EU).

EU ID No.	Emissions Unit Description
001	Air Curtain Incinerator – This emissions unit is an Air Burners, Inc. Model T-350 air curtain incinerator used to burn wood waste at a maximum incineration rate of 50 tons/day within an earthen trench of a thermo ceramic lined pit. Its manifold measures 35 feet in length, with a burn trench that measures 35 feet in length, 10 feet in width, and 10 feet in depth. A fan creates an air curtain by forcing air through a plenum and nozzle. This fan is powered by a 125 HP engine that is fired with diesel fuel at 2,160 gallons/yr. The high velocity air discharged from the nozzle forms a curtain as it flows across the burning wood within the trench. The high air volume increases the rate of combustion within the pit. The air curtain traps and recirculates smoke and particulates, reducing emissions.

PERFORMANCE RESTRICTIONS

A.1. Federal Regulatory Requirements - This emission unit is subject to 40 CFR 60, Subpart CCCC – Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced after November 30, 1999, or for Which Modification or Reconstruction is Commenced on or After June 1, 2001, which is adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8)(b)78, F.A.C.; NSPS 40 CFR 60, Subpart CCCC]

A.2. Other Requirements – Any air curtain incinerator subject to 40 CFR Part 60, Subpart CCCC, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall be constructed and operated so as to comply with the standards, limitations, and requirements of the applicable subpart and with the requirements of Rule 62-296.401(7), F.A.C., to the extent that those requirements are stricter than or supplemental to, the requirements of the applicable subpart.

(Permitting Note: The conditions of this permit include the requirements referenced in the underlined portion of Specific Conditions No. A.2. above)

[Rule 62-296.401(7)(a)1, F.A.C.]

A.3. Hours of Operation – The hours of operation (charging) of the air curtain incinerator are limited to 720 hours per any consecutive 12-month period.
[Rule 62-210.200(definition of "Potential to Emit"), F.A.C.; Permit Application July 5, 2013]

A.4. Permitted Capacity/Charging Rate – The maximum charging rate to the incinerator shall not exceed the following:

Daily Average Basis (tons/day)	Annual Basis (tons/ any consecutive 12-month period)
50	3,000

The charging rate going into the pit shall be determined by the following procedure:

a. The loader used to charge the pit shall weigh five (5) buckets (rakes) at a representative maximum capacity and representative material to be charged into the burn pit.

b. This average, together with the number of charges, shall then be used to determine the hourly process rate.

c. In addition, the loader bucket (rake) that will be used to charge the pit shall be designated as the only one used in charging the pit.

d. If a different or alternate sized loader bucket is used, a new average shall be determined and noted in the facility's records/logs.

[Rules 62-4.070(3) and 62-210.200(definition of "Potential to Emit"), F.A.C.; Permit Application dated July 5, 2013]

A.5. Operational Requirements for Air Curtain Incinerator (ACI) - The following requirements shall be met:

a. The pit walls of the earthen trench (width and length) shall be vertical and maintained as such, so that combustion of the waste within the pit is maintained at an adequate temperature and with sufficient air recirculation to provide enough residence time and mixing for proper combustion and control of emission. The following dimensions for the pit must be strictly adhered to: no more than twelve feet (12') wide, between eight feet (8') and fifteen (15') feet deep, and no longer than the manifold. If the pit is located at a landfill, the pit shall not be dug within a previously active portion of a landfill;

b. Except as allowed by Rule 62-296.401(7)(b)4., F.A.C., the only materials that shall be burned in the air curtain incinerator are vegetative material and untreated wood, excluding sawdust. The air curtain incinerator shall not be used to burn any biological waste, hazardous waste, asbestos-containing materials, mercury-containing devices, pharmaceuticals, tires, rubber material, residual oil, used oil asphalt, roofing material, tar, treated wood, plastics, garbage, trash or other material prohibited to be open burned as set forth in Rule 62-256.300(2), F.A.C. Only kerosene, diesel fuel, drip-torch fuel (as used to ignite prescribed fires), untreated wood, virgin oil, natural gas, or liquefied petroleum gas shall be used to start the fire in the air curtain incinerator. The use of used oil, chemicals, gasoline, or tires to start the fire is prohibited;

c. Notwithstanding the provisions of Rule 62-296.401(7)(b)3., F.A.C., the air curtain incinerator may be used for the destruction of animal carcasses in accordance with the provisions of Rule 62-256.700(6), F.A.C. When using an air curtain incinerator to burn animal carcasses, untreated wood may also be burned to maintain good combustion;

d. In no case shall an air curtain incinerator be started before sunrise. All charging shall end no later than one (1) hour after sunset. After charging ceases, airflow shall be maintained until all material within the air curtain incinerator has been reduced to coals, and flames are no longer present. A log shall be maintained onsite that documents daily beginning and ending times of charging (see recordkeeping requirements below);

e. The air curtain incinerator shall be attended at all times while materials are being burned or flames are visible within the incinerator;

f. The air curtain incinerator shall be located at least 50 feet from any wildlands, brush, combustible structure, or paved public roadway;

g. The material shall not be loaded into the air curtain incinerator such that it protrudes above the air curtain; and

h. Ash shall not be allowed to build up in the pit of an air curtain incinerator to higher than 1/3 the pit depth or to the point where the ash begins to impede combustion, whichever occurs first. The pit shall be marked with a permanent indicator to show the 1/3 depth.

[Rules 62-4.070(3) and 62-296.401(7)(b), F.A.C.]

A.6. Fan Operation - In order to ensure the visible emission limitations are not exceeded and objectionable odors are not generated, the air curtain incinerator's fan shall continue to operate after the last charge of each day until all combustion has ceased. For purposes of this condition, "combustion" means the presence of any flames or smoke that causes visible emissions greater than five (5) % opacity.
[Rules 62-210.200 (definition of "Visible Emission") and 62-4.070(3), F.A.C.]

EMISSIONS STANDARDS

A.7. Visible Emissions (VE) Limitations - Outside of startup periods, visible emissions shall not exceed ten percent (10%) opacity, six (6) minute average. During startup periods, which shall not exceed the first (30) minutes of operation, an opacity of up to 35%, averaged over a six (6) minute period, shall be allowed. The general excess emission rule, Rule 62-210.700, F.A.C., shall not apply.
[Rule 62-296.401(7)(b)1., F.A.C.; 40 CFR 60.2250]

COMPLIANCE TESTING REQUIREMENTS

A.8. Initial Compliance Tests - In order to determine compliance with Specific Condition A.7. above, the permittee shall test the air curtain incinerator for visible emissions within 60 days after reaching the maximum permitted charging rate of 50 tons/day (daily average), but no later than 180 days after its initial startup and annually thereafter. Submit a copy of the initial test report in accordance with Specific Condition A.17. to the Permitting Authority within 45 days of such testing.
[Rules 62-297.310, F.A.C. and 62-4.070(3), F.A.C.; 40 CFR 60.8]

A.9. Compliance Tests After Initial Testing - During each federal fiscal year (October 1st to September 30th), the air curtain incinerator shall be tested to demonstrate compliance with the emissions standards for visible emissions (see Specific Condition No. A.7.).
[Rule 62-297.310, F.A.C.; 40 CFR 60.2255; Permit Application dated July 5, 2013]

A.10. Compliance Test Requirements - Compliance tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
[Rule 62-297.310, F.A.C.]

A.11. Compliance Test Method - Required compliance tests shall be performed in accordance with the following reference method.

EPA Method	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources- The EPA Method No. 9 test interval on the air curtain incinerator shall be at least 60 minutes and meet all the applicable requirements of Chapter 62-297, F.A.C. The

EPA Method	Description of Method and Comments
	visible emission test shall begin upon initial combustion and include the first 60 minutes of the burn (30 minutes start-up and 30 minutes normal operation).

The above method is described in Appendix A of 40 CFR 60 and is 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.
[Rule 62-204.800, F.A.C.; Appendix A of 40 CFR 60]

A.12. Charging Rate Requirements during Compliance Testing - Compliance testing of emissions must be conducted within 90-100% of the permitted capacity, if feasible. The permitted capacity is considered to be the maximum allowable charging rate* of 50 tons/day. If it is impracticable to test at permitted capacity, an emission unit may be tested at less than the maximum permitted capacity; in this case, subsequent emission 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. The test results shall be submitted to the Compliance Authority within 45 days of testing. Acceptance of the test by the Department will automatically constitute an amended permit at the higher charging tested rate, plus 10%, but in no case shall the maximum allowable charging rate of 50 tons/day be exceeded. The emission limitations shall not change.

** (Permitting Note: For the purposes of testing, the Charging rate is defined as 1) the amount of material placed in the incinerator during the period starting with the initial loading and ending 60 minutes after initial combustion, for the first 60 minute period after initial combustion and 2) the amount of material placed in the incinerator for any 60-minute period thereafter.)*

[Rules 62-4.070(3) and 62-297.310(2), F.A.C.; Permit Application dated July 5, 2013]

NOTIFICATION REQUIREMENTS

A.13. Compliance Test Notification - The permittee shall comply with all of the following:

a. For only the initial emission compliance test, the permittee shall provide the Compliance Authority at least 30 days prior notice. The notice shall contain 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.
[40 CFR 60.8(d)]

b. After the initial emission compliance test, the permittee shall notify the Compliance Authority 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.
[Rule 62-297.310(7)(a)9., F.A.C.]

A.14. Notification of Construction Commencement – The permittee shall notify the Compliance Authority in writing of the actual date of commencing construction of the air curtain incinerator, postmarked within thirty (30) days after that date.
[40 CFR 60.7(a)(1); Rule 62-210.200(90) (definition of "Commence Construction"), F.A.C.]

A.15 Notification of Initial Startup -The permittee shall notify the Compliance Authority in writing of the actual date of initial startup of the air curtain incinerator, postmarked within fifteen (15) days after that date.
[40 CFR 60.7(a)(3)]

RECORDKEEPING AND REPORTING REQUIREMENTS

A.16. Operating Log: The permittee shall keep a daily operating log and at a minimum contain the following:

Daily

a. Date;

b. Type of starter fuel used;

c. Total number charges;

d. Default charging rate and identification of the rake used;

e. Total material charged (tons);

f. Operating (charging) hours, which includes the start of initial combustion to the time of the last charge to the incinerator (start and stop times shall be indicated);

g. Calculate the hourly charging rate (tons/hr.);

h. Type of maintenance performed;

i. Comments; and

j. Operator's signature.

Monthly

k. The most recent consecutive 12-month period total of operating (charging) hours; and

l. The most recent consecutive 12-month period total for the amount of material charged (tons).

The log shall be maintained at the facility for at least three (3) years and shall be made available to the Department upon request. Daily logs shall be completed within five (5) business days and monthly logs shall be completed by the end of the following month.

[Rules 62-4.070(3), 62-4.160(14), and 62-296.401(7)(b)5., F.A.C.]

A.17. Test Reports - The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. All submitted visible emissions test reports shall include:

a. A copy of the daily log for each test day.

b. The actual charging rate during the test period.

c. A description of the materials burned and starter fuel used during the test period.

A copy of all test reports and records of the results of all annual visible emissions tests shall be kept by the owner or operator in either paper copy or electronic format for at least five (5) years. These records shall be made available to the Department or for an inspector's onsite review upon request.

[Rules 62-297.310(8) and 62-296.401(7)(c)3., F.A.C.; 40 CFR, 60.2260]

A.18. Operation and Maintenance (O & M) Guide for Air Curtain Incinerator (ACI) - An operation and maintenance guide shall be available to the operators of an air curtain incinerator at all times, and the owner shall provide training to all operators before they work at the incinerator. This guide shall be made available to the Department or for an inspector's onsite review upon request.

Each trained operator shall receive a certificate demonstrating that the operator has successfully passed the training required by the operation and maintenance guide. During the tenure of the operator, a copy of this certificate shall be kept on file at the facility and be made available to the Department upon request.
[Rules 62-4.070(3) and 62-296.401(7)(b)10., F.A.C.]

A.19. Other Requirements - The permittee shall comply with all of the following:

a. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; or any malfunction of the air pollution control equipment. The records shall be recorded in a permanent form suitable for inspection and shall be retained for at least 2 years.
[Rule 62-204.800(8), F.A.C. and 40 CFR 60.7(b) & (f)]

b. The requirements of this permit shall not relieve the owner or operator from any requirement for obtaining authorization to use an air curtain incinerator, when necessary, from the Division of Forestry, or any local fire control authority.
[Rule 62-4.070(3), F.A.C.]

O&M GUIDE AND OPERATOR TRAINING

A.20. Operation and Maintenance (O & M) Guide for Air Curtain Incinerator (ACI) - An operation and maintenance guide shall be available to the operators of an air curtain incinerator at all times, and the owner shall provide training to all operators before they work at the incinerator. This guide shall be made available to the Department or for an inspector's onsite review upon request.
[Rules 62-4.070(3) and 62-296.401(7)(b)10., F.A.C.]

A.21. Operator Training - Each trained operator shall receive a certificate demonstrating that the operator has successfully passed the training required by the operation and maintenance guide. During the tenure of the operator, a copy of this certificate shall be kept on file at the facility and be made available to the Department upon request.
[Rules 62-4.070(3) and 62-296.401(7)(b)10., F.A.C.]

B. Solid Waste Requirements and Limitations

This section of the permit addresses the solid waste requirements and limitations applicable to this facility.

B.1. Wood Waste Management Requirements - The permittee shall comply with the following wood waste management requirements:

1. The owner or operator of this yard trash processing facility is not required to obtain a separate Solid Waste Management Facility permit pursuant to Rule 62-701.320(2)(b)2., F.A.C., during the time that this Air permit is in effect. In the event that this Air permit expires or is suspended, revoked or otherwise invalidated, the owner or operator shall obtain the appropriate permit pursuant to Chapter 62-701, F.A.C., for continued operation as a waste processing facility or, if applicable, a Yard Trash Processing Facility registration pursuant to Rule 62-709.320, F.A.C., for the continued operation of the facility as a yard trash transfer station or yard trash recycling facility.

2. Solid waste storage requirements.

(a) The facility shall have the operational features and equipment necessary to maintain a clean and orderly solid waste storage operation, including:

1. An effective barrier to prevent unauthorized entry and dumping into the facility site;

2. Dust and litter control methods; and

3. Fire protection and control provisions to deal with accidental burning of solid waste, including:

a. There shall be an all-weather access road, at least 20 feet wide, all around the perimeter of the site;

b. None of the processed or unprocessed material shall be mechanically compacted; and

c. None of the processed or unprocessed material shall be more than 50 feet from access by motorized firefighting equipment.

(b) The facility shall be operated in a manner to control vectors, and to control objectionable odors in accordance with Rule 62-296.320(2), F.A.C.

(c) Any wood waste received at the facility shall be size-reduced or removed within 6 months, or within the period required to receive 3,000 tons or 12,000 cubic yards, whichever is greater. However, logs with a diameter of six (6) inches or greater may be stored for up to 12 months before they are size-reduced or removed, provided the logs are separated and stored apart from other materials on site.

(d) In order to verify that the storage limits in (c) above are not being exceeded, monthly records of incoming and outgoing material shall be kept on site or at another location approved by the Department for at least three (3) years. The values may be in cubic yards or tonnage, but the same unit of measurement shall be used to record both incoming and outgoing material.

(e) Any solid waste received at the facility, which is not authorized by this permit to be processed shall be containerized, with all putrescible material removed within 48 hours. Further, if any of the following materials are discovered, they shall be immediately containerized and removed from the facility: treated or untreated biomedical waste; hazardous waste; or any materials containing a polychlorinated biphenyl (PCB) concentration of 50 parts per million or greater.

(f) Processed material shall be removed from the facility within 18 months.

(g) When the facility ceases operation, all residuals, solid waste, and recyclable materials shall be removed from the site and recycled, or disposed of pursuant to Chapter 62-701, F.A.C. Any remaining processed material shall be used in accordance with the requirements of this rule or disposed of pursuant to the requirements of Chapter 62-701, F.A.C.

[Rule 62-709.320, F.A.C.]

B.2. Rule 62-701.300, F.A.C. – Prohibitions **-** The permittee shall comply with the following Rule 62-701.300, F.A.C., prohibitions:

(1) General prohibition.

(a) No person shall store, process, or dispose of solid waste except at a permitted solid waste management facility or a facility exempt from permitting under this chapter.

(b) No person shall store, process, or dispose of solid waste in a manner or location that causes air quality standards to be violated or water quality standards or criteria of receiving waters to be violated.

(2) Siting. Unless authorized by a Department permit or site certification in effect on May 27, 2001, or unless specifically authorized by another Department rule or a Department license or site certification based upon site-specific geological, hydrogeological, design, or operational features, no person shall store or dispose of solid waste:

(a) In an area where geological formations or other subsurface features will not provide support for the solid waste;

(b) Within 500 feet of an existing or approved potable water well unless storage or disposal takes place at a facility for which a complete permit application was filed or which was originally permitted before the potable water well was in existence. This prohibition shall not apply to any renewal of an existing permit that does not involve lateral expansion, or to any vertical expansion at a permitted facility;

(c) In a dewatered pit unless the pit is lined and permanent leachate containment and special design techniques are used to ensure the integrity of the liner;

(d) In any natural or artificial body of water including ground water and wetlands within the jurisdiction of the Department. This prohibition does not apply to areas of standing water that exist only after storm events, provided that the storage or disposal does not result in objectionable odors or sanitary nuisances;

(e) Within 200 feet of any natural or artificial body of water unless storage or disposal takes place at a facility for which a complete permit application was filed or which was originally permitted before the water body was in existence. This prohibition shall not apply to any renewal of an existing permit that does not involve lateral expansion, nor to any vertical expansion at a permitted facility. For purposes of this paragraph, a “body of water” includes wetlands within the jurisdiction of the Department, but does not include impoundments or conveyances which are part of an on-site, permitted stormwater management system, or bodies of water contained completely within the property boundaries of the disposal site which do not discharge from the site to surface waters. A person may store or dispose of solid waste within the 200 foot setback area upon demonstration to the Department that permanent leachate control methods will result in compliance with water quality standards and criteria. However, nothing contained herein shall prohibit the Department from imposing conditions necessary to assure that solid waste stored or disposed of within the 200 foot setback area will not cause pollution from the site in contravention of Department rules; and

(f) On the right of way of any public highway, road, or alley.

(3) Burning. Open burning of solid waste is prohibited except in accordance with Chapter 62-256, F.A.C. Controlled burning of solid waste is prohibited except in a permitted incinerator, or in a facility in which the burning of solid waste is authorized by a site certification order issued under Chapter 403, Part II, F.S.

(4) Hazardous waste. No hazardous waste shall be disposed of in a solid waste management facility unless such facility is permitted pursuant to Chapter 62-730, F.A.C.

(5) PCBs. Disposal of liquids containing a polychlorinated biphenyl (PCB), or non-liquid PCBs in the form of contaminated soil, rags, or other debris, may be restricted or prohibited by 40 CFR Part 761. Persons managing PCBs are advised to consult that federal regulation before attempting to dispose of PCBs in any solid waste disposal unit in this state.

(6) Biomedical waste.

(a) No biomedical waste shall be knowingly deposited in any solid waste management facility unless:

1. The solid waste facility is specifically permitted to receive untreated biomedical waste;

2. The biomedical waste has been properly incinerated so that little or no organic material remains in the ash residue, or treated by a process approved by the Department of Health, and the provisions in Rule 62-701.520(5)(d), F.A.C., are complied with; or

3. The biomedical waste is generated by an individual as a result of self-care, or care by a family member or other non health care provider. However, in order to reduce the chance of exposure to the public, home generators are advised to segregate and package such waste before disposal according to the guidelines for disposal of home-generated biomedical waste available from each county health department.

(b) No solid waste, including treated biomedical waste, shall be commingled with untreated biomedical waste unless the solid waste is being managed in the same manner as the untreated biomedical waste.

(c) Treated or untreated biomedical waste shall not be allowed to leak into the environment during transport.

(7) Class I surface waters. The Department shall not issue a construction permit for a landfill within 3,000 feet of Class I surface waters.

(8) Special wastes for landfills. No person who knows or who should know of the nature of such solid waste shall dispose of the following wastes in any landfill:

(a) Lead-acid batteries;

(b) Used oil, except as provided in Chapter 62-710, F.A.C.;

(c) Yard trash in a Class I landfill, except as may be allowed pursuant to Section 403.708(12)(c), F.S., and;

(d) White goods;

(e) Whole waste tires may not be disposed of in any landfill or construction and demolition debris disposal facility, except as provided in Chapter 62-711, F.A.C.

(9) Special wastes for waste-to-energy facilities. No person who knows or who should know of the nature of such solid waste shall dispose of lead-acid batteries, mercury-containing devices, or spent mercury-containing lamps in any waste-to-energy facility.

(10) Liquids restrictions.

(a) Non-containerized liquid waste shall not be placed in solid waste disposal units, which accept household waste or construction and demolition debris for disposal unless:

1. The liquid waste is household waste other than septic waste; or
2. The liquid waste is leachate or gas condensate derived from the solid waste disposal unit, or byproducts of the treatment of such leachate or gas condensate, and the solid waste disposal unit is lined and has a leachate collection system.

(b) Containers holding liquid waste shall not be placed in a solid waste disposal unit unless:

1. The container is a small container similar in size to that normally found in household waste;
2. The container is designed to hold liquids for use other than storage; or
3. The waste is household waste.

(c) Containers or tanks twenty gallons or larger in capacity shall either have one end removed or cut open, or have a series of punctures around the bottom to ensure the container is empty and free of residue. The empty container or tank shall be compacted to its smallest practical volume for disposal.

(11) Used oil and oily wastes.

(a) Except as provided in paragraph (b) of this subsection, no person may mix or commingle used oil with solid waste that is to be disposed of in landfills or directly dispose of used oil in landfills.

(b) Oily wastes, sorbents or other materials used for maintenance or to clean up or contain leaks, spills or accidental releases of used oil, and soils contaminated with used oil as a result of spills or accidental releases are not subject to the prohibition in paragraph (a) of this subsection.

(12) Yard trash. The prohibitions of this section apply to the storage, processing, or disposal of yard trash, except that paragraphs (2)(b) and (e) of this section are modified so that the following setback distances shall apply:

(a) 100 feet from off-site potable water wells, no setback required from on-site water wells; and

(b) 50 feet from water bodies.

(13) Tanks. The prohibitions in subsection (2) of this section do not apply to the storage or treatment of solid waste in tanks, which meet the criteria of Chapter 62-761 or Rule 62-701.400(6), F.A.C. Instead, no such storage tank shall be installed within 500 feet of any existing community water supply system or any existing non-transient non-community water supply system, nor shall any tank be installed within 100 feet of any other existing potable water supply well.

(14) CCA treated wood. CCA treated wood shall not be incorporated into compost or made into mulch, decorative landscape chips or any other wood product that is applied as a ground cover, soil or soil amendment. CCA treated wood may be ground and used as initial cover on interior slopes of lined solid waste disposal facilities provided it meets the criteria of subsection Rule

62- 701.200(53), F.A.C. CCA treated wood shall not be disposed of through open burning or through combustion in an air curtain incinerator.

(15) Dust. The owner of operator of a solid waste management facility shall not allow the unconfined emissions of particulate matter in violation of paragraph Rule 62-296.320(4)(c), F.A.C.

(16) Indoor storage. The prohibitions in subsection (2) of this section do not apply to the storage or processing of solid waste indoors, provided that the indoor storage area has an impervious surface and a leachate collection system. For the purposes of this subsection, an impervious surface means either a poured concrete pad having a minimum thickness of four inches, or an asphalt concrete paving with both a minimum thickness of one and one-half inches and with an additional component to restrict leaching to ground water such as a soil cement sub-base, an epoxy seal or a geomembrane.

(17) Storage in vehicles or containers. The prohibitions in subsection (2) of this section do not apply to the storage of solid waste in an enclosed or covered vehicle or container, provided that such vehicle or container has either been unloaded or moved over public highways within the previous seven days, and provided also that reasonable efforts have been made to minimize leakage from the vehicle or container.

(18) Existing facilities. Those portions of facilities, which were constructed prior to May 27, 2001, remain subject to the prohibitions that were in effect at the time the permit authorizing construction was issued. Lateral expansions of such facilities remain subject to the prohibitions that were in effect at the time the permit authorizing the lateral expansion was issued. For example, portions of facilities constructed prior to May 19, 1994 were subject to the prohibition against storing or disposing of solid waste within 500 feet of an existing or approved shallow water supply well, but are not subject to the prohibitions of paragraphs (2)(b) of this section. However, lateral expansions of such facilities, which occurred after May 19, 1994, are subject to the prohibitions of paragraphs (2)(b) of this section.

B.3. Ash Management Requirements – The permittee shall comply with the following ash management requirements:

(1) Ash from the air curtain incinerator may be used as a soil amendment or incorporated into mulch or compost products. If the ash is disposed of rather than beneficially used, such disposal shall be in accordance with the requirements of Chapter 62-701, F.A.C.