Florida Department of Environmental Protection

South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

January 9, 2012

CERTIFIED MAIL 7010 1870 0001 8477 1141
RETURN RECEIPT REQUESTED

Carol J. Davenport, President
Med Safe Solutions.US, Inc.
5959 Winkler Road
Suite A110
Fort Myers, Florida 33919

Re: Project No. 7775707-001-AC
Med Safe Solutions.US, Inc.
Minor Air Construction Permit
Two (2) Relocatable "OSWI" Incinerator Units

Dear Ms. Davenport:

On December 7, 2011, you submitted an application requesting a Title V Air Operation Permit to transport and operate two (2) portable (very small) "OSWI" (Other Solid Waste Incinerator) units to operate at separate locations for disposal of used drugs, narcotics and medications. This corporate office is located in Lee County at 5959 Winkler Road, Suite A110 in Fort Myers, Florida. Enclosed are the following documents: the Technical Evaluation and Preliminary Determination; the Draft Permit and Appendices; the Written Notice of Intent to Issue Air Permit; and the Public Notice of Intent to Issue Air Permit. The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. If you have any questions, please contact the project engineer, Carter B. Endsley, P.E., at (239) 344-5637.

Sincerely,

Jon M. Iglehart
Director of
District Management

JMI/CBE/jw
Enclosures

In the Matter of an
Application for Air Permit by:

Med Safe Solutions.US, Inc.
5959 Winkler Road
Suite A110
Fort Myers, Florida 33902-2549

Project No. 7775707-001-AC
Minor Air Construction Permit
Lee County, Florida

Two (2) relocatable "OSWI"
Drug Incinerator Units

Authorized Representative:
Carol J. Davenport
President

Facility Location: Med Safe Solutions.US, Inc. proposes to transport and operate two (2) portable (very small) "OSWI" (Other Solid Waste Incinerator) units to operate at separate locations for disposal of used drugs, narcotics and medications within an approved county. The corporate office is located in Lee County at 5959 Winkler Road in Fort Myers, Florida.

Project: The applicant proposes to transport two (2) portable (very small) "OSWI" (Other Solid Waste Incinerator) units, manufactured by Elastec, Inc./American Marine, Inc., to separate locations and perform the operation of incineration for disposal of drugs, narcotics and medications on site. The incinerators are "smoke free". One (1) incinerator (EU No. 001) is a drum, 37"Lx30"Wx54"H with 2 blowers, is fired by wood or charcoal, and has an average burn rate of 50 lbs/hr. One (1) incinerator (EU No. 002) is a "MEDIBURN 20 and is fired by diesel fuel oil. It has a primary chamber volume of 10.5 cu. ft. and provides an average burn rate of approximately 55 lbs/hr. Time of operation at each location will vary, and can be as short as 20 minutes or less, or may be somewhat longer depending upon the demand. Typical locations are law enforcement offices, medical offices and hospitals. This does NOT include other medical waste or classifications defined as hazardous materials. The emissions of each unit are primarily insignificant due to high efficiency of combustion with induced draft blowers and specialized design of the equipment. The volume of incinerated material is reduced to an average of 1% ash. The U.S. EPA, New Source Performance Standards (NSPS) rule 40 CFR 60 Subpart EEEE for "OSWI" units is required.

Details of the project are provided in the application and the enclosed Technical Evaluation and Preliminary Determination.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Air Resource Section in the South District Office. The Permitting Authority's physical address is: 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902. The Permitting Authority's mailing address is: P.O. Box 2549, Fort Myers, Florida 33902-2549. The Permitting Authority's telephone number is 239-344-6400.

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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. 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 an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the

proposed 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, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice 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 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 proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). 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 state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state

that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice 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.

Executed in Fort Myers, Florida.

_____
Jon M. Iglehart
Director of
District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, the Technical Evaluation and Preliminary Determination and the Draft Permit) was sent by certified mail (*) and 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 _____ to the persons listed below.

Carol J. Davenport (seasanibel@aol.com)
Lynn Robinson, P.E. (lrobinson@sesfla.com)
Ms. Katy Forney, US EPA Region 4: (forney.kathleen@epamail.epa.gov)
Ms. Ana Oquendo, US EPA Region 4: (oquendo.ana@epamail.epa.gov)

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

Florida Department of Environmental Protection
Air Resource Section, South District Office
Draft Minor Source Air Construction Permit
Project No. 7775707-001-AC
Med Safe Solutions.US, Inc.
Lee County, Florida

Applicant: The applicant for this project is Med Safe Solutions.US, Inc. The applicant's authorized representative and mailing address is: Carol J. Davenport, President, Med Safe Solutions.US, Inc. 5959 Winkler Road, Suite A110, Fort Myers, Florida, 33910.

Facility Location: These are two (2) separate, (small) relocatable "OSWI" Incinerator systems that are portable, and will operate on a short term basis at various locations within the county.

Project: Med Safe Solutions.US, Inc. proposes to transport two (2) portable (very small) "OSWI" (Other Solid Waste Incinerator) units, manufactured by "Elastec, Inc./America Marine, Inc., to separate locations and operate the incineration systems for disposal of drugs, narcotics and medications on various sites. The incinerators are "smoke free". One (1) incinerator (EU No. 001) is a drum, 37"Lx30"Wx54"H with 2 blowers, is fired by wood or charcoal, and has an average burn rate of 50 lbs/hr. One (1) incinerator (EU No. 002) is a model "MEDIBURN 20, and is fired by diesel fuel oil. It has a primary chamber volume of 10.5 cu. ft. and provides an average burn rate of approximately 55 lbs/hr. Time of operation at each location will vary, and can be as short as 20 minutes or less, or may be somewhat longer depending upon the demand. Typical locations are law enforcement offices, medical offices and hospitals. This does NOT include other medical waste or classifications defined as hazardous materials. The emissions of each unit are primarily insignificant due to high efficiency of combustion with induced draft blowers and specialized design of the equipment. The emissions do not include any HAPs (hazardous air pollutants). Non-combustible materials and drug paraphernalia is sterilized by heat and can be disposed in municipal waste. The volume of incinerated material is reduced to an average of 1% ash. The U.S. EPA, New Source Performance Standards (NSPS) rule 40 CFR 60 Subpart EEEE for "OSWI" incinerators is required.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Air Resource Section in the South District Office. The Permitting Authority's physical address is: 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902. The Permitting Authority's mailing address is: P.O. Box 2549, Fort Myers, Florida 33902-2549. The Permitting Authority's telephone number is 239-344-6400.

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 physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: http://www.dep.state.fl.us/air/emission/apds/default.asp.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

(Public Notice to be Published in the Newspaper)

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). 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 this Public Notice or receipt of a written notice, 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 state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this 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.

(Public Notice to be Published in the Newspaper)

Florida Department of Environmental Protection
South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

*** DRAFT PERMIT ***

Sent by Electronic Mail – Received Receipt Requested

PERMITTEE

Med Safe Solutions.US, Inc.
5959 Winkler Road
Suite A110
Fort Myers, Florida 33919

Authorized Representative:
Carol J. Davenport, President

Air Permit No. 7775707-001-AC
Permit Expires: DRAFT

Minor Source Air Construction Permit
(2) Relocatable "OWSI" Incinerator Units for Disposal of Drugs, Narcotics and Medications.

This is the final air construction permit, which authorizes Med Safe Solutions.US, Inc. to transport and operate two (2) portable (very small) "OSWI" (Other Solid Waste Incinerator) units to operate at separate locations for disposal of used drugs, narcotics and medications within the approved county. The proposed work will be conducted on a short term basis at various locations within the county.

This final construction permit is organized by the following sections.

Section 1. General Information

Section 2. Administrative Requirements

Section 3. Emissions Unit Specific Conditions

Section 4. Appendices

Because of 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 construction 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 Fort Myers, Florida

(DRAFT)

_____ _____

Jon M. Iglehart (Date)
Director of
District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination and Final Permit) 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 _____ to the persons listed below.

Carol J. Davenport (seasanibel@aol.com)
Lynn Robinson, P.E. (lrobinson@sesfla.com)
Ms. Katy Forney, US EPA Region 4: forney.kathleen@epamail.epa.gov
Ms. Ana Oquendo, US EPA Region 4: oquendo.ana@epamail.epa.gov

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)

FACILITY AND PROJECT DESCRIPTION

Proposed Project

Med Safe Solutions.US, Inc. proposes to transport two (2) portable (very small) "OSWI" (Other Solid Waste Incinerator) units to separate locations and operate the incineration systems for disposal of drugs, narcotics and medications on various sites. The incinerators are "smoke free". One (1) incinerator (EU No. 001) is a drum, 37"Lx30"Wx54"H with 2 blowers, is fired by wood or charcoal, and has an average burn rate of 50 lbs/hr. One (1) incinerator (EU No. 002) is a model "MEDIBURN 20, and is fired by diesel fuel oil. It has a primary chamber volume of 10.5 cu. ft. and provides an average burn rate of approximately 55 lbs/hr. Time of operation at each location will vary, and can be as short as 20 minutes or less, or may be somewhat longer depending upon the demand. Typical locations are law enforcement offices, medical offices and hospitals. This does NOT include other medical waste or classifications defined as hazardous materials. The emissions of each unit are primarily insignificant due to high efficiency of combustion with induced draft blowers and specialized design of the equipment. The emissions do not include any HAPs (hazardous air pollutants). Non-combustible materials and drug paraphernalia is sterilized by heat and can be disposed in municipal waste. The volume of incinerated material is reduced to an average of 1% ash. The U.S. EPA, New Source Performance Standards (NSPS) rule 40 CFR 60 Subpart EEEE for "OSWI" incinerators is determined by the U.S. EPA to be required.

This project will add the following emissions units.

Facility ID No. 7775707

ID No.	Emission Unit Description
001	ELASTEC - "Drug Terminator" 55 Gallon Drum, 2 blower Incinerator - (Small, Portable "OSWI")
002	ELASTEC – "MediBurn20", Primary chamber 10.5 cu. ft. Incinerator – (Small, Portable "OSWI")

Note: "OSWI" = "Other Solid Waste Incinerator" by EPA designation.

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is a Title V source per 40 CFR 60 Subpart EEEE – U.S. EPA New Source Performance Standards (NSPS) for Other Solid Waste Incineration ("OSWI") units which Construction is Commenced After June 16, 2004 (40 CFR 60.2880-60.2977). The U.S. EPA, New Source Performance Standards (NSPS) rule 40 CFR 60 Subpart EEEE for "OSWI" incinerators is determined by the U.S. EPA to be required.)
- The activities in this permit are also subject to Florida DEP Rules 62-4, 62-210, 62-213, 62-296, 62-297, T.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.

SECTION 2. ADMINISTRATIVE REQUIREMENTS (DRAFT)

1. Permitting Authority: The permitting authority for this project is the South District Office, Division of Air Resource Management, Florida Department of Environmental Protection (Department). The Bureau of Air Regulation's mailing address is P.O. Box 2549, Fort Myers, Florida 33902-2549. All documents related to applications for permits to operate an emissions unit shall be submitted to the South District Office.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the South District Office. The mailing address and phone number of the South District Office is: P.O. Box 2549, Fort Myers, Florida 33902-2549, (239) 344-5600.

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: The permittee shall notify the Compliance Authority upon commencement of construction. No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

7. Source Obligation:

   (a) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.

   [Rule 62-212.400(12), F.A.C.]

8. Application for Title V Permit: This permit authorizes construction of the permitted emissions units and initial operation to determine compliance with Department rules. A Title V air operation permit is required for regular operation of the permitted emissions unit.

A. EU Group Description

This section of the permit addresses the following emissions units.

ID No.	Emission Unit Description
001	ELASTEC - "Drug Terminator" 55 Gallon Drum, 2 blower Incinerator - (Small, Portable "OSWI")

Note: "OSWI" = "Other Solid Waste Incinerator" by EPA designation.

EQUIPMENT

1. ELASTEC "Drug Terminator": Manufactured by Elastec Inc./American Marine, Inc. 1309 West Main, Carmi, IL 62821. This is a "Relocatable" very small "OSWI" Incinerator Drum unit that is 37"L x 30"W x54" H. Exit temperatures at 1,100 degrees F. with a stack height of 3.83 Feet. The permittee is authorized to transport the equipment to various locations within the approved counties and operate in accordance with manufactures operating instructions. [Application No. 7775707-001-AC]

PERFORMANCE RESTRICTIONS

2. Permitted Capacity: 50 lbs/hr. [Rule 62-210.200(PTE), F.A.C.]
3. Authorized Fuel: Wood or Charcoal fired. [Application No. 7775707-001-AC and Rule 62-210.200(PTE), F.A.C.]
4. Restricted Operation: No hazardous waste shall be burned. The hours of operation of are limited (1,560 hours per year). (Requested in the application by applicant) [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]
5. Facility Relocation: The facility (Emission Unit EU-001) can be relocated to separate locations and operate as the incineration system for disposal of drugs, narcotics and medications on various sites in an approved county where public notice has been published without objections. See Facility Relocation in General Conditions, Appendix B.
6. Attended Operation: The incinerator unit (EU-001) shall be attended at all times while materials are being burned or flames are visible within the incinerator.
7. Operator Training: Operator training and qualification requirements are to be in accordance with 40 CFR Part 60, 60.2905.
   (a) No "OSWI" unit can be operated unless a fully trained and qualified "OSWI" unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified "OSWI" unit operator may operate the "OSWI" unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified "OSWI" unit operators are temporarily not accessible, you must follow the procedures in Sec. 60.2911.
   (b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.
   (c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.
      (1) Training on the thirteen subjects listed in paragraphs (c)(1)(i) through (xiii) of this section.
         (i) Environmental concerns, including types of emissions.
         (ii) Basic combustion principles, including products of combustion.
         (iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.
         (iv) Combustion controls and monitoring.
         (v) Operation of air pollution control equipment and factors affecting performance (if applicable).
         (vi) Inspection and maintenance of the incinerator and air pollution control devices.
         (vii) Methods to monitor pollutants (including monitoring of incinerator and control device operating parameters) and monitoring equipment calibration procedures, where applicable.

(viii) Actions to correct malfunctions or conditions that may lead to malfunction.
(ix) Bottom and fly ash characteristics and handling procedures.
(x) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.
(xi) Pollution prevention.
(xii) Waste management practices.
(xiii) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that may serve as reference material following completion of the course. All equipment operators shall be trained to operate the equipment in accordance with manufacturer's specifications. Operators shall be trained in basic environmental compliance, are to perform visual inspections of all materials before handling. Operators are to use caution when handling ash and other dusty materials to minimize unconfined emissions of particulate matter (PM) during handling and disposal. Spilled ash and other materials are to be "immediately" collected to minimize fugitive emissions.

EMISSIONS STANDARDS AND TEST METHODS

8. Emissions Standards and Test Methods:

As stated in Sec. 60.2915, you must comply with the following:

Table 1 to Subpart EEEE of Part 60.--Emission Limitations

For the air pollutant	You must meet this emission limitation a	Using this averaging time	And determining compliance using this method
a) Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
b) Carbon Monoxide	40 parts per million by dry volume	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS.b	Method 10, 10A, or 10B of appendix A of this part and CEMS.
c) Dioxin/furans (total basis)	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 23 of appendix A of this part.
d) Hydrogen Chloride	15 parts per million by dry volume	3-run average (1 hour minimum sample time per run).	Method 26A of appendix A of this part.
e) Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
f) Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
g) Opacity	10 percent	6-minute average (observe over three 1-hour test runs; i.e., thirty	Method 9 of appendix A of this part.

		6-minutes averages).	
h) Oxides of Nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Methods 7 and 7C only.
i) Particulate Matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of appendix A of this part.
j) Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 6 only.

All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions. Calculated each hour as the average of the previous 12 operating hours.

The above test methods are described in Appendix A of 40 CFR 60 and are 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. [Rules 62-204.800 and 62-297.100, F.A.C.; and Appendix A of 40 CFR 60]

ESTIMATED EMISSIONS

The estimated emissions are insignificant and contain no hazardous pollutants (HAPs). (Based upon 44 ton/year materials burned (39 ton/yr. pills, etc., and 5 ton/yr. fuel (wood & Charcoal), the estimated emissions are as follows: [Application No. 7775707-001-AC and Rule 62-296, F.A.C.]

a) The Particulate Matter (PM) is approximately 0.05 tons/year,
b) NOx emissions is approximately 0.088 ton/year.
c) VOC emissions are approximately 0.0015 ton/year.
d) Visible Emissions: 10 percent, 6-minute average (observe over three 1-hour test runs; i.e., thirty 6-minutes average).

TESTING REQUIREMENTS

9. Initial Compliance Tests: The emissions unit shall be tested to demonstrate initial compliance with the emissions standards for Cadmium, Carbon monoxide, Dioxins/furans, Hydrogen chloride, Lead, Mercury, Opacity, Oxides of nitrogen, Particulate matter and Sulfur dioxide. The initial tests shall be conducted within 60 days after achieving permitted capacity, but not later than 180 days after initial operation of the unit. [Rules 62-4.070(3) and 62-297.310(7)(a)1, F.A.C.]

10. Annual Compliance Tests: During each federal fiscal year (October 1st to September 30th), the emissions unit shall be tested to demonstrate compliance with the emissions standards for Cadmium, Carbon monoxide, Dioxins/furans, Hydrogen chloride, Lead, Mercury, Opacity, Oxides of nitrogen, Particulate matter and Sulfur dioxide. [Rule 62-297.310(7)(a)4, F.A.C. and 40 CFR 60, Subpart EEEE].

11. Test Notification Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(7)(a)9, F.A.C.]

RECORDS AND REPORTS

12. Operational Data: The permittee shall maintain records of the individual emission unit No. EU-001and identify the unit by manufacturers serial number. The records are to be kept daily and shall include the following:
    a) Date of Incineration Operation
    b) Location
    c) Name and Address of the entity that the incineration service is performed for.
    d) Description of the material product that is incinerated.
    e) Quantity of material product that is incinerated.
    f) Type of fuel used (Wood or Charcoal)
    g) Initial startup notification to the Department.

    [Rule 62-4.070(3), F.A.C.]

13. Annual Report:

The annual report required under §60.2955 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§60.2957 through 60.2959.

(a) Company name and address.

(b) Statement by the owner or operator, with their name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 CFR 70.5(d) or 40 CFR 71.5(d).

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to §60.2916 or §60.2917.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under §60.2949(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of §60.2934(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of §60.2934(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified "OSWI" unit operators were unavailable for more than 12 hours, but less than 2 weeks.

The above records are to be submitted annually to the Department of Environmental Protection's Air Resource Section in the South District Office. The Permitting Authority's physical address is: 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902. (See Annual Operating Report in General Conditions, Appendix B.

OPERATION and MAINTENANCE PLAN

See Operation and Maintenance plan in General Conditions, Appendix B.

The emission limitations and operating limits apply at all times except during "OSWI" unit startups, shutdowns, or malfunctions.

A. EU Group Description

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
002	ELASTEC – "MediBurn20", Primary chamber 10.5 cu. ft. Incinerator – (Small, Portable "OSWI")

Note: "OSWI" = Other Solid Waste Incinerator by EPA designation.

EQUIPMENT

1. ELASTEC – "MediBurn20", Manufactured by Elastec Inc./American Marine, Inc. 1309 West Main, Carmi, IL 62821. Primary chamber 10.5 cu. ft. Incinerator – (Small, Portable "OSWI"). The unit is a "Batch Type" very small municipal waste combustion unit. 34" W x 62" L x 82" H. Direct flame afterburner and secondary combustion chamber with exit temperatures at appx. 1,832 degrees F. with a stack height of 8.3 feet. The permittee is authorized to transport the equipment to various locations within the approved counties and operate in accordance with manufactures operating instructions. [Application No. 7775707-001-AC]

PERFORMANCE RESTRICTIONS

2. Permitted Capacity: Incineration rate at 330 lb/day [Rule 62-210.200(PTE), F.A.C.]
3. Authorized Fuel: Diesel fuel oil @ 2-3 gallons per hour. [Applicant Request; Rule 62-210.200(PTE), F.A.C.]
4. Restricted Operation: No hazardous waste shall be burned. The hours of operation limited (1,560 hours per year). [Rules 62-4.070(3) and 210.200(PTE), F.A.C.]
5. Facility Relocation: The facility (Emission Unit EU-002) Can be relocated to separate locations and operate as the incineration system for disposal of drugs, narcotics and medications on various sites in an approved county where public notice has been published without objections. See Facility Relocation in General Conditions, Appendix B.
6. Attended Operation: The incinerator unit (EU-002) shall be attended at all times while materials are being burned or flames are visible within the incinerator.
7. Operator Training: Operator training and qualification requirements are to be in accordance with 40 CFR Part 60, 60.2905.

(a) No "OSWI" unit can be operated unless a fully trained and qualified OSWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified "OSWI" unit operator may operate the "OSWI" unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified "OSWI" unit operators are temporarily not accessible, you must follow the procedures in Sec. 60.2911.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the thirteen subjects listed in paragraphs (c)(1)(i) through (xiii) of this section.
- (i) Environmental concerns, including types of emissions.
- (ii) Basic combustion principles, including products of combustion.
- (iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.
- (iv) Combustion controls and monitoring.
- (v) Operation of air pollution control equipment and factors affecting performance (if applicable).
- (vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Methods to monitor pollutants (including monitoring of incinerator and control device operating parameters) and monitoring equipment calibration procedures, where applicable.
(viii) Actions to correct malfunctions or conditions that may lead to malfunction.
(ix) Bottom and fly ash characteristics and handling procedures.
(x) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.
(xi) Pollution prevention.
(xii) Waste management practices.
(xiii) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.
(3) Written material covering the training course topics that may serve as reference material following completion of the course.

All equipment operators shall be trained to operate the equipment in accordance with manufacturer's specifications. Operators shall be trained in basic environmental compliance, are to perform visual inspections of all materials before handling. Operators are to use caution when handling ash and other dusty materials to minimize unconfined emissions of particulate matter (PM) during handling and disposal. spilled ash and other materials are to be "immediately" collected to minimize fugitive emissions.

EMISSIONS STANDARDS AND TEST METHODS

8. Emissions Standards and Test Methods:

As stated in Sec. 60.2915, you must comply with the following:

Table 1 to Subpart EEEE of Part 60.--Emission Limitations

For the air pollutant	You must meet this emission limitation a	Using this averaging time	And determining compliance using this method
a) 1. Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
b) 2. Carbon Monoxide	40 parts per million by dry volume	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS.b	Method 10, 10A, or 10B of appendix A of this part and CEMS.
c) 3. Dioxin/furans (total basis)	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 23 of appendix A of this part.
d) 4. Hydrogen Chloride	15 parts per million by dry volume	3-run average (1 hour minimum sample time per run).	Method 26A of appendix A of this part.
e) 5. Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
f) 6. Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
g) 7. Opacity	10 percent	6-minute average (observe over three 1-hour test	Method 9 of appendix A of this part.

			runs; i.e., thirty 6-minutes averages).	
h)	8. Oxides of Nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Methods 7 and 7C only.
i)	9. Particulate Matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of appendix A of this part.
j)	10. Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 6 only.

All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions. Calculated each hour as the average of the previous 12 operating hours.

The above test methods are described in Appendix A of 40 CFR 60 and are 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. [Rules 62-204.800 and 62-297.100, F.A.C.; and Appendix A of 40 CFR 60]

A. EU Group Description

ESTIMATED EMISSIONS

The estimated emissions are insignificant and contain no hazardous pollutants (HAPs). (Based upon 44 ton/year materials burned (39 ton/yr. pills, etc., and 5 ton/yr. fuel (wood & Charcoal), the estimated emissions are as follows: [Application No. 7775707-001-AC and Rule 62-296, F.A.C.]

a) The Particulate Matter (PM) is approximately 0.01 tons/year,
b) NOx emissions is approximately 0.066 ton/year.
c) VOC emissions are approximately 0.001 ton/year.
d) Visible Emissions: 10 percent, 6-minute average (observe over three 1-hour test runs; i.e., thirty 6-minutes average).

TESTING REQUIREMENTS

9. Initial Compliance Tests: The emissions unit shall be tested to demonstrate initial compliance with the emissions standards for Cadmium, Carbon monoxide, Dioxins/furans, Hydrogen chloride, Lead, Mercury, Opacity, Oxides of nitrogen, Particulate matter and Sulfur dioxide. The initial tests shall be conducted within 60 days after achieving permitted capacity, but not later than 180 days after initial operation of the unit. [Rules 62-4.070(3) and 62-297.310(7)(a)1, F.A.C.]

10. Annual Compliance Tests: During each federal fiscal year (October 1st to September 30th), the emissions unit shall be tested to demonstrate compliance with the emissions standards for Cadmium, Carbon monoxide, Dioxins/furans, Hydrogen chloride, Lead, Mercury, Opacity, Oxides of nitrogen, Particulate matter and Sulfur dioxide. [Rule 62-297.310(7)(a)4, F.A.C. and 40 CFR 60, Subpart EEEE].

11. Test Notification Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(7)(a)9, F.A.C.]

RECORDS AND REPORTS

12 Operational Data: The permittee shall maintain records of the individual emission unit No. EU-001and identify the unit by manufacturers serial number. The records are to be kept daily and shall include the following:

a) Date of Incineration Operation
b) Location
c) Name and Address of the entity that the incineration service is performed for.
d) Description of the material product that is incinerated.
e) Quantity of material product that is incinerated.
f) Type of fuel used (Wood or Charcoal)
g) Initial startup notification to the Department.

[Rule 62-4.070(3), F.A.C.]

13. Annual Report:

The annual report required under §60.2955 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §60.2957 through 60.2959.

(a) Company name and address.

(b) Statement by the owner or operator, with their name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 CFR 70.5(d) or 40 CFR 71.5(d).

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to §60.2916 or §60.2917.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under §60.2949(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of §60.2934(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of §60.2934(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified "OSWI" unit operators were unavailable for more than 12 hours, but less than 2 weeks.

The above records are to be submitted annually to the Department of Environmental Protection's Air Resource Section in the South District Office. The Permitting Authority's physical address is: 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902. (See Annual Operating Report in General Conditions, Appendix B.

OPERATION and MAINTENANCE PLAN

14. See Operation and Maintenance plan in General Conditions, Appendix B.
15. The emission limitations and operating limits apply at all times except during "OSWI" unit startups, shutdowns, or malfunctions.

Contents

Appendix A. Citation Formats and Glossary of Common Terms
Appendix B. General Conditions
Appendix C. Common Conditions
Appendix D. Common Testing Requirements

CITATION FORMATS

The following illustrate the formats used in the permit to identify applicable requirements from permits and regulations.

Old Permit Numbers

Example: Permit No. AC50-123456 or Permit No. AO50-123456

Where: "AC" identifies the permit as an Air Construction Permit

"AO" identifies the permit as an Air Operation Permit

"123456" identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located

"2222" represents the specific facility ID number for that county

"001" identifies the specific permit project number

"AC" identifies the permit as an air construction permit

"AF" identifies the permit as a minor source federally enforceable state operation permit

"AO" identifies the permit as a minor source air operation permit

"AV" identifies the permit as a major Title V air operation permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the preconstruction review requirements of the Prevention of Significant Deterioration of Air Quality

"FL" means that the permit was issued by the State of Florida

"317" identifies the specific permit project number

Florida Administrative Code (F.A.C.)

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

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

GLOSSARY OF COMMON TERMS

° F: degrees Fahrenheit

AAQS: Ambient Air Quality Standard

acf: actual cubic feet

acfm: actual cubic feet per minute

ARMS: Air Resource Management System (DEP database)

BACT: best available control technology

bhp: brake horsepower

Btu: British thermal units

CAM: compliance assurance monitoring

CEMS: continuous emissions monitoring system

cfm: cubic feet per minute

CFR: Code of Federal Regulations

CAA: Clean Air Act

CMS: continuous monitoring system

CO: carbon monoxide

CO_2: carbon dioxide

COMS: continuous opacity monitoring system

DARM: Division of Air Resource Management

DEP: Department of Environmental Protection

Department: Department of Environmental Protection

dscf: dry standard cubic feet

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.A.W.: Florida Administrative Weekly

F.D.: forced draft

F.S.: Florida Statutes

FGD: flue gas desulfurization

FGR: flue gas recirculation

Fl: fluoride

ft^2: square feet

ft^3: cubic feet

gpm: gallons per minute

gr: grains

HAP: hazardous air pollutant

Hg: mercury

I.D.: induced draft

ID: identification

kPa: kilopascals

lb: pound

MACT: maximum achievable technology

MMBtu: million British thermal units

MSDS: material safety data sheets

MW: megawatt

NESHAP: National Emissions Standards for Hazardous Air Pollutants

NO_X: nitrogen oxides

NSPS: New Source Performance Standards

O&M: operation and maintenance

O_2: oxygen

Pb: lead

PM: particulate matter

PM_{10}: particulate matter with a mean aerodynamic diameter of 10 microns or less

ppm: parts per million

ppmv: parts per million by volume

ppmvd: parts per million by volume, dry basis

QA: quality assurance

QC: quality control

PSD: prevention of significant deterioration

psi: pounds per square inch

PTE: potential to emit

RACT: reasonably available control technology

RATA: relative accuracy test audit

RBLC: EPA's RACT/BACT/LAER Clearinghouse

SAM: sulfuric acid mist

scf: standard cubic feet

scfm: standard cubic feet per minute

SIC: standard industrial classification code

SIP: State Implementation Plan

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

SO_2: sulfur dioxide

TPD: tons/day

TPH: tons per hour

TPY: tons per year

TRS: total reduced sulfur

UTM: Universal Transverse Mercator coordinate system

VE: visible emissions

VOC: volatile organic compounds

General Conditions

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 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.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.987(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.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
    a. Have access to and copy any records that must be kept under conditions of the permit;
    b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
    c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
    a. A description of and cause of noncompliance; and
    b. 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.

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

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

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

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

13. This permit also constitutes:

    a. Determination of Best Available Control Technology (not applicable);

    b. Determination of Prevention of Significant Deterioration (not applicable);

    c. Compliance with New Source Performance Standards (applicable).

14. The permittee shall comply with the following:

    a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

    b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

    c. Records of monitoring information shall include:

        (a) The date, exact place, and time of sampling or measurements;

        (b) The person responsible for performing the sampling or measurements;

        (c) The dates analyses were performed;

        (d) The person responsible for performing the analyses;

        (e) The analytical techniques or methods used;

        (f) The results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware 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.

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]

2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]

3. Excess Emissions Allowed: 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 2 hours in any 24-hour period unless specifically authorized by the Department for longer duration. Pursuant to Rule 62-210.700(5), F.A.C., the permit subsection may specify more or less stringent requirements for periods of excess emissions. Rule 62-210-700(Excess Emissions), F.A.C., cannot vary or supersede any federal NSPS or NESHAP provision. [Rule 62-210.700(1), F.A.C.]

4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Compliance Authority in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]

6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]

7. 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. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

8. 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. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

EMISSIONS AND CONTROLS

10. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]

11. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]

12. Excess Emissions Allowed: 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 2 hours in any 24-hour period unless specifically authorized by the Department for longer duration. Pursuant to Rule 62-210.700(5), F.A.C., the permit subsection may specify more or less stringent requirements for periods of excess emissions. Rule 62-210-700(Excess Emissions), F.A.C., cannot vary or supersede any federal NSPS or NESHAP provision. [Rule 62-210.700(1), F.A.C.]

13. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

14. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Compliance Authority in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]

15. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]

16. 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. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

17. 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. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

18. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least 5 years following the date on which such measurements,

records, or data are recorded. Records shall be made available to the Department upon request. [Rule 62-213.440(1)(b)2, F.A.C.]

20. Emissions Computation and Reporting:

a. *Applicability*. This rule sets forth required methodologies 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 this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit. [Rule 62-210.370(1), F.A.C.]

b. *Computation of Emissions*. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

(1) 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.

(a) 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.

(b) 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.

(c) 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.

(2) Continuous Emissions Monitoring System (CEMS).

(a) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:

1) 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

2) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.

(b) 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:

1) A calibrated flow meter that records data on a continuous basis, if available; or

2) 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.

(c) 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.

(3) Mass Balance Calculations.

(a) 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:

1) 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

2) 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.

(b) 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.

(c) 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.

(4) Emission Factors.

a. 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.

1) 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.

2) 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.

3) 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.

b. 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.

(5) 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.

(6) 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.

(7) 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.

(8) 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(2), F.A.C.]

c. *Annual Operating Report for Air Pollutant Emitting Facility*

(1) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year for the following facilities:

a. All Title V sources.
b. All synthetic non-Title V sources.

c. All facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) tons per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area.

d. All facilities for which an annual operating report is required by rule or permit.

(2) Notwithstanding paragraph 62-210.370(3)(a), F.A.C., no annual operating report shall be required for any facility operating under an air general permit.

(3) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office by April 1 of the following year, except that the annual operating report for year 2008 shall be submitted by May 1, 2009. If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to any DEP or local air program office.

(4) Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C., for purposes of the annual operating report.

(5) Facility Relocation. Unless otherwise provided by rule or more stringent permit condition, the owner or operator of a relocatable facility must submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)) to the Department at least 30 days prior to the relocation. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated.

[Rule 62-210.370(3), F.A.C]

Unless otherwise specified in the permit, the following testing requirements apply to all emissions units at the facility.

COMPLIANCE TESTING REQUIREMENTS

1. 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.]

2. Applicable Test Procedures - 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.

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

3. 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 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.]

4. 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. 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

   (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,

3. 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 visible emissions, if there is an applicable standard.

4. 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.

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 in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

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

RECORDS AND REPORTS

5. Test Reports: 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. 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. 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 shall provide the following information.

   a. The type, location, and designation of the emissions unit tested.

   b. The facility at which the emissions unit is located.

   c. The owner or operator of the emissions unit.

   d. 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.

   e. 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.

   f. The date, starting time and end time of the observation.

   g. The test procedures used.

h. The names of individuals who furnished the process variable data, conducted the test, and prepared the report.

i. 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.

j. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. 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.]