FINAL DETERMINATION

PERMITTEE

Kevin Cundiff, Plant Manager
Florikan ESA, LLC
1579 Barber Rd
Sarasota, FL 34240

PERMITTING AUTHORITY

Sarasota County Environmental Protection Division (SCEPD)
Air & Water Quality
1001 Sarasota Center Blvd.
Sarasota, Florida 34240

PROJECT

Air Permit No. 1150179-003-AC
Fertilizer polymer coating
Air Construction Permit
Florikan ESA, LLC

On November 19, 2014, the applicant submitted a request to allow the addition of a Morgenson pre-sizing unit to their previously permitted fertilizer polymer coating process (Standard Industrial Classification No. 28), which manufactures time release fertilizer. The facility is located in Sarasota County at 1579 Barber Rd., Sarasota, FL 34240.

NOTICE AND PUBLICATION

The SCEPD distributed a draft minor source air construction permit package on December 10, 2014. The applicant published the Public Notice in the Sarasota Herald-Tribune on December 20, 2014. The SCEPD received the proof of publication on January 06, 2015. No requests for administrative hearings or requests for extensions of time to file a petition for administrative hearing were received.

COMMENTS

No comments on the Draft Permit were received from the public, the South District office of the Florida Department of Environmental Protection, or the applicant.

CONCLUSION

The final action is to issue the permit.

NOTICE OF PERMIT ISSUANCE

PERMITTEE:
Florikan ESA, LLC
1579 Barber Rd
Sarasota, FL 34240

Air Permit No.: 1150179-003-AC
County: Sarasota
Expiration Date: December 31, 2015

Authorized Representative:
Kevin Cundiff, Plant Manager

Florikan ESA, LLC
Minor Source Air Construction Permit
Project: Fertilizer polymer coating

Dear Mr. Cundiff:

This final air construction permit is to allow the installation of a Morgenson pre-sizing unit at the raw fertilizer receiving conveyor belt and the removal of the classifier process from the previously permitted process operated by Florikan ESA, LLC, which is a fertilizer polymer coating operation (Standard Industrial Classification No. 28), that manufactures time release fertilizer. The facility is located in Sarasota County at 1579 Barber Rd., Sarasota, FL 34240-9391. The UTM coordinates are Zone 17, 357.17 km East, and 3022.86 km North.

This draft 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 operation 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 operate the facility in accordance with the conditions of this permit.

A person whose substantial interests are affected by the permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions must be filed within 14 days of receipt of this final permit. 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. The petition must contain the information set forth below and must be filed (received) in the Office of the County Attorney, 1660 Ringling Boulevard, Sarasota, Florida 34236. Under Rule 62-110.106(4), F.A.C., a person may request an extension of the time for filing a petition for an administrative hearing. The request must be filed (received) in the Office of the County Attorney before the end of the time period for filing a petition for an administrative hearing. 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 Sarasota County Environmental Protection Division's (SCEPD) action is based must contain the following information, as indicated in Rule 28-106.201, Florida Administrative Code:

(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 determination;
(c) A statement of when and how the petitioner received notice of SCEPD's decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of SCEPD's proposed action;
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of SCEPD's proposed action; and
(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the SCEPD to take with respect to SCEPD's proposed action.

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

Mediation under Section 120.573, Florida Statutes, is not available for this proceeding. This permit action is final and effective on the date filed with the Clerk of the Office of the County Attorney unless a petition (or request for an extension of time) is filed in accordance with the above. Upon the timely filing of a petition (or request for an extension of time), this permit will not be effective until further order of the EPD.

Any party to this Order (air permit) has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Office of the County Attorney, 1660 Ringling Boulevard, Sarasota, Florida 34236; 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 of Appeal must be filed within thirty (30) days from the date this Order is filed with the Clerk of the Office of the County Attorney.

Executed in Sarasota, Florida.

SARASOTA COUNTY ENVIRONMENTAL PROTECTION DIVISION
AIR & WATER QUALITY

Digitally signed by Kimberly B. Pastewski
Date: 2015.01.08
Time: 12:16 PM

Digitally signed by John T. Hickey
Date: 201501.12
Time: 9:20 AM

Kimberly B. Pastewski
Environmental Specialist III
Environmental Protection Division
Air & Water Quality

John T. Hickey, P.E.
Manager
Environmental Protection Division
Air & Water Quality

S15PC.001

CERTIFICATE OF SERVICE

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

Mr. Kevin Cundiff, Florikan E.S.A., LLC:, 1579 Barber Rd, Sarasota, FL 34240-9391; kevin.cundiff@Florikan.com

Ms. Liz Foeller, Florikan E.S.A., LLC: liz.foeller@florikan.com

Mr. Christopher G. Stirrat, Environmental Safety Consultants: escinc@verizon.net

Mr.Carter Endsley, P.E. II, Florida Department of Environmental Protection: Carter.Endsley@dep.state.fl.us

David M. Pearce, JD, Sarasota County Office of the County Attorney:dpearce@scgov.net

Melissa L. Wagar, Sarasota County Office of the County Attorney:mwagar@scgov.net

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated EPD Clerk, receipt of which is hereby acknowledged.

Theresa M. Gianquinto January 20 ***2015***

Clerk Date

FACILITY AND PROJECT DESCRIPTION

Existing Facility

Florikan ESA, LLC is a fertilizer polymer coating facility with processes that include polymer coating, material handling/blending, bagging, and truck loadout activities.

Uncoated small beads of fertilizer (prills) of varying composition are brought from outside sources, transported and offloaded from trucks and stored on site. A Morgenson pre-sizing unit is used to separate incoming fertilizers into undersized, correctly sized, and oversized product streams. The oversized and undersized fertilizers are collected and sold; while the correctly sized fertilizers are transferred into bags and totes. Batches of prills are dried by heating them to between 165 and 180°F in a fluidized bed preheater utilizing a 5 million British thermal units per hour (MMBtu/hour) indirect fire propane fueled burner. Agitation of the prills creates particulate matter (PM) emissions, which are ducted to a Mac Process baghouse, model 144LST196, emission control system and exhausted to the atmosphere by a stack.

The heated prills are transferred by an elevator and conveying system to one of the three Continental Rollo-Mixer, Model Mark IX, enclosed drum mixing units. The fertilizer is then coated with Luprinate M20S Isocyanate and Pluracol GP430 Polyol, which reacts to form a polymer coating within the mixing units. If needed, a recirculating supplemental air heating system utilizing a 1.5 MMBtu/hour indirect fire propane fueled burner is used to maintain a minimum reaction temperature of above 165°F within the enclosed drum mixers. Then, the recirculated air is filtered of particulate matter using in-line metal filters. Alternatively, the heated prills may be transferred and deposited by forklift into an open drum mixer where the fertilizer is mixed and coated using a hand held wand. Potential hazardous air pollutants (HAPs) and volatile organic compounds (VOCs) emissions from the coating process are fugitive in nature and well below permitting thresholds as demonstrated through testing completed on June 12, 2014 by Environmental Safety Consultants, Inc.

The coated prills are blended and packaged to provide specific fertilizer concentrations and time release characteristics as requested by customers. Fugitive dust emissions from the material handling, pre-sizing, transfer, and packaging are collected by a series of hoods which are ducted to a Camfil-Farr baghouse, Model GS12SQ. The baghouse exhausts back into the facility. If particularly dusty or hazardous fertilizers are to be received, then a Gold Serious GS Mini Single Cartridge Dust Collector will be connected to the system to catch the dust produced.

The existing facility consists of the following emissions units (EUs):

Facility ID No. 1150179	
ID No.	**Emission Unit Description**
001	Fluidized Bed Preheater
002	Fertilizer coating process & material handling

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

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of HAPs.
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.
- The facility is a naturally minor stationary source of air pollution.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The permitting authority for this project is SCEPD, Air & Water Quality. SCEPD's mailing address is: EPD Air & Water Quality; 1001 Sarasota Center Blvd. Sarasota; Sarasota, Florida 34240. All documents related to applications for permits shall be submitted in triplicate to SCEPD.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to SCEPD. The mailing address and phone number are: SCEPD Air & Water Quality; 1001 Sarasota Center Blvd.; Sarasota, Florida 34240; (941) 650-3923.

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

   Appendix A. Citation Formats and Glossary of Common Terms; and
   Appendix B. General Conditions.

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, SCEPD may require the permittee to conform to new or additional conditions. SCEPD shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, SCEPD may grant additional time. [Rule 62-4.080, F.A.C.]

6. Modification: No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from the SCEPD. 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: 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. Renewal: Prior to sixty (60) days before the expiration date of this permit, the permittee shall apply for a renewal of the permit. A renewal application shall be timely and sufficient. If the application is submitted prior to sixty (60) days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by SCEPD. [Rule 62-4.090, F.A.C.

This section of the permit addresses the following emission unit:

EU ID No.	***Emissions Unit Description***
001	Fluidized bed preheater
002	Fertilizer coating process & material handling

EQUIPMENT

1) Fluidized Bed Preheater (EU-001): The permittee is authorized to operate a fluidized bed preheater. A 5 million British thermal units per hour (MMBtu/hour) propane fueled burner indirectly heats fresh air which is used to dry small beads of fertilizer (prills) by blowing heated air up through a fluidized bed. The prills are heated to a target range of between 165 to 180 °F. Agitation of the prills creates particulate matter (PM) emissions, which are ducted to a Mac Process baghouse, model 144LST196, emission control system with the following design specifications:

   a. The design dust outlet loading from the dust collector shall be no more than 0.02 grains per dry standard cubic feet (dscf) of exhaust.

   b. The flow rate through the dust collector will be approximately 20,000 actual cubic feet per minute (acfm).

   [Design and Permit No. 1150179-001-AO]

2) Fertilizer coating & material handling process (EU-002): The permittee is authorized to operate a fertilizer coating process consisting of: Three (3) enclosed drum and three (3) open drum mixing units, coating storage, pump systems, fertilizer transfer, storage and bagging operations. When needed, a recirculating supplemental air heating system utilizing a 1.5 MMBtu/hour indirect fire propane fueled burner is used to maintain a minimum reaction temperature above 165°F within the enclosed drum mixers. [Design and Permit No. 1150179-001-AO]

PERFORMANCE RESTRICTIONS

3) Permitted Capacity: The maximum process rate provided by the facility is 42,048 tons/year. [Permit No. 1150179-001-AO and Rule 62-210.200(PTE), F.A.C.]

4) Authorized Fuel: Fuel used shall be limited to propane or natural gas. The estimated maximum heat input from fuel firing is 5 MMBtu/hour for the preheater and 1.5 MMBtu/hour for the supplemental air heating system for the coating process. [Permit No. 1150179-001-AO and Rule 62-210.200(PTE), F.A.C.]

5) Restricted Operation: The hours of operation of are not limited (8760 hours per year). [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

WORK PRACTICE STANDARDS

6. Dust Collector Maintenance: New and replacement filters/bags shall meet the dust outlet design specification based on vendor specifications. No particulate matter emissions tests are required. [Rules 62-4.070(3), F.A.C.]

7. Circumvention of Control Equipment: The permittee shall not circumvent any air pollution control device or allow the emissions of air pollutants without the applicable air pollution control devices (Mac Process model 144LST196 baghouse and Camfil-Farr model GS12SQ baghouse) operating

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

8. Visible Emissions (VE) Standard (EU 001): In order to provide reasonable assurance that the Mac Process, model 144LST196, dust control baghouse is functioning properly, VE from the baghouse exhaust stack shall not exceed 5% opacity. If visible emissions are observed, the permittee shall investigate and take the corrective actions to return the dust collector to normal operation (e.g., maintenance, filter/bag replacement, etc.) This requirement does not impose a specific testing requirement. [62-4.070(3), F.A.C.]

9. General Opacity Standard: 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 general requirement does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

10. 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.]

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

12. VOC/Organic Solvents Emissions: No person shall store, pump, handle process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emissions control devices or systems deemed necessary and ordered by SCEPD. Such controls include the following:

    a. Tightly cover or close all adhesive/ solvent/ coating containers when they are not in use;

    b. Tightly cover all adhesive/ solvent/ coating day tanks when not in use;

    c. Maintain all pipes/ valves/ fittings/ hoses in good operating condition;

    d. Confine rags used with adhesives/ solvents/ coatings to tightly closed, fireproof containers when not in use; and,

    e. Immediately confine and clean up any spills; make sure wastes are placed in closed containers for reuse/ recycling/ proper disposal.

    [Rule 62-296.320(1), F.A.C.]

13. 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.]

14. 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.]

MONITORING REQUIREMENTS

15. Dust Collector: At least once per month, the permittee shall inspect the dust collectors and perform maintenance and filter/bag replacements as necessary. The permittee shall record in a written log the date, the name of the person conducting the maintenance check, and the work performed. The same information shall also be recorded when the permittee is investigating visible emissions from the dust collector stack. [Rule 62-4.070(3), F.A.C.]

RECORDS AND REPORTS

16) 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 Compliance Authority upon request. [Rule 62-213.440(1)(b)2, F.A.C.]

SARASOTA COUNTY ENVIRONMENTAL PROTECTION DIVISION
AIR & WATER QUALITY

Digitally signed by Kimberly B. Pastewski
Date: 2015.01.09
Time: 12:18 PM

Digitally signed by John T. Hickey
Date: 2015.01.12
Time: 9:20 AM

Kimberly B. Pastewski
Environmental Specialist III
Environmental Protection Division
Air & Water Quality

John T. Hickey, P.E.
Manager
Environmental Protection Division
Air & Water Quality

Contents

Appendix A. Citation Formats and Glossary of Common Terms
Appendix B. General Conditions

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 CRF 60.7]

Means: Title 40, Part 60, Section 7

GLOSSARY OF COMMON TERMS

° F: degrees Fahrenheit
µg: microgram
AAQS: Ambient Air Quality Standard
acf: actual cubic feet
acfm: actual cubic feet per minute
ARMS: Air Resource Management System (Department's 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

Citation Formats and Glossary of Common Terms

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: fluoride

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

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 control 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); and

    c. Compliance with New Source Performance Standards (not 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.