FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTH DISTRICT
P.O. BOX 2549
FORT MYERS, FL 33902-2549

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

NOTICE OF PERMIT ISSUANCE

Electronic Mail
Received Receipt Requested

Clean Earth, Inc.
334 S. Warminster Road
Hatboro, PA

Authorized Representative:
Michael Goebner – Senior VP of Operations

Air Permit No. 0430008-010-AF
Permit Expires: July 11, 2018

Clean Earth of Southern Florida, LLC
Federally Enforceable Operation Permit
Thermal Soil Remediation Unit

Dear Mr. Goebner:

This is the "REVISED" final Federally Enforceable State Operating Permit (FESOP), Number 0430008-010-AF**,** which authorizes the operation of Clean Earth of Southern Florida, LLC which is a Soil Remediation facility, (Standard Industrial Classification No. 5629). **This permit renews previous permit No. 043008-008-AF and revises permit No. 0430008-009 to remove annual PM and CO testing.** The facility is located in Glades County at 1310 Foxmoor Lane in Moore Haven, Florida. The UTM coordinates are Zone 17, 489.2 km East, and 2966.6 km North.

This final 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 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.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under Rule 62-110.106(4), Florida Administrative Code, a person may request an extension of the time for filing a petition for an administrative hearing. The request must be filed (received by the Clerk) in the Office of General Counsel before the end of the time period for filing a petition for an administrative hearing.

Petitions by the applicant or any of the persons listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first. Section 120.60(3), Florida Statutes, however, also allows that any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The 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 or request for an extension of time within fourteen days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's 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 the Department'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 the Department's proposed action;
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's proposed action; and
(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's proposed action.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 Department 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 Department.

Any party to the permit has the right to seek judicial review of the permit action under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190 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 Depart

Executed in Fort Myers, Florida.

July 23, 2013

Jon M. Iglehart
Director of
District Management

Date

JMI/CBE/jl

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance package (including the Permit) was sent by certified mail (*) and 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 July 23, 2013 to the persons listed below.

Michael Goebner, Sr. V.P., mgoebner@cleanearthinc.com
Cheryl Coffee, ccoffee@cleanearthinc.com
Max Lee, Ph.D., P.E. Koogler and Associates, mlee@kooglerassociates.com
Ms. Ana Oquendo, EPA Region 4: oquendo.ana@epamail.epa.gov
Ms. Barbara Friday, DEP BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)

Clerk Stamp

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

July 23, 2013

(Clerk) (Date)

FACILITY AND PROJECT DESCRIPTION

Existing Facility

This is is a synthetic non-Title V facility that Clean Earth Southern Florida, LLC, agrees to be permitted as a **Federally Enforceable State Operating Permit** (**FESOP**). The facility consists of a thermal soil remediation unit utilizing a rotary kiln (dryer) at 600 °F. Emissions are controlled by a high temperature fabric filter baghouse and direct flame afterburner. The facility is equipped with continuous emissions monitoring (CEM) for carbon monoxide (CO) and flue gas temperature. The facility is synthetically limited to not exceed 98 tons per year (TPY) of volatile organic compounds (VOCs). **The owner or operator shall not exceed the VOCs emission limit by limiting the hours of operation and by recordkeeping of contaminated soil VOC content**.

The existing facility consists of the following emissions units.

Facility ID No. 0430008	
ID No.	**Emission Unit Description**
001	Thermal Soil Remediation Unit

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 not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is/is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The permitting authority for this project is the Air Resource Management, South District, Florida Department of Environmental Protection (Department). The Air Resource Management, South District'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, Telephone 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: 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. 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 the Department. [Rule 62-4.090, F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. EU Group Description

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
001	Thermal Soil Remediation Unit

PERFORMANCE RESTRICTIONS

1. Permitted Capacity: Maximum soil charging rate to the unit shall not exceed 75 tons per hour (TPH). The permittee shall have means to determine the feed or production rate on site. [Permit No. AC22-201772] [Rule 62-210.200(PTE), F.A.C.]

2. Authorized Fuel: The following fuel usage is authorized at the facility:

Fuel Type	Authorized Location to be Burned	Maximum Annual Usage Rate (million gallons)	Maximum Sulfur Content shall not Exceed
#2 Distillate Oil	Dryer	1.37	0.5% Sulfur by weight
On-Spec Used Oil	Dryer	1.37	0.5% Sulfur by weight
LPG	Afterburner and Dryer	3.63	Not applicable
#2 Fuel Oil	Dryer	1.37	----------

[Permit No. AC22-234736] [Rule 62-210.200(PTE), F.A.C.]

3 Off-Specification Used Oil. The permittee shall not burn off-specification used oil. Used oil which fails to comply with any of the following specification levels is off-specification used oil:

a. Arsenic shall not exceed 5.0 ppm.
b. Cadmium shall not exceed 2.0 ppm.
c. Chromium shall not exceed 10.0 ppm.
d. Lead shall not exceed 100.0 ppm.
e. Total halogens shall not exceed 1,000.0 ppm.
f. Flash point shall not be less than 100.0 degrees F.

Polychlorinated biphenyls (PCB's) shall not be equal to nor greater than 2.0 ppm.
[Permit No. AC22-234736; 40 CFR 279 and 40 CFR 761]

4. Method of Operation. The soil thermal treatment facility shall be designed and operated to expose the organic vapors from the soil during thermal treatment to one of the following combinations:

Minimum Temperature (Fahrenheit)		Minimum Time (Seconds)
1,500	and	1.0
1,600	and	0.5
1,800	and	0.3

The minimum temperature shall be determined by a continuous temperature monitor pursuant to the applicable continuous emissions monitoring requirements of Rule 62-296.415(6), F.A.C. When soil is being treated, the minimum temperature shall be met or exceeded at all times except for 4 minutes in any

60 minute period, provided that the temperature does not fall below 100 degrees Fahrenheit of the required minimum temperature for the corresponding residence time. The minimum residence time shall be met or exceeded at all times while soil is being treated. [Rule 62-296.415(1)(a), F.A.C.]

5. **Restricted Operation: The authorized hours of operation are 16 hours per day, 6 days per week, but not more than 4,800 hours during any 12-month period.**
[Permit No. AC22-201772] [Rules 62-4.070(3) and 62- 210.200(PTE), F.A.C.]

6. Heat Input Rate. The heat input rate to the dryer shall not exceed 40.0 mmBtu/hour. The permittee shall have means to determine the heat input rate. [Rule 62-4.070(3), F.A.C. and Permit No. AC22-234736]

7. Petroleum Contaminated Materials. Only soils contaminated with virgin (non-recycled) petroleum products,"on-spec" used oil (see Specific Condition No. 6), toluene, xylene, ethyl benzene, and approved petroleum-contaminated soil-like materials shall be treated in this unit. The only approved alternative petroleum-contaminated soil-like materials are as follows:
   a. Sludge and/or tank bottoms from petroleum product storage tanks;
   b. Mineral-type sorbent materials that have been used for the cleanup of petroleum spills and/or leaks (e.g., absorbent clays);
   c. Oil/water separator residues (the grit type material from the bottom only) from industries or commercial sources and contaminated only with organic chemicals associate with petroleum products;
   d. Soakage pit residues from industries or commercial sources and contaminated only with organic chemicals associate with petroleum products;
   e. Car wash reclaim water tank residues from auto, light truck, and other passenger vehicles washes only,
   f. Stormwater catch basin residues; and
   g. French drain residues.

   The rotary kiln/afterburner system shall neither be used to thermally process materials that are listed in 40 CFR 261.31, 261.32, 261.33 nor materials that have the hazardous characteristics of corrosivity, reactivity, EP toxicity, and ignitability. Prior to the acceptance of contaminated materials for processing, the permittee shall provide the Department's Air Resource Management Section with written reasonable assurance (i.e. certification from the generator) that the soil contaminated with virgin petroleum products or petroleum-contaminated soil-like materials are not classified as a hazardous waste pursuant to the federal regulations cited in this specific condition. To obtain approval to treat soils contaminated with other materials, the permittee shall submit soil analysis results and calculations to the Department's Air Resource Management Section, which show the impact of the emissions, will not exceed or violate any permit condition or regulation.
   [Rule 62-4.070(3), F.A.C. and Applicant's Request dated June 16, 2005]

EMISSIONS STANDARDS

8. Carbon Monoxide (CO) Emissions. The average CO emissions shall not exceed 100 parts per million (ppm) by volume, dry basis, during all 60 consecutive minute periods of plant operation. The average CO emissions is the arithmetic mean of all CO concentration measurements during any consecutive 60 minutes of plant operation that were recorded by the CEM required pursuant to Rule 62-297.500, F.A.C. [Rule 62-296.415(1)(b), F.A.C.] {*Permitting Note: This emission unit has the potential to emit 10.46 TPY of CO.*}

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. EU Group Description

9. Emission Limits. The facility shall not exceed the following emission limits:

Emissions	Allowable Limit
VOC*	98.0 TPY
SO2	46.7 TPY
NOx	34.5 TPY
VE	5% Opacity
PM	0.04 grains per dry standard cubic foot (gr/dscf)

***The facility shall not exceed the VOC emission limit by limiting the hours of operation and by recordkeeping of the contaminated soil VOC content**.
[Permit No. AC22-234736: Rules 62-296.415(2), F.A.C. and 62-296.415(3), F.A.C.]
{Permitting *Note: This emission unit has the potential to emit 10.45 TPY of PM.}.*

10. Insignificant Emissions. The facility has the potential to emit following insignificant emissions: Benzene, Toluene, Xylene and Lead. [Rule 62-4.070(3), F.A.C.]

TESTING REQUIREMENTS

11. 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.]

NOTE: Testing is required annually (during each federal fiscal year) for "Visible Emissions" (VE) only.(See condition 12). The facility emits less than 100 TPY of each PM and CO. Annual compliance testing for "Particulate Emissions" (PM) or "Carbon Monoxide" (CO) is NOT required. However compliance testing for PM and CO is required prior to submitting an application for an air operation permit renewal per Rule 62-297.310(7)(a)3, F.A.C. (See condition 13).

12. Annual Compliance Tests: During each federal fiscal year (October 1st to September 30th), ***this emissions unit shall be tested annually to demonstrate compliance with the emissions standards only for Visual Emissions (VE).*** [Rule 62-297.310(7)(a)4, F.A.C.]

13. Compliance Tests Prior to Renewal. This emissions unit shall be tested for the following pollutants prior to obtaining a renewed operation permit: Particulate Matter (PM), Visual Emissions (VE) and Carbon Monoxide (CO).
[Rule 62-297.310(7)(a)3., F.A.C.]

14. Test 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.]

15. Visible Emissions (VE). The test method for VE shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. [Rules 62-296.415(5)(a), F.A.C., 62-297.310(4)(a), F.A.C. and 62-297.401(9), F.A.C.]

16. Particulate Matter (PM) Emissions. The test method for PM shall be EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet.
[Rules 62-296.415(5)(b), F.A.C., 62-297.310(4)(c), F.A.C., and 62-297.401(5), F.A.C.

17. Carbon Monoxide. The test method for CO shall be EPA Method 10, incorporated and adopted by reference in Chapter 62-297, F.A.C. [Rules 62-296.415(5)(c) F.A.C., and 62-297.401(10), F.A.C. and Permit No. AC22- 234736]

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

19. Stack Specifications. Stack sampling facilities provided by the owner shall be in accordance with the requirements of Chapter 62-297.310, F.A.C. [Permit No. AC22-234736]

20. Testing Operating Rate. The permittee shall conduct emissions testing while operating within 90% - 100% of the maximum permitted charging rate of 75 tons per hour, and while burning used oil in the dryer within 90% - 100% of the maximum permitted rate of 40.0 million Btu per hour. If it is impracticable to test at the maximum rates, then testing may be conducted at less than the maximum rates; however, in this case, subsequent operation is limited to 110% of the tested rates until new, satisfactory tests are conducted at higher rates. Once the unit is so limited, then operation at higher rates is allowed for no more than 15 consecutive calendar days for the purpose of additional compliance testing to regain the maximum rates authorized in the permit.

The actual charging rate and used oil burning rate shall be specified in each test report. [Rule 62-297.310(2), F.A.C.]

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

Method	Description of Method and Comments
5	Particulate Matter (PM) ***(Required only at time of permit renewal)***
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources (The method shall be based on a continuous sampling train.) ***(Required only at time of permit renewal)***

The above 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]

MONITORING REQUIREMENTS

22. Used Oil Sampling. Each batch of used oil to be burned shall be sampled and analyzed for: arsenic, cadmium, chromium, lead, total halogens, flash point, and PCB's using EPA/DEP or ASTM approved methods. [Permit No. AC22-234736]

23. Instrumentation Operation. The baghouse shall be equipped with instrumentation to monitor pressure drop and inlet temperature. The inlet temperature shall be recorded. Such instrumentation shall be properly calibrated, maintained, and functional at all times when the plant is operating. [Rule 62-4.070(3), F.A.C. and Construction Permit No. AC22-201772 dated November 6, 1991]

Continuous Monitoring Requirement

24. Required Instrumentation and Maintenance. The facility shall be equipped with instruments to continuously monitor and record the temperature and the CO concentration of the flue gases leaving the high temperature zone, but before any dilution air is mixed with the flue gases. The temperature monitor shall be certified by the manufacturer to be accurate to within 1% of the temperature being measured. The temperature monitoring system shall be calibrated at least annually by the procedure recommended by the manufacturer. The calibration shall be at a minimum of three temperatures and over a range from 10% below to 10% above the designed flue gas hot zone temperature of the soil thermal treatment facility. Calibration records shall be kept for a minimum of five years. The CO monitor shall be certified by the manufacturer to be accurate to within 10% of the CO concentration by volume, mean value, or 5% of the applicable standard of 100 ppm, whichever is greater, as determined by EPA Test Method 10 in 40 C.F.R. Part 60, Appendix A, adopted by reference in Rule 62-204.800(7), F.A.C. The CO CEM device shall be certified, calibrated, and operated according to Performance Specification 4 of 40 C.F.R. Part 60, Appendix B, adopted by reference in Rule 62-204.800(7), F.A.C., excluding Section 5.2, Calibration Drift Test Period, of Performance Specification 2. [Rules 62- 4.070(3), F.A.C., Rule 62-296.415(1)(c), F.A.C., and 62-296.415(6), F.A.C.] [Rule 62-4.070(3), F.A.C.]

25. Temperature and CO monitors shall be co-located unless otherwise approved by the Department. [Rule 62-296.415(1)(c), F.A.C.]

RECORD KEEPING AND REPORTING REQUIREMENTS

26. Exceedance Reporting. The permittee shall submit a temperature and CO exceedance report quarterly. If there were no exceedances during the period, the report must state the same. [Permit No. 0430008-001-AO]

27. Monthly Reporting. On a monthly basis, for each month during which used oil is burned, the permittee shall submit reports of the monthly quantities of used oil burned and the results from the sample analyses performed to the Department (**See Specific Condition 14.).** The permittee shall submit these reports within 30 days from the end of every month in which used oil was burned. The quantities of used oil burned shall be included in the Annual Operation Report. [Permit No. AC22-234736]

28. Sulfur Content Recordkeeping. In order to document continuing compliance with the fuel oil and used oil sulfur limits, the permittee shall keep records of the sulfur content, in percent by weight, of all the fuel oil and used oil burned based on either vendor provided as-shipped analyses or on analyses of as-received samples. The records shall be maintained for a minimum of two years and shall be made available to the Department upon request. [Rule 62-4.070(3), F.A.C. and Permit No. AC22-234736]

29. Used Oil Sampling. The results of each batch of used oil sampled and analyzed shall be retained by the permittee for at least three years and made available for inspection by the Department upon request. [Rule 62-4.070(3), F.A.C. and Permit No. AC22-234736]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. EU Group Description

30. Formal Testing Notification. The permittee shall notify the Department, at least 15 days prior to the date On which each formal compliance test is to begin, written notification of the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and telephone number of the person conducting the test. [Rule 62-297.310(7)(a)(9), F.A.C. and Permit No. AC22-234736]

31. Compliance Test Submittals. The permittee shall file with the Department a compliance test report on the results of each such test. The permittee shall submit with the results from the compliance test a copy of the analysis for the oil burned during each compliance 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. [Rule 62-297.310(8), F.A.C.]

32. Daily Operation and Maintenance (O&M) Log. This facility shall maintain a central file containing all measurements, records, and other data that are required to be collected pursuant to the various specific conditions of this permit. Operators shall keep a daily O&M log to include, at a minimum, the following information:
    a) The daily hours of actual operation;
    b) Maintenance/repair logs for any work performed on equipment or instrument which is subject to this permit; and
    c) These records shall be kept for a period of five years and shall be located at the site.
    All required records may be kept at the permittee's office, but must be available for inspection at the job site for the unit within 3 working days of a request by the Department.
    [Rule 62-4.070(3), F. A. C. and Permit No. 0430008-006-AF]

33. Annual Operating Reports (AOR). The annual operating report shall be submitted to the Department's South District Office. 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. [Rule 62-210.370(3), F.A.C. and Permit No. AC22-234736]

34. CEM Recordkeeping. All CEM recorded data shall be maintained on file at the facility for a period of five years. [Rule 62-4.070(3), F.A.C.]

35. VOC recordkeeping. The owner or operator shall maintain continuous recordkeeping of the VOC content of contaminated soil thermally treated at the facility. These records shall be maintained on file at the facility for a period of five years. [Rule 62-4.070(3), F.A.C.]

36. Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to 62-210.370, F.A.C. 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)(h), F.A.C.]

37. Compliance Reporting. The permittee shall submit all compliance related notifications and reports required by this permit to the South District office at:

Department of Environmental Protection
South District Office, P.O. Box 2549, Fort Myers, FL 33902
Phone: 239-344-5600 FAX: 850-412-059

SECTION 4. APPENDICES
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

Citation Formats and Glossary of Common Terms

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.

General Conditions

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.

Common Conditions

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.]

RECORDS AND REPORTS

10. 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.]

    a. Emissions Computation and Reporting: *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.]

Common Testing Requirements

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 is 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.]