

March 15, 2013

**CERTIFIED MAIL:**

**PERMITTEE**

Florida Hospital  
1919 North Orange Avenue  
Orlando, FL 32804

Air Permit Number: 0951315-008-AO  
Permit Expires: March 16, 2018

Authorized Representative:  
John Elkins,  
Administrative Director of Facilities

Florida Hospital-Winter Park  
Synthetic Minor Source Air Operation Permit  
Project Name: Renewal

This is the final air operation permit, which authorizes renewal of Air Operation Permit 0951315-007-AO. Florida Hospital-Winter Park is a hospital facility (Standard Industrial Classification Number 8062). The facility is located in Orange County at 200 North Lakemont Avenue in Winter Park, Florida. The UTM coordinates are Zone 17, 467.94 km East, and 3163.53 km North.

This permit is organized by the following sections.

Section 1. General Information

Section 2. Administrative Requirements

Section 3. Emissions Unit Specific Conditions

Section 4. Appendices (The following appendices are enforceable parts of this permit):

Appendix A. Citation Formats and Glossary of Common Terms

Appendix B. General Conditions

Appendix C. Common Conditions

Appendix D. Common Testing Requirements

Appendix E. NSPS 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

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 in accordance with the conditions of this permit. This project 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 this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of the Orange County Attorney, 201 South Rosalind Avenue, Third Floor, Orlando, Florida 32801, within 14 days of receipt of this Permit. 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 Section 120.57, F.S.

All petitions filed under these rules shall contain: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the final EPD action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by the EPD decision with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of the Orange County Attorney at the above address. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the EPD Clerk unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order by EPD.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Office of the Orange County Attorney at the above address; 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 30 days from the date the Final Order is filed with the Clerk of the EPD.

Executed in Orange County, Florida

\_\_\_\_\_  
Jodi D. Dittell (Date)  
Environmental Program Supervisor  
Air Quality Management  
Orange County Environmental Protection Division

**CERTIFICATE OF SERVICE**

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

John Elkins, Florida Hospital (john.elkins@flhosp.org)  
Wayne Gibbs, Florida Hospital-Winter Park (wayne.gibbs@flhosp.org)  
Sara Greivell, Grove Scientific & Engineering Co. (sara@grovescientific.com)  
Tom Lubozynski, Florida DEP (tom.lubozynski@dep.state.fl.us)  
Jodi Dittell, OCEPD (jodi.dittell@ocfl.net)

Clerk Stamp

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

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

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

**SECTION 1. GENERAL INFORMATION**

**FACILITY AND PROJECT DESCRIPTION**

**Florida Hospital–Winter Park**

Florida Hospital-Winter Park is a hospital campus located at 200 North Lakemont Avenue, Winter Park in Orange County. The facility is a **synthetic non-Title V source** of air pollutants. Potential emissions are criteria pollutants from combustion and miscellaneous volatile organic compounds (VOC) and hazardous air pollutants (HAP). This operating permit imposes emission limits on fuel consumption to limit NOx emissions below the Title V threshold of 100 TPY.

The existing facility consists of the following emission units.

<b>Facility ID Number 0951315</b>															
<b>EU ID</b>	<b>Emission Unit Description</b>														
001	<u>Boilers</u> <table border="0"> <thead> <tr> <th>Boiler Number</th> <th>Manufacturer and Model Number</th> <th>Heat Input Rating</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Johnston PFTA 600-4</td> <td>24.2 MMBTU/hr</td> </tr> <tr> <td>2</td> <td>Johnston PFTA 600-4</td> <td>24.2 MMBTU/hr</td> </tr> </tbody> </table> <p>The two steam boilers are fueled with natural gas as the primary fuel. The authorized alternate fuel for the boilers is Number 2 fuel oil with a maximum sulfur content of 0.05% by weight. The boilers are subject to NSPS 40 CFR Part 60 Subpart Dc – Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, and Rule 62-296.406, F.A.C., Fossil Fuel Steam Generators with Less Than 250 MMBTU/hr Heat Input, New and Existing Emissions Units.</p>			Boiler Number	Manufacturer and Model Number	Heat Input Rating	1	Johnston PFTA 600-4	24.2 MMBTU/hr	2	Johnston PFTA 600-4	24.2 MMBTU/hr			
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4	Caterpillar C27 TA	800													

**Project Description**

This project is for the renewal of Air Operation Permit 0951315-007-AO.

**FACILITY REGULATORY CLASSIFICATION**

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

## SECTION 2. ADMINISTRATIVE REQUIREMENTS

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1. Permitting & Compliance Authority: The permitting authority for this project is the Orange County Environmental Protection Division (EPD). All documents related to applications for permits to operate emission units and compliance activities such as reports, tests, and notifications shall be submitted to EPD. The mailing address and phone number of the EPD is 800 Mercy Drive, Orlando, FL 32808 and 407-836-1400.
2. 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;
  - d. Appendix D. Common Testing Requirements;
  - e. Appendix E. NSPS 40 CFR Part 60 Subpart III, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
3. 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.; Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C.; and Orange County Ordinances Chapter 15 Article III. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
4. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, EPD may require the permittee to conform to new or additional conditions. EPD shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, EPD may grant additional time. [Rule 62-4.080, F.A.C.]
5. Modifications: The permittee shall notify the EPD upon commencement of construction. No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from EPD. 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.]
6. Annual Operating Report: The permittee shall complete DEP Form No. 62-210.900(5), F.A.C., "Annual Operating Report for Air Pollutant Emitting Facility," including the Emissions Report, for each calendar year and submit it to EPD on or before **April 1<sup>st</sup>** of the following year. [Rule 62-210.370(3), F.A.C.]
7. Operation Permit Renewal: An air operation permit is required for regular operation of the permitted emission units. The permittee shall apply for an air operation permit at least 60 days prior to expiration of this permit. To apply for an air operation permit renewal, the applicant shall submit to the EPD the appropriate application form, the appropriate fee listed in Rule 62-4.050(4), records and reports required by Specific Condition No. 14 and such additional information as EPD may, by law, require. [Rule 62-4.090(1), F.A.C.]

### SECTION 3. EMISSION UNIT SPECIFIC CONDITIONS

This section of the permit addresses the following emission units.

ID No.	Emission Unit Description
001	Two Steam Boilers
002	Emergency Generators
003	Subpart IIII Emergency Generators

#### PERFORMANCE RESTRICTIONS

1. Hours of Operation: The hours of operation of EU 001 and EU 002 are not limited (8760 hours per year). [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Permit 0951315-001-AC]
2. Hours of Operation, Engines Subject to Subpart IIII: Maintenance checks and readiness testing is limited to 100 hours per year. There is no time limit on the use of emergency stationary RICE in emergency situations. Operation other than emergency operation, maintenance checks and readiness testing is prohibited. [40 CFR Part 60 Subpart IIII, Section 60.4211(e); Permit 0951315-006-AC]
3. Fuel Consumption: The total facility-wide natural gas usage is limited to 424 MMCF per consecutive 12-month period and the total facility-wide diesel fuel usage is limited to 101,500 gallons per consecutive 12-month period. [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Permit 0951315-006-AC]
4. BACT Determined by FDEP. The amount of particulate and sulfur dioxide emissions from the steam boilers shall be limited by the firing of natural gas, or diesel fuel (Number 2 fuel oil) with a maximum fuel sulfur content of 0.05 % by weight. [Rule 62-296.406(2) and (3), F.A.C., Permit 0951315-001-AC]
5. Fuel Sulfur Content: When firing diesel fuel, the maximum fuel sulfur content shall not exceed 0.05% by weight. [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C., Permit 0951315-001-AC]
6. Fuel Requirements, Subpart IIII Engines:  
Fuel for diesel engines subject to 40 CFR Part 60 Subpart IIII shall contain no more than 15 ppm sulfur (Ultra Low Sulfur Diesel or ULSD fuel) and have a minimum cetane index of 40 or a maximum aromatic content of 35% by volume. [40 CFR Part 60 Subpart IIII Section 60.4207, 40 CFR Part 80 Subpart I, Sections 80.510(a) and (b), Permit 0951315-006-AC]

#### EMISSIONS STANDARDS

7. Emissions Standards: With the exception of the steam boilers, the visible emissions from each emission source are limited to less than 20% opacity. [Rule 62-296.320(4)(b)1., F.A.C., Permit 0951315-001-AC]
8. Steam Boiler Visible Emissions. The visible emissions from each steam boiler shall comply with Rule 62-296.406(1), F.A.C., and are limited to less than 20 percent opacity, except for one 2-minute period per hour during which the opacity shall not exceed 40 percent. [Rule 62-296.406(1), F.A.C., Permit 0951315-001-AC]

#### TESTING REQUIREMENTS

9. Compliance Test Prior to Operating Permit Renewal: At least 90 days prior to the expiration of the operating permit, the emissions units shall be tested to demonstrate compliance with the standards for visible emissions. [Rule 62-297.310(7)(a)3, F.A.C.]

### SECTION 3. EMISSION UNIT SPECIFIC CONDITIONS

10. **Test Requirements:** The permittee shall notify EPD 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.]
11. **Test Methods:** Required tests shall be performed in accordance with the following EPA/FDEP reference method. The required minimum period of observation for compliance tests of Boilers 1 and 2 shall be 60 minutes. The required minimum period of observation for compliance tests of other equipment at this facility shall be 30 minutes.

Method	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources

The above method is 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 EPD. [Rules 62-204.800 and 62-297.100, F.A.C.; and Appendix A of 40 CFR 60]

### MONITORING REQUIREMENTS

12. **Hour Meter:** Engines subject to 40 CFR Part 60 Subpart III must have a non-resettable hour meter installed prior to startup of the engine. [40 CFR Part 60 Subpart III Section 60.4209]

### RECORDS AND REPORTS

13. **Test Reports:** The permittee shall prepare and submit reports for all required tests no later than 45 days after the last run of each test is completed and in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(8), F.A.C.]
14. **Monthly Recordkeeping log:** In order to demonstrate compliance with Specific Condition Numbers 2 through 6, the permittee shall maintain a log. The log shall be completed within 30 days of the end of the month reported, and shall be retained on file at the facility for at least five years from the date the data is recorded. The log shall contain the following for each month:
- Designation of month and year of operation for which records are being tabulated.
  - Monthly and consecutive 12-month totals of facility-wide diesel fuel consumption.
  - Monthly and consecutive 12-month totals of facility-wide natural gas consumption.
  - Hours of operation for readiness testing and maintenance checks of engines subject to 40 CFR Part 60 Subpart III.
  - Sulfur content of all diesel fuels (including Number 2 fuel oil) and cetane index or aromatic content of diesel fuel used in engines subject to 40 CFR Part 60 Subpart III.
- [Rule 62-4.070(3), F.A.C.; 40 CFR Part 60 Subpart III Section 60.4207 and 40 CFR Part 80 Subpart I, Section 80.510(b); Permit 0951315-006-AC]

Note: A consecutive 12-month total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12-month total treats each month of the year as the end of a 12-month period. A 12-month total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12-month totals using whatever number of months of data are available until such a time as a consecutive 12-month total can be maintained each month. [Rule 62-297.310(8), F.A.C.]

15. **Fuel Sulfur Content Records.** The permittee shall maintain records to demonstrate that each shipment of Number 2 fuel oil and diesel fuel meets the fuel requirements of this permit. [Rules 62-4.070(3) and 62-297.440, F.A.C.]

## SECTION 4. APPENDIX A

### Citation Formats and Glossary of Common Terms

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#### 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

**acf:** actual cubic feet

**AAQS:** Ambient Air Quality Standard

**acfm:** actual cubic feet per minute

## SECTION 4. APPENDIX A

### Citation Formats and Glossary of Common Terms

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<b>ARMS:</b> Air Resource Management System (DEP database)	<b>gr:</b> grains
<b>BACT:</b> best available control technology	<b>HAP:</b> hazardous air pollutant
<b>bhp:</b> brake horsepower	<b>Hg:</b> mercury
<b>Btu:</b> British thermal units	<b>HP:</b> horsepower
<b>CAM:</b> compliance assurance monitoring	<b>I.D.:</b> induced draft
<b>CEMS:</b> continuous emissions monitoring system	<b>ID:</b> identification
<b>cfm:</b> cubic feet per minute	<b>kPa:</b> kilopascals
<b>CFR:</b> Code of Federal Regulations	<b>kW:</b> kilowatts
<b>CAA:</b> Clean Air Act	<b>lb:</b> pound
<b>CMS:</b> continuous monitoring system	<b>MACT:</b> maximum achievable technology
<b>CO:</b> carbon monoxide	<b>MMBtu:</b> million British thermal units
<b>CO<sub>2</sub>:</b> carbon dioxide	<b>MSDS:</b> material safety data sheets
<b>COMS:</b> continuous opacity monitoring system	<b>MW:</b> megawatt
<b>DARM:</b> Division of Air Resource Management	<b>NESHAP:</b> National Emissions Standards for Hazardous Air Pollutants
<b>DEP:</b> Department of Environmental Protection	<b>NO<sub>x</sub>:</b> nitrogen oxides
<b>Department:</b> Department of Environmental Protection	<b>NSPS:</b> New Source Performance Standards
<b>dscf:</b> dry standard cubic feet	<b>O&amp;M:</b> operation and maintenance
<b>dscfm:</b> dry standard cubic feet per minute	<b>O<sub>2</sub>:</b> oxygen
<b>EPA:</b> Environmental Protection Agency	<b>Pb:</b> lead
<b>EPD:</b> Orange County Environmental Protection Division	<b>PM:</b> particulate matter
<b>ESP:</b> electrostatic precipitator (control system for reducing particulate matter)	<b>PM<sub>10</sub>:</b> particulate matter with a mean aerodynamic diameter of 10 microns or less
<b>EU:</b> emissions unit	<b>ppm:</b> parts per million
<b>F.A.C.:</b> Florida Administrative Code	<b>ppmv:</b> parts per million by volume
<b>F.A.W.:</b> Florida Administrative Weekly	<b>ppmvd:</b> parts per million by volume, dry basis
<b>F.D.:</b> forced draft	<b>QA:</b> quality assurance
<b>F.S.:</b> Florida Statutes	<b>QC:</b> quality control
<b>FGD:</b> flue gas desulfurization	<b>PSD:</b> prevention of significant deterioration
<b>FGR:</b> flue gas recirculation	<b>psi:</b> pounds per square inch
<b>Fl:</b> fluoride	<b>PTE:</b> potential to emit
<b>ft<sup>2</sup>:</b> square feet	<b>RACT:</b> reasonably available control technology
<b>ft<sup>3</sup>:</b> cubic feet	<b>RATA:</b> relative accuracy test audit
<b>gpm:</b> gallons per minute	<b>RBLC:</b> EPA's RACT/BACT/LAER Clearinghouse

## SECTION 4. APPENDIX A

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### Citation Formats and Glossary of Common Terms

**RICE:** Reciprocating internal combustion engine

**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<sub>2</sub>:** 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

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## SECTION 4. APPENDIX B

### General Conditions

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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 EPD 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 EPD.
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 EPD rules, unless specifically authorized by an order from FDEP and EPD.
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 EPD 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 EPD rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized EPD 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 EPD 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 EPD 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

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## SECTION 4. APPENDIX B

### General Conditions

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damages which may result and may be subject to enforcement action by EPD 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 EPD may be used by EPD as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or EPD 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 EPD 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 EPD rules.
11. This permit is transferable only upon EPD 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 EPD.
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;
  - b. Determination of Prevention of Significant Deterioration (not applicable); and
  - c. Compliance with New Source Performance Standards.
14. The permittee shall comply with the following:
  - a. Upon request, the permittee shall furnish all records and plans required under EPD rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by EPD.
  - 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 EPD 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 EPD, 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 EPD, such facts or information shall be corrected promptly.
16. All air pollution sources located in Orange County are subject to the Orange County Code of Ordinances, including Chapter 15, Article III, Air Quality Control.

## SECTION 4. APPENDIX C

### 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 EPD 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 EPD 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 EPD. [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 EPD. [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.]

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## SECTION 4. APPENDIX C

### Common Conditions

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#### 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 EPD upon request. [Rule 62-213.440(1)(b)2, F.A.C.]
11. Supporting Documentation: Supporting documentation (chemical usage tracking logs, MSDS sheets, purchase orders, EPA “As Supplied” data sheets, EPA Method 24, etc.) shall be kept for each chemical and associated products, which includes sufficient information to determine usage rates and emissions. These records shall be made available to EPD upon request. Documentation of each chemical reclaimed will use a mass balance method to determine usage and emissions (amount used minus amount collected for disposal or recycle). The log and documents shall be kept at the facility for at least five years. Daily logs shall be completed within 7 business days. [Rule 62-4.070(3), F.A.C.]
12. Emissions Computation and Reporting:
  - a. *Applicability*. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit. [Rule 62-210.370(1), F.A.C.]
  - b. *Computation of Emissions*. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.
    - (1) Basic Approach. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
      - (a) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to EPD 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 EPD 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

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## SECTION 4. APPENDIX C

### Common Conditions

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requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to EPD that an alternative approach is more accurate.

(2) 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.

(3) 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 EPD 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

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## SECTION 4. APPENDIX C

### Common Conditions

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.

- (4) 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.
- (5) 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.
- (6) 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.
- (7) 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 EPD 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 synthetic non-Title V sources.
  - b. 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.
- (2) The annual operating report shall be submitted to EPD by April 1 of the following year. If the report is submitted using the FDEP electronic annual operating report software, there is no requirement to submit a copy to EPD.
- (3) 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.

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

d. *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 EPD 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(4), F.A.C.]

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**SECTION 4. APPENDIX D**  
**Common Testing Requirements**

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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 EPD 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

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**SECTION 4. APPENDIX D**  
**Common Testing Requirements**

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- 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.
  3. The owner or operator shall notify EPD, 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 EPD, 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 an FDEP 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 EPD.
- [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 EPD on the results of each such test. The required test report shall be filed with EPD 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 EPD to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report shall provide the following information.
    - a. The type, location, and designation of the emissions unit tested.
    - b. The facility at which the emissions unit is located.
    - c. The owner or operator of the emissions unit.
    - d. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
    - e. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
    - f. The date, starting time and end time of the observation.
    - g. The test procedures used.
    - h. The names of individuals who furnished the process variable data, conducted the test, and prepared the report.
    - i. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
    - j. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.
- [Rule 62-297.310(8), F.A.C.]

**SECTION 4. APPENDIX E: 40 CFR PART 60 SUBPART III**

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**Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**40 CFR PART 60 SUBPART III – STANDARDS OF PERFORMANCE FOR STATIONARY COMPRESSION IGNITION INTERNAL COMBUSTION ENGINES**

[The following excerpts of 40 CFR Part 60 Subpart III apply to an owner/operator of 2007 and later model RICE, non-fire pump emergency, less than 10L per cylinder. Source: Federal Register Dated 7/11/06]

**What This Subpart Covers**

**60.4200** Am I subject to this subpart?

**Emission Standards for Manufacturers**

**60.4202** What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

**Emission Standards for Owners and Operators**

**60.4205** What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

**60.4206** How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

**Fuel Requirements for Owners and Operators**

**60.4207** What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

**Other Requirements for Owners and Operators**

**60.4208** What is the deadline for importing and installing stationary CI ICE produced in the previous model year?

**60.4209** What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

**Compliance Requirements**

**60.4211** What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

**Testing Requirements for Owners and Operators**

**60.4212** What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

**60.4213** What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

**Notification, Reports, and Records for Owners and Operators**

**60.4214** What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

**SECTION 4. APPENDIX E: 40 CFR PART 60 SUBPART III**

**Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**Special Requirements**

**60.4215** What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

**60.4216** What requirements must I meet for engines used in Alaska?

**60.4217** What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

**General Provisions**

**60.4218** What parts of the General Provisions apply to me?

**Definitions**

**60.4219** What definitions apply to this subpart?

**Tables to Subpart III of Part 60**

**Table 1** to Subpart III of Part 60--Emission Standards for Stationary Pre-2007 Model Year Engines with a displacement of < 10 liters per cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and with a displacement of < 10 liters per cylinder

**Table 2** to Subpart III of Part 60--Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE < 37 KW (50 HP) and with a Displacement of < 10 liters per cylinder

**Table 3** to Subpart III of Part 60--Certification Requirements for Stationary Fire Pump Engines

**Table 4** to Subpart III of Part 60--Emission Standards for Stationary Fire Pump Engines

**Table 5** to Subpart III of Part 60--Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

**Table 6** to Subpart III of Part 60--Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

**Table 7** to Subpart III of Part 60--Requirements for Performance Tests for Stationary CI ICE with a displacement of >=30 liters per cylinder

**Table 8** to Subpart III of Part 60--Applicability of General Provisions to Subpart III

**Sec. 60.4200 Am I subject to this subpart?**

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (3) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines,

(ii) The model year listed in table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005 where the stationary CI ICE are:

(i) Manufactured after April 1, 2006 and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005.

**SECTION 4. APPENDIX E: 40 CFR PART 60 SUBPART III**

**Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR part 89, subpart J and 40 CFR part 94, subpart J, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

**Sec. 60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?**

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) For engines with a maximum engine power less than 37 KW (50 HP):

(i) The certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants for model year 2007 engines, and

(ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.

(2) For engines with a maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants beginning in model year 2007.

(b) – (d) [Reserved.]

**Sec. 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?**

(a) [Reserved.]

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in Sec. 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) – (d) [Reserved.]

**Sec. 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?**

## SECTION 4. APPENDIX E: 40 CFR PART 60 SUBPART III

### Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in Sec. 60.4205 according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

#### **Sec. 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?**

(a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).

*(§ 80.510 What are the standards and marker requirements for NRLM [nonroad locomotive or marine] diesel fuel?*

*(a) Beginning June 1, 2007. Except as otherwise specifically provided in 40 CFR 80 Subpart I, all NRLM diesel fuel is subject to the following per-gallon standards:*

*(1) Sulfur content. 500 parts per million (ppm) maximum.*

*(2) Cetane index or aromatic content, as follows:*

*(i) A minimum cetane index of 40; or*

*(ii) A maximum aromatic content of 35 volume percent.)*

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.

*(§ 80.510 What are the standards and marker requirements for NRLM [nonroad locomotive or marine] diesel fuel?*

*(b) Beginning June 1, 2010. Except as otherwise specifically provided in CFR 80 Subpart I, all NR and LM diesel fuel is subject to the following per-gallon standards:*

*(1) Sulfur content.*

*(i) 15 ppm maximum for NR diesel fuel.*

*(ii) 500 ppm maximum for LM diesel fuel.*

*(2) Cetane index or aromatic content, as follows:*

*(i) A minimum cetane index of 40; or*

*(ii) A maximum aromatic content of 35 volume percent.)*

(c) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart may petition the Administrator for approval to use remaining non-compliant fuel that does not meet the fuel requirements of paragraphs (a) and (b) of this section beyond the dates required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.

(d) [Reserved.]

(e) Stationary CI ICE that have a national security exemption under Sec. 60.4200(d) are also exempt from the fuel requirements in this section.

#### **Sec. 60.4208 What is the deadline for importing or installing stationary CI ICE produced in the previous model year?**

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

**SECTION 4. APPENDIX E: 40 CFR PART 60 SUBPART III**

**Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

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(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) In addition to the requirements specified in Sec. 60.4202 and Sec. 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (f) of this section after the dates specified in paragraphs (a) through (f) of this section.

(h) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

**Sec. 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?**

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in Sec. 60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine, you must install a non-resettable hour meter prior to startup of the engine.

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in Sec. 60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

**Sec. 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?**

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(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. You must also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

(b) [Reserved.]

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in Sec. 60.4205(b), you must comply by purchasing an engine certified to the emission standards in Sec. 60.4204(b), or Sec. 60.4205(b), as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.

(d) [Reserved.]

(e) Emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency ICE beyond 100 hours per year. For owners and operators of emergency engines meeting standards under Sec. 60.4205 but not Sec. 60.4204, any operation other than emergency operation, and maintenance and testing as permitted in this section, is prohibited.

**Sec. 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?**

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (d) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:

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$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad (\text{Eq. 1})$$

Where:

STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in Sec. 60.4213 of this subpart, as appropriate.

(d) [Reserved.]

**Sec. 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?**

(a) [Reserved.]

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

**Sec. 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?**

(a) Owners and operators of stationary CI ICE that do not use diesel fuel, or who have been given authority by the Administrator under Sec. 60.4207(d) of this subpart to use fuels that do not meet the fuel requirements of paragraphs (a) and (b) of Sec. 60.4207, may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in Sec. 60.4202 using such fuels.

(b) [Reserved]

**Sec. 60.4218 What parts of the General Provisions apply to me?**

Table 8 to this subpart shows which parts of the General Provisions in Sec. Sec. 60.1 through 60.19 apply to you.

**Sec. 60.4219 What definitions apply to this subpart?**

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

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*Combustion turbine* means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

*Compression ignition* means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

*Diesel fuel* means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

*Diesel particulate filter* means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

*Emergency stationary internal combustion engine* means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines.

*Engine manufacturer* means the manufacturer of the engine. See the definition of "manufacturer" in this section.

*Fire pump engine* means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

*Manufacturer* has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

*Maximum engine power* means maximum engine power as defined in 40 CFR 1039.801.

*Model year* means either:

- (1) The calendar year in which the engine was originally produced, or
- (2) The annual new model production period of the engine manufacturer if it is different than the calendar year. This must include January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year. For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was originally produced.

*Other internal combustion engine* means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

*Reciprocating internal combustion engine* means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

*Rotary internal combustion engine* means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

*Spark ignition* means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid

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fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

*Stationary internal combustion engine* means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

*Subpart* means 40 CFR part 60, subpart III.

*Useful life* means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for useful life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for useful life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 94.9(a).

**Tables to Subpart III of Part 60**

TABLE 1 [Reserved.]

TABLE 2 TO SUBPART III OF PART 60.—EMISSION STANDARDS FOR 2008 MODEL YEAR AND LATER EMERGENCY STATIONARY CI ICE <37 KW (50 HP) WITH A DISPLACEMENT OF <10 LITERS PER CYLINDER

[As stated in § 60.4202(a)(1), you must comply with the following emission standards]

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/ HP-hr)			
	Model year(s)	NOX + NMHC	CO	PM
KW<8 (HP<11)	2008+	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008+	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2008+	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

TABLES 3 – 4 [Reserved.]

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TABLE 5 TO SUBPART III OF PART 60.—LABELING AND RECORDKEEPING REQUIREMENTS FOR NEW STATIONARY EMERGENCY ENGINES

[You must comply with the labeling requirements in § 60.4210(f) and the recordkeeping requirements in § 60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

<b>Engine Power</b>	<b>Starting Model Year</b>
19≤KW<56 (25≤HP<75)	2013
56≤KW<130 (75≤HP<175)	2012
KW≥130 (HP≥175)	2011