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Chevron

Department of Environmental Protection
Northwest District
160 Governmental Center
Pensacola, Florida 32501-5794

August 23, 2004

Sandra F. Veazey

REF: Permit No.: 0050056-009-AC
Facility ID No.: 0050056
SIC Nos.: 51, 5171
Project: Air Construction Permit

According to conditions within this permit the Panama City Terminal is required to update the status of this project, as of August 23, 2004 the work has started on the New tank #10.

If you have any questions or need more information about this project please contact me at the Panama City Terminal at 850-785-7426x29.

Terry Franklin

Terry Franklin
Terminal Manger

Copies Furnished To:

DEP Northwest District Branch Office, Panama City, FL.
Bob Kriegel, DEP Pensacola Office
URS Corporation, Atlanta

RECEIVED
AUG 25 2004
NORTHWEST FLORIDA
DEP

FILE COPY

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT

In the matter of an
Application for Permit
By:
Terry Franklin
Terminal Manager
Chevron Products Company
525 West Beach Drive
Panama City, Florida 32401
_____/

DEP File No. 0050056-009-AC
Bay County

Enclosed is Permit Number 0050056-009-AC, issued pursuant to Section 403.087, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 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 of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in Pensacola, Florida.

State of Florida Department
of Environmental Protection

Sandra F. Veazey
SANDRA F. VEAZEY
Air Program Administrator

160 Governmental Center
Pensacola, Florida 32502-5794
850/595-8364

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on May 5, 2004 to the listed persons.

Clerk Stamp

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

Clerk MBCurle Date 5/5/04

Copies Furnished to:
Samir M. Najim, P. E., URS Corporation
DEP Northwest District Branch Office, Panama City

FILE COPY

Chevron Products Company
Panama City Terminal

Facility ID No.: 0050056
Bay County

Air Construction Permit
Permit No.: 0050056-009-AC

Permitting and Compliance Authority:
Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, FL 32502-5794
Telephone: 850/595-8364
Fax: 850/595-8096

[electronic file name: 0050056-009-ac.doc

Air Construction Permit
Permit No.: 0050056-009-AC

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Department of Environmental Protection

Jeb Bush
Governor

Northwest District
160 Governmental Center
Pensacola, Florida 32502-5794

Colleen M. Castille
Secretary

Permittee:
Chevron Products Company
Panama City Terminal

Permit No.: 0050056-009-AC
Facility ID No.: 0050056
SIC No.: 51, 5171
Project: Air Construction Permit

This permit modifies a previously issued air construction permit (0050056-008-AC) allowing construction of a new gasoline aboveground storage tank (Tank 10), to replace an existing gasoline tank (Tank 01), at the Chevron Products Company Panama City Terminal, located at 525 West Beach Drive in Panama City, Bay County; UTM Coordinates: Zone 16, 628.3 km East and 3336.8 km North; Latitude: 30°09' 19" North and Longitude: 85° 39' 52" West.

STATEMENT OF BASIS: This air construction permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, and 62-210. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:
Appendix G-1, General Conditions
Attachment 40CFR60 Subpart A

Effective Date: May 5, 2004
Expiration Date: May 5, 2006

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sandra F. Veazey
Air Program Administrator

SFV:ajc

Section I. Facility Information.

Subsection A. Facility Description.

This facility is a petroleum terminal consisting of storage tanks, loading rack and a vapor combustion unit (VCU). The terminal receives petroleum products by barge, stores those products in a variety of fixed and floating roof storage tanks, and distributes these products by tanker trucks. A vapor combustion unit (VCU) controls tanker truck loading emissions. Facility emissions are limited by limiting the maximum throughput of petroleum liquids through the facility, and this facility is considered a synthetic minor facility as a result. This facility has entered into a voluntary agreement with the EPA to provide controls for slotted guidepoles. As a part of this agreement, Chevron will install required controls for Tank 10 and other select tanks by April 12, 2010.

This is a modification of the previous construction permit, 0050056-008-AC, with a proposal to replace a 1,932,000 gallon (46,000 barrel) internal floating roof gasoline storage tank, (Non-NSPS Tank 01 - riveted tank built in 1934), that stores gasoline with a revised size (increased by 1,215,522 gallons from 0050056-008-AC) above ground storage tank, of 3,186,960 gallon (75,880 barrel) internal floating roof gasoline storage tank (Tank 10). This replacement tank will be equipped with stainless steel mechanical primary shoe seal and an aluminum geodesic dome, to comply with 40 CFR 60.112b(a)(1), and will also store gasoline. The tank includes seals, gasketed pressure/vacuum vents, and gasketed covers and lids and meets all 40 CFR 60, Subpart Kb requirements. Based on calculations conducted with EPA TANKS 4.0 and past annual Tank 01 throughputs, the replacement of Tank 01 with Tank 10 will result in an increase of 0.42 tons per year of VOC even though the tank size is increasing significantly (due to better controls of newer construction, required by NSPS). Chevron is not requesting an increase in the throughputs or maximum allowable VOC emission limits (facility-wide condition 6) through this construction permit. The projected date of completion for this construction project is March 2005.

Based on the permit application received March 8, 2004, this facility is not a major source of hazardous air pollutants (HAPs) or criteria pollutants.

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

E.U. ID No.	Brief Description
007	High volatility VOL storage tanks subject to NSPS

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The document listed below is not a part of this permit; however, it is specifically related to this permitting action.

This document is on file with permitting authority:
Permit Application received March 8, 2004

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX G-1, GENERAL CONDITIONS, is a part of this permit.

2. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants that cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]

4. Prevention of Accidental Releases (Section 112(r) of CAA).
a. As required by rule, inspection, or change in process the owner or operator shall submit an updated Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center.
b. The owner or operator shall report to the Department of Community Affairs (DCA) within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the owner or operator is required to report the release to the USEPA/ Chemical Safety Hazard Investigation Board or the National Response Center under Section 112(r)(6).
c. The owner or operator shall submit the required annual registration fee to the DCA on or before June 21, 1999 and on April 1 annually thereafter, in accordance with Part IV, Chapter 252, F.S. and Rule 9G-21, F.A.C.

5. General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to 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. This includes but is not limited to covering all tanks, vats, containers, etc that are used for temporary and permanent storage of VOC/organic solvents when not in use to prevent vaporization of volatile organic compounds.
[Rule 62-296.320(1)(a), F.A.C.]

6. Emission and Throughput Limits. VOC emissions shall be controlled by limiting the maximum throughput of petroleum liquids through the facility. Facility-wide maximum allowable VOC emissions from all sources and activities are limited to 88.3 tons per rolling twelve months. Facility-wide rolling twelve-month throughput shall be limited to 325.76 million gallons of high volatility products (gasoline, aviation gasoline), and to 47.49 million gallons of low-volatility products (diesel, jet A).
[Construction permit application 0050056-009-AC]

7. 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 may 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, F.A.C.]

8. Record keeping. The Permittee shall maintain records for all stored materials, which show monthly and rolling twelve-month throughput and emissions for the facility. These records shall be maintained at the terminal and made available as necessary for at least five years.
[Rule 62-4.070, F.A.C.]

9. An annual operating report for air pollutant emitting facility, DEP Form 62-210.990(5), shall be submitted by March 1st of each year. A copy of the form and instructions may be obtained from the Department of Environmental Protection, Northwest District Air Resources Management Program, 850/595-8364.
[Rule 62-210.370, F.A.C.]

10. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include paving and maintenance of roads, parking areas, and yards; removal or sweeping of particulate matter from roads and other paved areas under the control of the facility to prevent reentrainment; application of water or dust suppressants to unpaved roads, yard, and parking areas as needed; landscaping or planting of vegetation; confining abrasive blasting, etc.
[Rule 62-296.320(4)(c)2., F.A.C.]

11. Permittee shall install and maintain permanent stack sampling facilities, including sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must meet requirements of Rule 62-297(6), F.A.C., and any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.
[Rule 62-297.310(6), F.A.C.]

12. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.
[Rule 62-213.440, F.A.C.]

13. The applicant shall retain a Professional Engineer, registered in the State of Florida, for the inspection of this project. Upon completion the engineer shall inspect for conformity to the permit application and associated documents. An application for an operation permit shall be submitted with the compliance test results and appropriate fee when applicable. These are to be submitted within 75 days after initial operation.
[Rules 62-210.300(2) and 62-4.050(3), F.A.C.]

14. The permittee shall submit all compliance related notifications and reports required by this permit to the Department's Northwest District office.

Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, Florida 32502-5794

Notification of compliance testing may be submitted by electronic mail to NWDAIR@dep.state.fl.us. A copy of all compliance related notifications shall be sent to the Northwest District Branch Office in Panama City at 2353 Jenks Ave, Panama City FL 32405.

15. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is 850/595-8364, extension 1220, day or night, and for emergencies involving a significant threat to human health or the environment is 800/320-0519. For routine business, telephone 850/595-8364, then press 7, during normal working hours.
[Rules 62-210.700 and 62-4.130, F.A.C.]

16. The Department shall be notified upon commencement of construction. The Department shall be notified and prior approval shall be obtained of any changes or revisions made during construction. Projects beyond one year require annual status reports.
[Rule 62-4.030, F.A.C.]

Section III. Emissions Units and Conditions.

Subsection G. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
007	High volatility VOL storage tanks subject to NSPS

This existing emission unit consists of one high-volatility organic liquid storage tank subject to New Source Performance Standards (40 CFR 60, Subpart Kb). This tank is described as follows:

ID	*Product Stored*	*Capacity (gal)*	*Tank Type*	*Installation/ Modification date*
Tank 66	gasoline	703,374	Internal floating roof	1934 / 1997

This permit allows construction of one high-volatility organic liquid storage tank subject to New Source Performance Standards that will replace existing Tank-01. This tank to be constructed is describes as follows:

ID	*Product Stored*	*Capacity (gal)*	*Tank Type*	*Installation/ Modification date*
Tank 10	gasoline	3,186,960	Internal floating roof	Under Construction (Expected complete 2005)

Emissions from this emission unit, including Tank 10 after construction, are included in the facility-wide (condition 6) maximum allowable VOC limit of 88.3 tons per rolling twelve months.

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

G.1. Capacity. Hourly and Annual throughputs shall be as limited by facility-wide condition 6. [Rule 62-210.200(PTE), F.A.C., Construction permit application 0050056-009-AC]

G.2. Hours of Operation. This emission unit is allowed to operate continuously, i.e., 8,760 hours/year, as long as throughputs and emissions limits are observed.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

G.3. 40 CFR 60.112b Standard for volatile organic compounds (VOC)

The owner or operator shall equip the 75,880 bbl storage vessel with the following:
(l) A fixed roof in combination with an internal floating roof meeting the following specifications:
(i) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof

shall float on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

(ii) The internal floating roof shall be equipped with the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

(a) A mechanical shoe seal -- A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

(iii) Each opening in a non-contact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents shall provide a projection below the liquid surface.

(iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains shall be equipped with a cover or lid which shall be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

(v) Automatic bleeder vents shall be equipped with a gasket and shall be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

(vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

(vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

(viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

(ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

[Rule 62-204.800(7)(b)16., F.A.C.; 40 CFR 60.112b(a)]

G.4. <u>40 CFR 60.113b Testing and procedures</u>

This storage vessel shall meet the following requirements of 40 CFR 60.113b(a).

(a) After installing the control equipment required to meet 40 CFR 60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:

(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

(2) For vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in 40 CFR 60.113b(2) cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report

required in 40 CFR 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(3) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in 40 CFR 60.113b(4) exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in 40 CFR 60.113b(a)(2) and 40 CFR 60.113b(a)(3)(ii) and at intervals no greater than 5 years in the case of vessels specified in 40 CFR 60.113b(a)(3)(i).

(4) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by 40 CFR 60.113b(a)(1) and 40 CFR 60.113b(a)(4) to afford the Administrator the opportunity to have an observer present. If the inspection required by 40 CFR 60.113b(a)(4) is not planned and the owner or operator could not have known about the inspection 30 days in advance or refilling the tank, the owner or operator shall notify the Administrator at least seven days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least seven days prior to the refilling.
[Rule 62-204.800(7)(b)16., F.A.C.; 40 CFR 60.113b(a)]

G.5. <u>40 CFR 60.115b Reporting and recordkeeping requirements</u>

The owner or operator of each storage vessel as specified in 40 CFR 60.112b(a) shall keep records and furnish reports as required by 40 CFR 60.115b(a), 40 CFR 60.115b(b), or 40 CFR 60.115b(c) depending upon the control equipment installed to meet the requirements of 40 CFR 60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by 40 CFR 60.115b(c)(1), for at least 2 years. The record required by 40 CFR 60.115b(c)(1) will be kept for the life of the control equipment.

(a) After installing control equipment in accordance with 40 CFR 60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of 40 CFR 60.112b(a)(1) and 40 CFR 60.113b(a)(1). This report shall be an attachment to the notification required by 40 CFR 60.7(a)(3).

(2) Keep a record of each inspection performed as required by 40 CFR 60.113b(a)(1), 40 CFR 60.113b(a)(2), 40 CFR 60.113b(a)(3), and 40 CFR 60.113b(a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(3) If any of the conditions described in 40 CFR 60.113b(a)(2) are detected during the annual visual inspection required by 40 CFR 60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the

nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

(4) After each inspection required by 40 CFR 60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in 40 CFR 60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of 40 CFR 61.112b(a)(1) or 40 CFR 60.113b(a)(3) and list each repair made.
[Rule 62-204.800(7)(b)16., F.A.C.; 40 CFR 60.115b]

G.6. <u>40 CFR 60.116b Monitoring of operations</u>

(a) The owner or operator shall keep copies of all records required by this section, except for the record required by 40 CFR 60.116b(b), for at least two years. The record required by 40 CFR 60.116b(b) shall be kept for the life of the source.

(b) The owner or operator of each storage vessel as specified in 40 CFR 60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.

(c) Except as provided in 40 CFR 60.116b(f) and 40 CFR 60.116b(g), the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.
[Rule 62-204.800(7)(b)16., F.A.C.; 40 CFR 60.116b]

<u>NSPS Incorporated</u>

G.7. All applicable requirements of 40 CFR 60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels and 40 CFR 60, Subpart A - General Provisions (Attachment 40CFR60 Subpart A), are incorporated into this permit by reference and shall be adhered to.
[Rule 62-204.800(7)(b)53, 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, Florida Statutes. 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 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project that are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does 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, are 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

a. Having access to and copying any records that must be kept under the conditions of this permit;

b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and,

c. Sampling or monitoring 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 exact 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 proscribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with 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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the Department approves the transfer.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. 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:
- the date, exact place, and time of sampling or measurement;
- the person responsible for performing the sampling or measurement;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. 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.