



Environmental Protection and Growth Management Department  
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION  
One North University Drive, Suite 203, Plantation, Florida 33324 (954-519-1220 \* Fax: 954-519-1495)

**NOTICE OF PERMIT**

Mr. Dudley Tarlton  
Responsible Official  
TransMontaigne Terminals, LLC  
P.O. Box 5660  
Denver, CO 80217-5660

Dear Mr. Tarlton:

Enclosed is operation permit Number 0110069-021-AC to construct an air pollution source issued pursuant to Section 403.087 of the Florida Statutes, Broward County's Specific Operating Agreement with the Florida Department of Environmental Protection, and Broward County Code Chapter 27 Article IV which adopts Florida Administrative Code (FAC) 62-4, 62-204, 62-210, 62-296 and 62-297.

Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 62-103 and 28-5.201, FAC, and must be filed (received) in the Clerk of the Department in the legal office (Office of Jeffrey J. Newton, Broward County Attorney at 115 S. Andrews Avenue, Suite 423, Fort Lauderdale, Florida 33301-1872) within 14 days of receipt of this notice. Failure to file a petition within the 14 days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes and Chapter 27.

This permit is final and effective on the date filed with the Clerk of the PPRAQD unless a petition is filed in accordance with this paragraph 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, FAC. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the PPRAQD. 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, 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 legal office; 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 Department in the legal office.

Executed in Broward County, Florida



Daniela Banu  
Air Quality Administrator  
Pollution Prevention, Remediation and Air Quality Division

**CERTIFICATE OF SERVICE**

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on 5/6/10 to the listed persons

  
Clerk

5/6/10  
Date



**Permitting and Compliance Authority**

Environmental Protection and Growth Management Department  
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION – AIR QUALITY PROGRAM  
One North University Drive, Suite 203, Plantation, Florida 33324  
954-519-1260 \* Fax: 954-519-1495

**FINAL PERMIT**

**Permittee:** TransMontaigne Terminals, LLC  
**Site:** TransMontaigne Port Everglades North Terminal  
2401 Eisenhower Boulevard, Fort Lauderdale, Broward County  
Latitude: 26° 05' 40" north and longitude: 80° 07' 39" west.  
**Project:** Construction – Install a hot oil heater unit

**Permit No.:** 0110069-021-AC  
**Facility ID:** 0110069  
**Date of Issue:** May 6, 2010  
**Expiration Date:** May 6, 2011

**Statement of Basis:**

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), Florida Administrative Code (F.A.C.) Rules 62-4 and 62-210 through 62-297 (permitting requirements) and Broward County Code, Chapter 27 (emission limitations) and in conformance with all existing regulations of the Florida Department of Environmental Protection (FDEP). 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 Broward County Pollution Prevention, Remediation and Air Quality Division (PPRAQD) and made a part hereof and specifically described as follows:

**In Accordance with:** Application received March 15, 2010, the Notice of Intent issued on April 14, 2010 and published on April 22, 2010 in the Sun Sentinel newspaper.

**Existing Facility**

Port Everglades North Terminal is an existing petroleum liquid storage and bulk gasoline terminal with a standard industrial classification code of is SIC No.5171 for "Petroleum Wholesale Distribution". The source operates the following emission units (EU):

| <u>E.U. No.</u> | <u>Brief Description</u>   |
|-----------------|--|
| -031            | Loading Rack with Vapor Recovery Unit (VRU)                        |
| -029            | Hot Oil Heaters Nos. 1 and 2                                       |
| -045            | Marine Loading/Unloading and Vessel Bunkering (Berth 6) with a VRU |
| -038            | Boiler No.1  |
| -033            | Fixed Roof Tanks   |
| -040            | Internal (IFR)/Domed External Floating Roof (DEFR) Storage Tanks   |
| -044            | External Floating Roof Tanks                                       |
| -037            | Fugitive VOC Sources (Asphalt, Fuel Oil #2,6 Loading Racks, ...)   |
| -039            | Diesel Fired Engines - Yard Usage                                  |

The facility is classified as a synthetic minor source of volatile organic compounds (VOC) air pollutants under the prevention of significance deterioration (PSD) program, a major source of VOC under the Title V operating permit program, and a major source of hazardous air pollutant (HAP) under the Title III program.

**Proposed Project**

Installation of a new heater No.5 to replace existing heater #2. EU-029 will be modified as follow:

| <u>E.U. No.</u> | <u>Brief Description</u>     |
|-----------------|------------------------------|
| -029            | Hot Oil Heaters Nos. 1 and 5 |

## Facility-wide Conditions

1. General Permit Conditions. The owner or operator shall comply with the general permit conditions listed in Appendix 1.  
[Rule 62-4.160, F.A.C.]
2. 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.  
[Rule 62-296.320(2) and 62-210.200(Definitions), F.A.C.]
3. VOC or Organic Solvent Emissions. The owner or operator shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the PPRAQD.  
[Rule 62-296.320 (1) (a), F.A.C.]
4. 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. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. This regulation does not impose a specific testing requirement.  
[Rule 62-296.320(4) (b), F.A.C.]
5. Concealment. No person shall build, erect, install, or use any article, machine, equipment or other contrivance, the use of which will conceal any emission which would otherwise constitute a violation of any provisions of Broward County Codes.  
Circumvention. No person shall circumvent any air pollution device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.  
Maintenance. No person shall operate any air pollution control equipment or systems without proper and sufficient maintenance to assure compliance with Broward County Codes.  
[Broward County Code, Sec. 27-175(b), (c), and (d)]
6. Air Operation Permit: The owner or operator shall submit an application for a Title V permit revision at least 90 days prior to expiration of this emission unit's air construction permit, but no later than 180 days after the emission unit commences operation or commences operation as modified.  
[Rules 62-213.420 (1) (a) 3, F.A.C.]  
{Note: The Permittee may elect to submit the application electronically using the FDEP EPSAP software available at <http://www.dep.state.fl.us/air/emission/epsap/default.htm> website.}
7. Annual Operating Report (AOR). The AOR shall be submitted to the PPRAQD by April 1 of the following year. If the report is submitted to FDEP using FDEP's electronic annual operating report software (EAOR), there is no requirement to submit a copy to PPRAQD.  
[Rule 62-210.370(3) (c), F.A.C.]  
{Permitting Note. Information on the EAOR submittal is available at <http://www.dep.state.fl.us/air/emission/eaor/default.htm>}

**Subsection A.** This section addresses the following emissions unit.

| E.U. ID No. | Brief Description |
|-------------|-------------------|
| -029        | Hot Oil Heaters   |

The oil heaters heat transfer fluids which are circulated in a closed loop to heat the lines and tanks used to store and transport asphalt. This emission unit consists of an existing heater No.1 (installed on July 1995), and the new heater No. 5. The heaters primarily combust natural gas, but are designed to combust fuel oil if needed. {Permitting Note: Rule 62-204.800(7) (b) 4 which adopts by reference NSPS Subpart Dc-Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, applies to heaters with a maximum design heat input capacity greater than or equal to 10 MMBtu/hr that were constructed after June 9, 1989. Subpart Dc includes hot oil heaters in the definition of steam generating unit.}

**Essential Potential to Emit (PTE) Parameters.**

- A.1. (a) Hours of Operation. Each heater is permitted to operate 5,500 hours per year while combusting standard No. 2 distillate (0.5% sulfur); or unrestricted (i.e. 8,760 hours/yr) while combusting natural gas, or distillate oil with sulfur content less than 0.5 % (e.g. low sulfur distillate oil (0.05 % sulfur), or ultra low sulfur distillate oil (0.0015 % sulfur).
- (b) Potential Emissions. The heater ratings and potential emissions (tons/yr) of nitrogen oxides (NOx), sulfur dioxide (SO2), and particulate matter (PM) from combusting distillate oil are shown in the following table:

| Hot Oil Heater | Rating (MMBTU/hr) | NOx (tpy) | PM (tpy) | SO2 (tpy) |
|----------------|-------------------|-----------|----------|-----------|
| 1              | 13.2              | 8.2       | 0.8      | 18.4      |
| 5              | 13.2              | 8.2       | 0.8      | 18.4      |

[Rule 62-210.200 (245), F.A.C. (PTE), Permit Application]

{Permitting Note. The above emissions summary is based on emission factors for distillate oil from AP-42, Tables 1.3-1. SO2 emissions are based on 5,500 hours per year of combusting standard No. 2 distillate. NOx and PM emissions are based on 8760 hours per year of combusting distillate oil with sulfur content less than 0.5 %.

**Emission Limitations and Standards**

- A.2. SO2 Emissions. To limit the emissions of SO2 into the atmosphere, the owner or operator shall not combust oil in the heaters that contains greater than 0.5 percent sulfur by weight percent.  
[40 CFR 60.42c (d)]

**Test Methods and Procedures**

- A.3. Fuel Oil Sulfur Content. Compliance with the fuel oil sulfur limit (see Condition A.2) shall be determined based on a certification from the fuel supplier, as described under 40 CFR 60.48c (f) (see Condition No. A.7).  
[40 CFR 60.42c (h)]

## Notification, Recordkeeping and Reporting Requirements

- A.4. General Notification, Recordkeeping and Reporting Requirements.** Emission unit 029 is subject to the requirements of 40 CFR 60.7 and 60.19 attached in the Appendices 2 and 3, respectively, and listed below  
[40 CFR 60.7 & 60.19]
- A.5. Notification of Construction.** The owner or operator shall submit notification of the date of construction and actual startup, as provided by 40 CFR 60.7 (see Appendix 3). This notification shall include:
- (1) The design heat input capacity of the heaters and identification of fuels to be combusted.
  - (2) (NA, capacity factor limit)
  - (3) The annual capacity factor at which the owner or operator anticipates operating the heaters based on all fuels fired and based on each individual fuel fired.
  - (4) Notification if an emerging technology will be used for controlling SO<sub>2</sub> emissions.
- [40 CFR 60.48c (a)]
- A.6. Reporting Period.** The owner or operator subject to the fuel oil sulfur limit shall submit reports to the PPRAQD each six-month period. All reports shall be submitted to the PPRAQD and shall be postmarked by the 30th day following the end of the reporting period. In instances, where a unit combusts only natural gas, the affected unit may report excess emissions, or lack thereof, on an annual basis.  
[40 CFR 60.48c (d), (j), EPA Determination on Reduced Reporting Requirements for Small Clean Units Subject to Subpart Dc (September 9, 1996)]
- A.7. Fuel Records.**
- (a) The owner or operator shall keep records of fuel supplier certification to demonstrate compliance for fuel oil sulfur content. Fuel supplier certification shall include the following information: (i) The name of the oil supplier; and (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c which states that distillate oil means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396 or diesel fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D975.
- In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.
- (b) The owner or operator shall maintain monthly records of : (1) The type of fuel used for the heaters, and (2) The hours that heaters were operated for the previous twelve month period while using fuel oil with sulfur content of 0.5 percent by weight  
[40 CFR 60.48c (e) (11), (f), Rule 62-4.070(3), F.A.C.]
- A.8. Fuel Records Retention Period.** The owner or operator shall record and maintain records of the amounts of each fuel combusted during each day for a period of two years following the date of such record. *Alternatively (Approved by EPA).* The requirement for maintaining daily records may be reduced to monthly providing:
1. The only fuel used is natural gas, or fuel oil with sulfur content less than 0.5 % and compliance is demonstrated using supplier's certifications. Documents may be in the form of fuel bills, meter readings, or other records that adequately document fuel usage.
  2. The owner or operator shall promptly notify PPRAQD of any anticipated and actual switches in fuel use.

3. If the fuel oil sulfur content ever exceeds 0.5 %, the recordkeeping frequency will immediately revert to daily, in order to determine whether the 30-day rolling average sulfur content of the fuel exceed 0.5 %.

[40 CFR 60.48c (g), and (i), EPA Determination on Reduced Record-keeping Requirements for Small Clean Units Subject to Subpart Dc (June 13, 1997)]

**Appendix 1**  
General Conditions  
(Rule 62-4.160, F.A.C.)

1. Terms of Permit. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted and must be completed by the Permittee and enforceable by the PPRAQD pursuant to this Code and Sections 403.141, 403.727, or 403.859 through 403.861 of the Florida Statutes (F.S.). The Permittee is placed on notice that PPRAQD will review this permit periodically and may initiate administrative and/or judicial action for any violation of the conditions by the Permittee, its agents, employees, servants or representatives.
2. Permit Validity. 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 PPRAQD.
3. Disclaimer. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other permit that may be required for other aspects of the total project which are not addressed in this permit.
4. Disclaimer. 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 interest have been obtained from the State of Florida. Only the Trustees of the Internal Improvement trust Fund may express State opinion as to title.
5. Liability. 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 DEP rule, unless specifically authorized by an order from the PPRAQD.
6. Operation and Maintenance. 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 county and state rules. This provision included 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 PPRAQD and DEP rules.
7. Onsite Inspection Activities. The Permittee, by accepting this permit, specifically agrees to allow authorized PPRAQD personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (depending on the nature of the concern being investigated), 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 PPRAQD and DEP rules.
8. Notice of Noncompliance. 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 PPRAQD 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 enforcement action by PPRAQD for penalties or for revocation of this permit.
9. Evidence Materials. By 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 facility or activity, that are submitted to the PPRAQD, may be used by the PPRAQD as evidence in any enforcement proceeding arising under the Florida Statutes or F.A.C. rules, except where such use is prohibited by Section 403.111 and 403.73, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
  10. Rule Changes. The Permittee agrees to comply with changes in Florida Department of Environmental Protection 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 DEP rules.
  11. Permit Transfer. This permit is transferable only upon PPRAQD approval in accordance with Rule 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 approved by the PPRAQD.
  12. Work Site Copy. This permit or a copy thereof shall be kept at the work site of the permitted activity.
  13. Miscellaneous Compliance Requirements. The Permittee shall comply with the following:
    - (a) Upon request, the Permittee shall furnish all records and plans required under DEP rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the PPRAQD.
    - (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 recording 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 PPRAQD rule.
    - (c) Records of monitoring information shall include:
      1. The date, exact place, and time of sampling or measurements;
      2. The person responsible for performing the sampling or measurements;
      3. The dates analyses were performed.
      4. The person responsible for performing the analyses;
      5. The analytical techniques or methods used;
      6. The results of such analyses.
  14. Information Submittal. When requested by the PPRAQD, 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 PPRAQD, such facts or information shall be corrected promptly.
  15. Reporting Noncompliance. The Permittee shall report any periods of noncompliance to the PPRAQD immediately by phone 954-519-1499 or by Email [EPDHOTLINE@broward.org](mailto:EPDHOTLINE@broward.org). This also applies when the period of non-compliance is first determined after normal business hours or on weekends and holidays.
  16. Rules Adoption. Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, as amended, are adopted by Broward County Code, Sec. 27-173.

## Appendix 2

### NSPS - Notification and Recordkeeping.

(40 CFR 60.7)

*[Administrator means the administrator of USEPA or the authorized representative – PPRAQD]*

- (a) *Notification format.* Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:
- (1) to (3) [NA – new facilities]
  - (4) Physical or operational changes. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
  - (5) to (7) [NA - opacity]
- (b) to (e) [NA - continuous monitoring systems]
- (f) *File maintenance.* Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including performance testing measurements; all monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:
- (1) to (2) [NA - continuous monitoring systems]
  - (3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.
- (g) *Similar notification.* If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.

**Appendix 3**  
**General Notification and Reporting Requirements.**  
(40 CFR 60.19)

*[Administrator means the administrator of USEPA or the authorized representative – PPRAQD]*

- (a) *Time periods.* For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (b) *Submittal deadlines.* For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.
- (c) *Changing deadlines.* Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (d) *Periodic reports submittals.* If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (e) *Common submittal schedule.* If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (f) *Changes request.*
  - (1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.
  - (ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.
  - (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time

period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

Executed in Broward County, Florida



Daniela Banu

Air Quality Administrator

Broward County Pollution Prevention, Remediation and Air Quality Division