JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD

RULE 2
AIR POLLUTION CONTROL

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RULE OF THE
JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD
RULE 2
AIR POLLUTION CONTROL

INDEX

PART I - GENERAL PROVISIONS

2.101 Authority and Intent
2.102 Definitions
2.103 Severability
2.104 Registration and Reports
2.105 Maintenance of Pollution Control Devices
2.106 General Restrictions
2.107 Air Pollution Prohibited
2.108 Enforcement
2.109 Investigations - Right of Entry
2.110 Penalties and Injunctive Relief

PART II - AIR POLLUTION CONTROL - GENERAL PROVISIONS

2.201 Adopts 62-204 FAC by reference

PART III - STATIONARY SOURCES - GENERAL REQUIREMENTS

2.301 Adopts 62-210 FAC by reference, except Acid Rain provisions

PART IV - STATIONARY SOURCES - PRECONSTRUCTION REVIEW

2.401 Adopts 62- 212 FAC by reference

PART V - OPERATION PERMITS FOR MAJOR SOURCES OF AIR POLLUTION

2.501 Adopts 62-213 FAC by reference

PART VI - GASOLINE VAPOR CONTROL

2.601 Gasoline Vapor Control Standards - Adopts 62-252 FAC by reference
2.602 Expanded Stage I Controls in Duval County

PART VII – HEAVY-DUTY VEHICLE IDLING REDUCTION

2.701 Adopts 62-285.420 FAC by reference

PART VIII - OPEN BURNING

2.801 Open Burning

PART IX - AMBIENT AIR QUALITY STANDARDS

2.901 Ambient Air Quality Standard for Aggregate Reduced Sulfur (ARS)

PART X - AIR POLLUTION EPISODES

2.1001 Air Pollution Episodes - Local Rules

PART XI - STATIONARY SOURCES EMISSION STANDARDS

2.1101 Adopts 62-296 FAC by reference

PART XII - STATIONARY SOURCES - EMISSIONS MONITORING

2.1201 Adopts 62-297 FAC by reference

PART XIII - AIR POLLUTION NUISANCE RULES

2.1301 General Standard for Volatile Organic Compounds
2.1302 Emissions from Ships and Locomotives
2.1303 Air Pollution Nuisances

PART XIV - PERMITS - GENERAL PROVISIONS

2.1401 Adopts 62-4 FAC by reference
2.1402 Adopts 120.569, 120.57(1) and 120.57(2) FS and 62-110.106, 28-106.110, 28-106.201, and 28-106.301 FAC by reference

TRACKING TABLE FOR THE AMENDMENT OF CURRENT RULE 2

Current Rule 2 Sections	Amended Rule 2 Sections	
Part I - General Provisions 2.101 2.102 2.103 2.104 2.105 2.106 2.107 2.108 2.109 2.110	Part I - General Provisions 2.101 2.102 2.103 2.104 2.105 2.106 2.107 2.108 2.109 2.110	 NO CHANGE AMENDED NO CHANGE NO CHANGE NO CHANGE NO CHANGE NO CHANGE NO CHANGE NO CHANGE NO CHANGE
Part II 2.201 (Adopts 62-204 FAC)	Part II 2.201 (Adopts 62-204 FAC)	 AMENDED
Part III 2.301 (Adopts 62-210 FAC, except acid rain provisions)	Part III 2.301 (Adopts 62-210 FAC)	 AMENDED
Part IV 2.401 (Adopts 62-212 FAC)	Part IV 2.401 (Adopts 62-212)	 AMENDED
Part V 2.501 (Adopts 62-213 FAC)	Part V 2.501 (Adopts 62-213)	 AMENDED
Part VI 2.601 (Adopts 62-252 FAC) 2.602	Part VI 2.601 2.602	 AMENDED AMENDED
Part VII 2.701 (Adopts 62-285.420)	Part VII 2.701	 REPEALED
Part VIII 2.801 (Adopts portions of 62-256 FAC)	Part VIII 2.801	 NO CHANGE

Part IX 2.901 Ambient Air Quality Standards for Aggregate Reduced Sulfur	Part IX 2.901	NO CHANGE
Part X 2.1001 Air Pollution Episodes - Local Rules	Part X 2.1001	NO CHANGE
Part XI 2.1101 (Adopts 62-296 FAC)	Part XI 2.1101 (Adopts 62-296 FAC)	AMENDED
Part XII 2.1201 (Adopts 62-297 FAC)	Part XII 2.1201 (Adopts 62-297 FAC)	AMENDED
Part XIII 2.1301 2.1302 2.1303	Part XIII 2.1301 2.1302 2.1303	NO CHANGE
Part XIV 2.1401 (Adopts 62-4) 2.1402 (Adopts 120.569, 120.57(1), and 120.57(2) FS, 62-110.106, 28-106.110, 28-106.201, and 28-106.301, FAC	Part XIV 2.1401 2.1402	NO CHANGE NO CHANGE

RULES OF THE
JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD

JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD
RULE 2
AIR POLLUTION CONTROL

PART I
GENERAL PROVISIONS

2.101 Authority and Intent

The Jacksonville Environmental Protection Board adopts these rules as the City's standards with respect to air pollution control. The specific Authority for adopting these rules is found in Section 362.104(c) and Section 73.102, Ordinance Code. The law implemented is Chapter 362, Ordinance Code. The Board intends that where any locally more stringent provision conflicts with a provision of the Florida Administrative Code adopted by reference, the locally more stringent provision shall apply.

[History: Formerly EPB Rule 2 Preface; Effective 3/18/85; Amended and renumbered 1/10/93, Amended 9/14/09, Renumbered 3/14/11]

2.102 Definitions

In this rule, unless the context otherwise requires:

A. The definitions included in Chapters 62-4, 62-210, 62-252, and 62-256, Florida Administrative Code (FAC), are adopted and incorporated in this rule by reference, except that:

   1. the word Department means the Neighborhoods Department.

   2. the word Secretary or Director means the Director of the Neighborhoods Department.

B. Board means the Jacksonville Environmental Protection Board.

C. Department means the Neighborhoods Department, City of Jacksonville.

D. Division means the Environmental Quality Division of the Neighborhoods Department.

E. Ordinance Code means the Ordinance Code of the City of Jacksonville.

[History: Effective 3/18/85, Amended 1/10/93, Amended 12/19/94, Amended 9/11/95, Amended 11/12/96, Amended 6/8/98, Amended 10/11/04, Amended 9/14/09, Renumbered 3/14/11, Amended 12/10/12]

2.103 Severability

The provisions of these air pollution control rules are severable. If one or more of the provisions should be invalidated, the Board intends that the other portions should become effective or remain in effect.

[History: Formerly EPB 2.104, Effective 3/18/85; Renumbered 1/10/93]

2.104 Registration and Reports

A person engaging in an activity or operation which is or may be a source of air pollution shall register with the Department and file reports with the Department at or within times and as required by the Board or the Department.

[History: Formerly S.362.103(a), City Ordinance Code; EPB 2.105; Effective 3/18/85; Amended and renumbered 1/10/93]

2.105 Maintenance of Pollution Control Devices

Air pollution control devices and systems shall be properly and consistently maintained in order to maintain emissions in compliance with the standards of the Board.

[History: Formerly S.362.103, City Ordinance Code; EPB 2.108; Effective 3/18/85; renumbered 1/10/93]

2.106 General Restrictions

No plant or source shall operate at capacities which exceed the limits of operation of control devices or exceed the capability of the plant or control devices to maintain the air pollution emissions within the limitations imposed by this rule or by permit conditions.

[History: Formerly S.362.106, City Ordinance Code; EPB 2.109; Effective 3/18/85; renumbered 1/10/93]

2.107 Air Pollution Prohibited

No person shall cause or permit the discharge or emission of air pollutants from an installation or source in quantities prohibited by law, by the rules of the State Department of Environmental Protection or by the rules of the Board.

[History: Formerly S.362.201, City Ordinance Code; EPB 2.201; Effective 3/18/85; renumbered 1/10/93, Amended 12/19/94, Amended 3/14/11, Amended 8/8/11]

2.108 Enforcement

This rule shall be enforced by the Department in accordance with the provisions of Chapters 360 and 362, Ordinance Code.

[History: New, Effective 1/10/93]

2.109 Investigations - Right of Entry

Inspections and investigations made to determine compliance with the provisions of this rule shall be made in accordance with the provisions of Section 360.109, Ordinance Code.

[History: New, Effective 1/10/93, Amended 9/14/09]

2.110 Penalties and Injunctive Relief

Violations of this rule shall be punishable by civil penalties specified in Chapter 360, Part 7, and Section 362.110, Ordinance Code; and to injunctive relief as provided in Chapter 360, Part 4, Ordinance Code.

[History: New, Effective 1/10/93, Amended 9/14/09]

PART II
AIR POLLUTION CONTROL - GENERAL PROVISIONS

2.201

Chapter 62-204, Florida Administrative Code, is adopted and incorporated in this rule by reference as the City's general provisions for air pollution control.

[History: Effective 1/10/93, Amended 12/19/94, Amended 9/11/95, Amended 11/12/96, Amended 6/08/98, Amended 11/08/99, Amended 9/11/00, Amended 08/13/01, Amended 08/12/02, Amended 11/10/03, Amended 10/11/04, Amended 6/13/05, Amended 9/11/06, Amended 5/14/07, Amended 10/13/08, Amended 9/14/09, Amended 3/14/11, Amended 8/8/11, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule sections 2.601, 2.801, 2.901 and 2.902.

PART III
STATIONARY SOURCES - GENERAL REQUIREMENTS

2.301

Chapter 62-210, Florida Administrative Code, is adopted and incorporated in this rule by reference, except Acid Rain provisions, as the City's general requirements for stationary sources.

[History: Effective 1/10/93, Amended 12/19/94, Amended 9/11/95, Amended and renumbered 11/12/96, Amended 6/08/98, Amended 11/08/99, Amended 08/13/01, Amended 08/12/02, Amended 11/10/03, Amended 6/13/05, Amended 9/11/06, Amended 5/14/07, Amended 10/13/08, Amended 9/14/09, Amended 3/14/11, Amended 8/8/11, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.201.

PART IV
STATIONARY SOURCES - PRECONSTRUCTION REVIEW

2.401

Chapter 62-212, Florida Administrative Code, is adopted and incorporated in this rule by reference as the City's preconstruction review requirements for stationary sources.

[History: Effective 1/10/93, Amended 12/19/94, Amended 9/11/95, Amended and renumbered 11/12/96, Amended 6/08/98, Amended 9/11/00, Amended 9/11/06, Amended 10/13/08, Amended 9/14/09, Amended 3/14/11, Amended 8/8/11, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.301.

PART V
OPERATION PERMITS FOR MAJOR SOURCES OF AIR POLLUTION

2.501

Chapter 62-213, Florida Administrative Code, is adopted and incorporated in this rule by reference as the City's operation permit requirements for major sources of air pollution.

[History: New, Effective 12/19/94, Amended 9/11/95, Amended and Renumbered 11/12/96, Amended 6/08/98, Amended 11/08/99, Amended 08/13/01, Amended 08/12/02, Amended 11/10/03, Amended 10/13/08, Amended 9/14/09, Amended 3/14/11, Amended 8/8/11, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.1202.

PART VI
GASOLINE VAPOR CONTROL

2.601 Gasoline Vapor Control Standards

Chapter 62-252, Florida Administrative Code, is adopted and incorporated in this rule by reference as the City's gasoline vapor control standards.

[History: Effective 1/10/93, Amended 12/19/94, Amended and renumbered 11/12/96, Amended 10/13/08, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.401.

2.602 Expanded Stage I Controls in Duval County

A. The applicability criteria of Rule 62-252.300(1), FAC, notwithstanding, all gasoline dispensing facilities in Duval County regardless of monthly throughput, shall be subject to emission limiting standards and control technology requirements as set forth in Rule 62-252.300(3), FAC, except that gasoline storage tanks with less than 1000 gallons capacity are exempt from this requirement.

B. Gasoline tank trucks or trailers used to deliver gasoline to any facility subject to Board Rule 2.602 must be equipped as required in Rule 62-252.300, FAC.

C. Stage I vapor recovery control technology required by this rule shall conform with equipment specifications pursuant to "Design Criteria for Stage 1 Vapor Control Systems at Gasoline Service Stations," United States Environmental Protection Agency, Research Triangle Park, NC, November, 1975. Copies are available for review in the offices of the Environmental Quality Division, Neighborhoods Department, City of Jacksonville.

[History: Formerly EPB 2.207 B, Effective 10/22/92; Amended and Renumbered 1/10/93, Amended 12/19/94, Amended 9/11/95, Amended and renumbered 11/12/96, Amended 11/08/99, Amended 9/14/09, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.402.

PART VII
HEAVY-DUTY VEHICLE IDLING REDUCTION

2.701 Heavy-Duty Vehicle Idling Reduction

[History: New, Effective 10/5/09, Repealed 12/10/12]. }

PART VIII
OPEN BURNING

2.801 Open Burning

A. Declaration and Intent.

1. The Board finds and declares that the open burning of materials outdoors results in or contributes to air pollution. The Board further finds that regulation of open burning will reduce air pollution significantly.

2. It is the intent of the Board to require that open burning be conducted in a manner, under conditions, and within certain periods that will reduce or eliminate the deleterious and noisome effect of air pollution caused by open burning.

B. Definitions.

The following words, phrases, or terms when used in this rule shall, unless the content otherwise indicates, have the following meanings:

1. "Air curtain incinerator" is a portable or stationary combustion device that directs a plane of high velocity forced draft air through a manifold head into a pit with vertical walls in such a manner as to maintain a curtain of air over the surface of the pit and a recirculating motion of air under the curtain.

2. "Air pollution" is the presence in the outdoor atmosphere of the state of any one or more substances or contaminants in quantities which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

3. "Air pollution episode" is any occurrence of elevated levels of pollutants in the atmosphere which require hasty and unusual abatement action.

4. "Clean dry wood" means wood (including lighter pine), lumber or tree and shrub trunks, branches, and limbs which are free of paint, pentachlorophenol, creosote, tar, asphalt, or other wood preservatives and which when burned does not emit excessive visible emissions.

5. "Department air stagnation advisory" is a temporary prohibition of open burning activities by the Department that is based upon a Department forecast of a stagnant atmospheric meteorological condition that does not allow the dispersion of air pollutants.

6. "Excessive visible emissions" are air pollutants emitted in such quantity as to obscure an observer's view to a degree equal to or greater than 40% opacity as determined by U.S. EPA Method 9.

7. "Extinguished" means the absence of any visible flames, smoke or emissions.

8. "Garbage" means all kitchen and table food waste, animal or vegetative waste that is attendant with or results from the storage, packaging, preparation, cooking or handling of food materials.

9. "Land clearing debris" is uprooted or cleared vegetation resulting from a land clearing operation and does not include yard trash.

10. "Land clearing operation" means the uprooting clearing of vegetation in connection with construction for buildings, rights-of-way, residential, commercial, or industrial development, or the initial clearing of vegetation to enhance property value; but does not include the maintenance burning of yard trash resulting from fallen limbs, branches, or leaves, or any other routine property clean-up activities.

11. "National Weather Service air stagnation advisory" is an advisory issued by the National Weather Service to caution local and regional agencies of meteorological conditions which are conducive to poor dispersion and that are expected to persist for at least 36 hours.

12. "Non-rural land clearing" is any land clearing operation that is conducted in urban or residential areas, incorporated or unincorporated cities or towns, or in any nonrural areas as designated by the Department and shall not include any land clearing operation that is associated with country, livestock or with agricultural activities.

13. "Nuisance" means any open burning activity which is potentially harmful or injurious to human health or property or which is annoying or offensive to occupants of three or more occupied residences.

14. "Open burning" means the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney.

15. "Residential land clearing" is a land clearing operation that is conducted by the homeowner or an individual contracted by the homeowner of an existing residential dwelling of not more than two family units for the purpose of initially clearing vegetation on the property.

16. "Sunset" is official sunset as set forth by the U.S. Naval Observatory (tables are available at National Weather Service offices).

17. "Trash" means construction or demolition debris, and other debris such as paper, cardboard, cloth, glass, street sweepings, vehicle tires and other like matter.

18. "Waste pesticide containers" means any containers made of combustible materials, including but not limited to paper, plastic, or burlap, which formerly contained pesticides and which the manufacturer or formulator provided as an end user conveyance for the specified product.

19. "Yard trash" means vegetative matter resulting from landscaping and yard maintenance operations and includes materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps.

C. Prohibitions.

1. Any open burning not specifically allowed by this rule is prohibited. No person shall ignite, cause to be ignited, or permit to be ignited, any material which will result in any prohibited open burning as defined in this rule; nor shall any person suffer, allow, burn, conduct or maintain any prohibited open burning. The Division of Forestry or any authorized fire control agency empowered by law or ordinance to extinguish unlawful burning may extinguish or cause to be extinguished, any fire that is unauthorized or does not comply with this rule. Any person responsible for unlawful open burning shall bear any applicable costs involved in extinguishing the fire.

2. The open burning of tires, rubber material, Bunker C residual oil, asphalt, roofing material, tar, railroad cross ties, other creosoted lumber, plastics, garbage, trash, or yard trash is prohibited. Open burning of waste pesticide containers is prohibited except as provided in Florida Administrative Code Rule 62-256.700(5), FAC.

3. Any open burning that is allowed by this rule is restricted to the site where the material was generated and may not be transported to another property to be open burned, with the following exceptions:

   a. Land clearing debris that is generated by the commercial land clearing activities of a person may be transported offsite to be burned by an Air Curtain Incinerator that is owned or operated by that person and without a Chapter 62-210, FAC, air pollution permit provided that it:

      i. Will be transported to property that is owned or leased by the person who generated the land clearing debris, and

      ii. Meets a setback distance of 300 feet from occupied buildings for Air Curtain Incinerators with vertical refractory-lined walls and with forced underdraft air, or

      iii. Meets a setback distance of 1000 feet from occupied buildings for all other Air Curtain Incinerators.

      iv. The Air Curtain Incinerator is not a stationary unit, i.e., will not be continuously operated at the site for longer than six

months or operated at any Department permitted-landfill.

b. Land clearing debris generated from the activities of one or more persons may be transported offsite to be burned by an Air Curtain Incinerator with an appropriate Department air pollution permit.

4. Open burning within one thousand (1000) feet of any active runway of a Department of Transportation approved public airport is prohibited. The Division of Forestry or any fire control agency authorized by law or ordinance to extinguish unlawful burning may extinguish or cause to be extinguished, any open burning that is within one thousand (1000) feet of an active airport runway that reduces or potentially reduces visibility at the airport.

5. No open burning may be conducted during a National Weather Service Air Stagnation Advisory, a Department Air Stagnation Advisory, an Air Pollution Episode, or if the Division of Forestry determines that weather conditions are unfavorable for safe burning.

6. Open burning which reduces visibility on public roadways to less than one thousand (1,000) feet is prohibited.

7. Nothing in this rule may be construed to allow open burning which violates other laws, rules, regulations, or ordinances.

D. Land Clearing.

The following rules apply to non-rural land clearing open burning:

1. Open burning of wooden material or vegetation generated by a land clearing operation is allowed provided that all of the following conditions are met:

a. The open burning meets one of the following setback requirements:

i. Three hundred (300) feet or more away from any occupied building for residential land clearing, or

ii. Three hundred (300) feet or more away from any occupied building if an Air Curtain Incinerator is used, or

iii. One thousand (1,000) feet or more away from any occupied building if an Air Curtain Incinerator is not used.

b. The open burning is setback one hundred (100) feet or more away from any public highway or road and the prevailing winds direct the smoke away from the public highway or road.

c. The open burning is ignited after 9:00 a.m. and is extinguished one hour before sunset.

d. The open burning is attended at all times.

e. The open burning authorized herein is not intended to relieve any person from complying with any other applicable law, rules, or ordinances, including Chapter 590, Florida Statutes, and rules of the Division of Forestry.

f. The piles of materials to be burned shall be of such size that the burning will be completed within the designated time given in Board Rule 2.801D.1.c. This is not intended to relieve any person from complying with restrictions on size and numbers of piles imposed by the appropriate local fire control authorities.

g. The moisture content and composition of the material to be burned shall be favorable to good burning which will minimize air pollution. Wet or green vegetative materials shall not be burned.

h. The starter fuel and materials to be ignited shall not emit excessive visible emissions when burned. Tires or other prohibited materials listed in Board Rule 2.801C.2 shall not be used as starter fuels.

i. The amount of dirt in a land clearing open burning operation shall be minimized to enhance combustion and reduce emissions.

j. Pursuant to Chapter 360, Part 8, Ordinance Code, an open burning permit must be obtained from the Department prior to conducting any open burning.

2. The use of Air Curtain Incinerators is allowed for the combustion of land clearing debris. No Department air pollution permits pursuant to Chapter 62-210, FAC, are required for air curtain incinerators that are designed and used as portable units and that will not operate on any one site for more than six months in any year. However, pursuant to Chapter 360, Part VIII, Ordinance Code, an open burning permit must be obtained from the Department prior to conducting open burning. This does not relieve any person from the requirement of obtaining authorization to use a portable Air Curtain Incinerator, when necessary, from the Division of Forestry, or any local fire control authority. Air Curtain Incinerators may operate as portable units provided that the following conditions are met:

a. Pit width, length, and side walls shall be properly maintained so that the combustion of the waste within the pit will be maintained at an adequate temperature and with sufficient air recirculation to provide enough residence time and mixing for complete combustion and control of emissions. Pit width shall not exceed twelve (12) feet, and vertical side walls shall be maintained.

b. No waste may be positioned to be burned above the level of the

air curtain in the pit.

c. The types of materials to be burned are restricted to land clearing debris.

d. Excessive visible emissions are not allowed except for a period of up to 30 minutes during startups and shutdowns as those terms are defined in Rule 62-210.200, FAC.

3. Air Curtain Incinerators that are intended to be stationary units, i.e. continuously operate at one site for more than six months, or operate at any Department-permitted landfill, must obtain a Department air pollution permit pursuant to Florida Administrative Code Rule 62-210.

4. If the open burning resulting from a land clearing operation is creating a nuisance, or if changing weather or atmospheric conditions create a real or potential fire safety or air pollution problem, the Department may suspend or defer open burning until conditions change.

5. Refractory-lined air curtain incinerators with forced underdraft air may commence burning at sunrise and may be charged until sunset, provided they maintain a setback distance of 1000 feet from occupied building located off-site and do not create a nuisance. During such times as the air curtain incinerator is not in operation, public access to the air curtain incinerator shall be restricted.

E. Industrial, Commercial, Municipal, and Research Open Burning.

1. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when the open burning is determined by the Department to be the only feasible method of operation and prior approval is obtained from the Department, or when an emergency exists which requires immediate action to protect human health and safety, or in connection with county or municipal operations to burn hurricane, tornado, fire, or other disaster generated yard trash using an Air Curtain Incinerator.

2. The application for approval under this rule shall include the following:

a. The name, address, and telephone number of the person submitting the application;

b. The type of business or activity involved;

c. A description of the proposed equipment and operating practices, the type, quantity, composition and amount of air contaminants to be released to the atmosphere;

d. The schedule of burning operations, if known;

e. The exact location of requested open burning;

f. If applicable, reasons why no method other than open burning is feasible; and

g. Evidence that the proposed open burning has been approved by the fire control authority which has jurisdiction.

3. Nothing herein shall relieve any person from complying with any other applicable laws, rules and ordinances, including Chapter 590, Florida Statutes, and rules of the Division of Forestry.

4. The Department shall approve such operations or research projects only on specified conditions which protect the ambient air from pollutants and contaminants to the greatest extent, and may limit the approval to a specified time.

F. Open Burning Allowed.

1. A camp fire, bonfire, or other fire will be allowed that is used solely for recreational purposes, for ceremonial occasions, for outdoor noncommercial preparation of food, or on cold days for warming of outdoor workers, as long as excessive visible emissions are not emitted.

2. Flaring of waste gases is allowed for reasons of safety, as long as excessive visible emissions are not emitted.

3. Open burning is allowed for the instruction and training of organized fire fighters or industrial employees under the supervision of the appropriate public fire control official provided that:

a. The burning activities are conducted by a full-time municipal fire control agency in accordance with the National Fire Protection Association document, "Live Fire Training Evolutions in Structures (NFPA 1403)," and hereby adopted and incorporated by reference as the accepted practice for fire training instruction. Nothing herein shall be construed as relieving any person from complying with any other applicable laws, rules and ordinances, including Chapter 590, Florida Statutes, and rules of the Division of Forestry.

b. Prior to open burning for the demolition of a structure, all insulation, electrical wiring, linoleum, carpeting, roofing material such as tar paper and asphalt shingles, or other excessive smoke producing or potentially air toxic material shall be removed

c. The Division of Forestry, the Department, and local fire control officials are notified in advance of the time and place of the burning exercise.

[History: New, Effective 11/03/04, Amended and Renumbered 9/14/09, Amended 3/14/11, Amended 8/8/11]. Note: The rules covered by this part were previously adopted and incorporated by reference in this part. And

PART IX
AMBIENT AIR QUALITY STANDARDS FOR AGGREGATE REDUCED SULFUR (ARS)

2.901

A. General

1. Intent. This rule limits ground level concentrations of ARS. Persons subject to this rule may also be subject to the requirements of Total Reduced Sulfur (TRS) emission limiting standards for Kraft pulp mills and to Best Management Practices requirements for odorous substances. Nothing in this rule shall; in any manner be construed as authorizing or legalizing the creation or maintenance of an objectionable odor or an odor nuisance pursuant to Chapter 376, Ordinance Code.

2. Exemptions. The limits of this rule shall not apply to emissions emanating from materials odorized for safety purposes.

3. Definitions. "Aggregate Reduced Sulfur" (ARS) means the sum of sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, dimethyl disulfide and all other reduced sulfur species which are oxidized to sulfur dioxide (SO_2) as measured by methods prescribed in Rule 2.901C, below.

B. Standard

1. Prohibitions and Restrictions. No person shall build, erect, construct or implant any new source; operate, modify or rebuild any existing source; or by any other means release or take action which would result in the release of ARS compounds into the atmosphere which would result in ground level concentrations greater than the ambient ARS standard established under Board Rule 2.901B.2. on any property at or beyond the property limits of the premises occupied and used by the person responsible for the emission into the atmosphere.

2. Aggregate Reduced Sulfur Standard established. The maximum ground level concentration of ARS shall not exceed 55 parts per billion (ppb) averaged over any three consecutive minutes.

3. Calculations. The standard shall be calculated on a three minute rolling average basis, rounding the arithmetic mean of all measurements to the nearest part per billion. In determining exceedances of the standard, any sequential set of measurements may be used only once to calculate an exceedance.

C. ARS Ambient Air Quality Monitoring Methodology.

1. Purpose. This section specifies the monitoring method which must be used in ARS ambient air quality monitoring stations.

2. ARS Air Monitoring Station (ARS AMS). Unless otherwise provided in this section, a monitoring method used in an ARS AMS must use two sulfur dioxide (SO_2) automated reference or equivalent method (continuous analyzers) as defined in Code of Federal Regulations (CFR) 40 CFR 50.1.

3. Applicability. This method provides a measurement of the concentration of ARS in ambient air for determining compliance with the ARS ambient air quality standard as specified in Board Rule 2.901B.2. above. The method is applicable to the measurement of ambient ARS concentrations using an averaging period of 3 minutes.

4. Principle.

   a. The ARS continuous monitor consists of a thermal oxidation furnace and two SO_2 automated reference or equivalent analyzers. A thermal oxidizer converts ARS compounds to SO_2.

   b. The sample gas stream is first split into two equal channels using a teflon union tee. One channel is analyzed directly in a SO_2 automated reference method analyzer for SO_2 content. The second channel is directed through a quartz tube housed within a high temperature ceramic oven. The quartz oven chamber is designed to provide retentions, at maximum flow rate (1.5 l/min.), well in excess of the recommended minimum (0.1 sec.) for oxidation.

      For ARS applications, a temperature range between 800 and 950□C is used. At lower retention times or lower temperature, dimethyl sulfide (DMS) and dimethyl disulfide (DMDS) are not oxidized. If the temperature is too high, SO_2 will be oxidized to SO_3.

      For ARS applications, a temperature range between 800 and 950□C is used. At lower retention times or lower temperature, dimethyl sulfide (DMS) and dimethyl disulfide (DMDS) are not oxidized. If the temperature is too high, SO_2 will be oxidized to SO_3.

      After the ARS compounds have been oxidized to SO_2, the cumulative SO_2 is then monitored by the second SO_2 automated reference method analyzer. The SO_2 measured in the second channel is the sum of the SO_2 ambient gas concentration and the SO_2 converted from ambient ARS gases as a result of oxidation in the thermal oxidation furnace. The difference between the ambient SO_2 concentration monitored in channel one and the cumulative SO_2 concentration monitored in channel 2 is ambient ARS.

5. Range. The lower limit of detection of the SO_2 analyzers must be 1.0 ppb and operated on a range of 0 to 100 ppb. The SO_2 analyzers may be used on a higher range if they have been designated as a reference or equivalent method on the range being used.

6. Calibration, Operation, Maintenance and Quality Assurance.

a. Either of two methods may be used for dynamic multi point calibration of SO_2 analyzers. One method uses a single certified standard cylinder of SO_2 gas, diluted as necessary with zero air or N_2, to obtain the various calibration concentrations needed. The other method uses an SO_2 permeation gas standard generator. The SO_2 emitted from the standard generator is diluted with zero air or N_2 to produce SO_2 concentrations suitable for calibration of the SO_2 analyzers.

b. The SO_2 gaseous standard must be as prescribed in 40 CFR 58 Appendix A, Section 2.6.1.

c. The Department's quality assurance program, which has been approved by the EPA Regional Administrator, describes in detail the operation, calibration and maintenance of the SO_2 analyzer and the Department's EPA approved quality assurance program is as prescribed in 40 CFR 58 Appendix A.

d. The data quality assessment requirements shall be the same as those used in the state and local air monitoring station (SLAMS), defined in 40 CFR 58.1, except that the accuracy of the SO_2 analyzers shall be determined from the following ranges:

AUDIT LEVEL	CONCENTRATION RANGE PPB
1	15-20
2	35-45
3	80-90

The precision of the SO_2 analyzer shall be determined from audit level one (1).

e. For determining exceedances of the standards, only data collected while the monitor was stationary will be considered.

D. New Source Review Criterion. No new, modified or rebuilt air pollution source shall be permitted or constructed whose predicted maximum one-hour ground level concentration of ARS exceeds 15 parts per billion (ppb), as determined by mathematical dispersion models approved by the Department except that sources subject to NSPS shall be exempt from this new source review criterion.

E. Action When Standard Exceeded.

1. Corrective Action. If a measurement of any sample shows that the ground level concentrations are greater than the ARS standards established, the Department shall take appropriate action to determine the reason for and if possible, the source of the excess ARS. The Jacksonville Environmental Protection Board will also determine whether further source-specific controls or Best Management Practice Rules are necessary.

2. Enforcement. A measurement that shows that the ARS standard has been exceeded may be used to begin investigation into an emission or an odor which may be an objectionable odor or an odor nuisance, as defined by Chapter 376, Ordinance Code. Evidence discovered as a result of that investigation may lead to enforcement action, pursuant to Sections 376.110 and 376.111, Ordinance Code. However, such a measurement may not be used as evidence in that enforcement action.

[History: Formerly EPB 2.303; Effective 10/27/88, Amended 12/20/88, Amended and renumbered 1/10/93, Amended and Renumbered 11/12/98, Amended and Renumbered 9/14/09]. Note: The rules covered by this part were previously adopted under former EPB rule section 2.602.

PART X
AIR POLLUTION EPISODES

2.1001 Air Pollution Episode - Local Rules

A. City-Wide Episode Control Plans

The Department may, as it determines necessary, prepare appropriate city-wide episode control plans to reduce air pollution levels based upon the plans submitted by sources of pollutants as required in Board Rule 2.104. The objective of the plans shall be to bring about a diminution of the particular air contaminants by curtailing the operations of industrial, business or other activities, the conduct of which is essential to the health and welfare of the community.

B. Episode Alert

In the event that an exceedance of the ambient air quality standards, as defined in Board Rule 2.201, is reached, the Department shall notify the following persons:

1. Mayor.
2. Public Health Unit.
3. Florida Department of Environmental Protection.
4. Board Members.
5. U.S. EPA.
6. Air pollution sources which require alert data in order to execute emergency control plans.
7. General public, through available media of communication.

C. Coordination

Upon notification of an air pollution episode, the Department will coordinate monitoring and enforcement activities with the State Department of Environmental Protection if the State Department of Environmental Protection elects to participate.

[History: Formerly S. 362.405 - S. 362.408, Ordinance Code, EPB 2.405 - 2.408; Effective 3/18/85; Amended and Renumbered 1/10/93, Amended 12/19/94, Amended and renumbered 11/12/96, Amended and Renumbered 9/14/09]. Note: The rules covered by this part were previously adopted under former EPB rule section 2.702.

PART XI
STATIONARY SOURCES - EMISSION STANDARDS

2.1101

Chapter 62-296, Florida Administrative Code, is adopted and incorporated in this rule by reference as the City's emission standards for stationary sources.

[History: Effective 1/10/93, Amended 12/19/94, Amended 9/11/95, Amended and renumbered 11/12/96, Amended 6/08/98, Amended 11/08/99, Amended 9/11/06, Amended 5/14/07, Amended 10/13/08, Amended and Renumbered 9/14/09, Amended 3/14/11, Amended 8/8/11, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.901.

PART XII
STATIONARY SOURCES - EMISSION MONITORING

2.1201

Chapter 62-297, Florida Administrative Code, is adopted and incorporated in this rule by reference as the City's emission monitoring requirements for stationary sources.

[History: Effective 1/10/93, Amended 12/19/94, Amended and renumbered 11/12/96, Amended 6/08/98, Amended 11/08/99, Amended 11/10/03, Amended 10/11/04, Renumbered 9/14/09, Amended 12/10/12]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.1001.

PART XIII
AIR POLLUTION NUISANCE RULES

2.1301 General Standard for Volatile Organic Compounds

Persons shall use reasonable care to avoid discharging, leaking, spilling, seeping, pouring, or dumping volatile organic compounds or organic solvents.

[History: Formerly S.362.206, City Ordinance Code; EPB 2.205 B.2.; Effective 3/18/85; Renumbered 1/10/93, Renumbered 11/12/96, Renumbered 9/14/09]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.1101.

2.1302 Emissions from Ships and Locomotives

A. Applicability

This rule applies to the operation of ships and locomotives at all places within the borders of Duval County, Florida.

B. Definitions

1. "Cold boiler light off" - The light off of a steam boiler without the use of steam from an operating shipboard boiler or shore steam, to preheat the boiler furnace and combustion air.

2. "Distillate Fuel" - Liquid fuels distilled, usually from crude petroleum and conforming to the properties of nos.1 through 4 fuel oils as specified in ASTM D 396.

3. "Emergency boiler shut down" - An unscheduled, immediate cessation of boiler operation caused by a failure of the boiler and/or boiler auxiliaries, a fire in the machinery spaces or a similar unforeseeable casualty which all preventable measures could not have eliminated.

C. Prohibited Acts

No person, including owners, ships' captains and engineers, shall cause, let, permit, suffer or allow:

1. Visible emissions from ships or locomotives greater than twenty percent (20%) opacity, except that visible emission as great as forty percent (40%) opacity shall be permissible for no more than two minutes in an hour.

2. Operation of any shipboard steam boiler without posting and maintaining in a conspicuous place within plain view of the boiler operators a warning placard as shown in Attachment I.

3. The blowing of steam boiler tubes, economizers, air heaters, stacks or any other boiler components for the purpose of removing accumulated soot while in the port of Jacksonville, except in the event of an emergency

threatening life or property.

4. Operation of any steam boiler without having in charge of the engine room an engineer duly licensed by the country of the vessel's registry or by the United States Coast Guard. Proof of identity and license of said engineer shall be maintained on-board the vessel and shall be made available for inspection to the Department upon request.

5. Emergency boiler shut-downs, the light off of a cold boiler or boiler pressure relief valve safety test, without giving notice to the Department. In the case of cold boiler light off and boiler pressure relief valve safety tests, notification shall be by telephone and shall be given prior to the test or light off. Notification shall be given by telephone as soon as possible following an emergency boiler shut-down. Each notice required by this rule shall include the following information:

   a. Name of vessel.

   b. Location of vessel.

   c. Time of reported event.

   d. Name of operator in charge of the vessel and of the engine room.

6. A cold boiler light off using any fuel other than distillate fuel.

D. Exemptions

1. Visible emissions caused by an emergency boiler shut-down or by boiler pressure relief valve safety tests shall be exempt from the opacity limits of Board Rule 2.1302C.1. above, provided that:

   a. Best operational practices to minimize emissions are adhered to.

   b. The duration of the excess emission shall be minimized, but in no case shall exempted emissions exceed 30 minutes in any 24-hour period, and

   c. Notification of the emergency boiler shut-down or safety valve test shall have been provided in a timely manner, pursuant to the requirements of Board Rule 2.1302C.5. above.

2. In the event of a visible emission in excess of the opacity limits of Board Rule 2.1302C.1. caused by an emergency boiler shut-down or by boiler safety valve tests, a written report shall be submitted within 30 days, if requested by the Department, detailing the exact cause of the excess emission and the operational practices taken to minimize the emission.

E. Equipment Specifications.

In addition to the payment of any fines, penalties or settlements tendered in resolution of said violations, a vessel which is the source of an emission, in violation of Board Rule 2.1302C., shall be subject to the equipment specifications set forth below. This rule will apply if the violations are admitted or uncontested, or if contested, are found by the Board or by a court of competent jurisdiction to have occurred.

1. Vessels powered by steam boilers and subject to this rule shall be equipped with smoke detectors and alarms which immediately alert engineers on watch in the engine room of any excessive smoke emitted from the ship. Smoke detectors shall, at all times, be calibrated, operated and maintained in accordance with manufacturer's written specifications. The manufacturer's specifications, together with written records of all instrument calibrations and maintenance performed, shall be maintained on-board the vessel and shall be made available for inspection to the Department upon request.

2. Smoke detectors and alarms required by this rule shall be installed and calibrated as soon as possible, but not later than six months from the date of Citation if uncontested, or if contested, not later than six months from the date of determination by the Board or Court that the violation occurred.

3. Whenever the smoke detector required by this rule measures an emission into the atmosphere in excess of forty percent (40%) opacity, notice shall be given by telephone to the Department immediately upon discovery of the excess emission and shall include the following information:

   a. Name of vessel.

   b. Location of vessel.

   c. Time of discovery of excessive emission.

   d. Duration of excessive emission.

   e. Suspected cause of excessive emission.

   f. Corrective action taken to abate the excessive emission.

   g. Name of operator in charge of the vessel and of the engine room.

F. Compliance Test Method

Determinations of the opacity of emissions, pursuant to Board Rule 2.1302C.1., above, shall be made using United States Environmental Protection Agency Reference Method No.9 (40 CFR 60, Appendix A). Only determinations made by qualified observers trained and certified in accordance with Reference Method No.9 shall be used to enforce the opacity limits.

G. Penalties and Injunctive Relief

Violations of this rule shall be punishable by civil penalties specified in Section 362.110, Ordinance Code, and to injunctive relief as provided in Section 360.407, Ordinance Code.

H. Enforcement

This rule shall be enforced by the Department in accordance with the provisions of Chapters 360 and 362, Ordinance Code.

I. Air Pollution Nuisance Prohibited

Nothing in this rule shall in any manner be construed as authorizing or legalizing the creation or maintenance of an air pollution nuisance, as defined in Board Rule 2.1303. A violation of this rule does not, in and of itself, constitute an air pollution nuisance, as defined in Board Rule 2.1303.

[History: Formerly S 362.208, City Ordinance Code; EPB 2.206; Effective 7/9/90; Amended and renumbered 1/10/93, Amended and renumbered 11/12/96, Amended 9/11/00, Amended and Renumbered 9/14/09]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.1102.

2.1303 Air Pollution Nuisances

A. Preamble

An Environmental Protection Board rule; developed pursuant to the rule making powers of the Board as defined in Section 360.108, Ordinance Code; prohibiting the creation of public air pollution nuisances that would adversely affect human welfare or cause damage to property or unreasonably interfere with the enjoyment of life or property or the conduct of business; providing procedures for notification to the source in the event of occurrence of a nuisance; and defining the elements of property damage.

B. Air Pollution Nuisance Defined

1. The term "air pollution nuisance" shall mean the presence in the atmosphere, from any source or sources whatever, of any air contaminant, including but not limited to smoke, ashes, dust, dirt, grime, soot, acids, fumes, gases, vapors, abrasive blasting grit, paint, or any other substance or combination of substances, in such amounts as to adversely affect human welfare, or cause harm or damage to property, or unreasonably interfere with the enjoyment of life or property or the conduct of business.

   In order for the Board to abate a nuisance under this rule, the nuisance must be a public nuisance, as opposed to a private nuisance, although a nuisance may be both public and private. A public nuisance affects rights common to the whole community or a considerable number of persons and not merely some particular person. After the Department has received and validated citizen complaints from ten or more persons who do not live in the same household within a one year period or less, each alleging an adverse affect to that person's human welfare or damage to his own

property, or unreasonable interference with enjoyment of life or property or the conduct of business, the source responsible shall be deemed a public nuisance. In addition, and irrespective of the number or frequency of complaints, damage to property or unreasonable interference with the enjoyment of life or property or the conduct of business which occurs in or on any public way or place, including but not limited to parks, playgrounds, recreational area, schools, street, highways, bodies of water, or any publicly owned land or buildings, shall be deemed a public nuisance.

2. For the purpose of this rule, source means any stationary point source as defined in Rule 62-210.200, FAC, any unconfined or area source and any mobile source, including but not limited to automobiles, trucks, buses, locomotives and ships.

C. Exceptions

1. Objectionable odors and open burning of land clearing debris are not included under this section.

2. In the case of a permitted source of air pollution equipped with continuous emission monitors (CEMs) which measure the air pollutant alleged to have caused the nuisance and which meet applicable Federal performance specifications for continuous emissions monitors, the submission of CEM data showing compliance with applicable emission limiting standards during the time of the air pollution nuisance shall constitute prima facie evidence of no violation of the provisions of this rule.

D. Elements of property damage

Pursuant to this rule, property damage shall include, but is not limited to the deposition, impaction, settling or condensation of an air pollution nuisance, as defined in Board Rule 2.1303B on any property at any point beyond the property limits of the premises occupied or used by the person responsible for the emission into the atmosphere of the air pollution nuisance as defined in Board Rule 2.1303B, so as to cause:

1. Excessive corrosion of metal surfaces as demonstrated by comparison with similar surfaces in the general area or other portions of the same structures.

2. Etching or discoloration of surface coatings.

3. Soiling in amounts which necessitate additional cleaning of property not otherwise required or refinishing of coated or polished surfaces.

4. Discoloration or soiling over and above normal wear and tear resulting from the tracking of deposited material onto carpets or other types of finished floor covering which necessitate cleaning not otherwise required.

5. Impaction of paint droplets or other coating materials onto surfaces.

E. Air Pollution Nuisance Prohibited

No person who owns or operates a source which emits air contaminants as defined in Board Rule 2.1303B shall cause, suffer, allow or permit the emission or escape into the atmosphere of an air pollution nuisance, as defined in Board Rule 2.1303B: and nothing

in this rule shall, in any manner be construed as authorizing or legalizing the creation or maintenance of an air pollution nuisance, as defined in Board Rule 2.1303B.

F. Civil Penalties and Injunctive Relief

Persons who cause an air pollution nuisance, as defined in Board Rule 2.1303B shall be subject to civil penalties specified in Section 362.110, Ordinance Code, as well as injunctive relief as specified in Section 360.407, Ordinance Code.

G. Source Notification Procedures

The Department shall make all reasonable attempts to notify the owner or operator of the source alleged to be causing a nuisance not later than the next business day after the Department has initially identified the source as the suspected cause of the complaint.

[History: Formerly EPB 2.211; Effective December 1985; Amended and renumbered 1/10/93, Amended 12/19/94, Amended and renumbered 11/12/96, Amended and Renumbered 9/14/09]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.1103.

NOTICE TO SHIPS
WHILE IN THE PORT OF JACKSONVILLE

EXCESSIVE SMOKE

The Jacksonville Ordinance Code prohibits the emission into the air of visible smoke greater than 20 percent (20%) opacity, except that a visible emission as great as 40 percent (40%) opacity shall be permissible for not more than two minutes in any hour.

Soot blowing except in an emergency threatening life or property, is prohibited.

Violation of these and all other applicable rules of the City of Jacksonville are punishable by fines of up to $10,000 per day, for each separate offense.

To report cold boiler lightoffs, emergency boiler shutdown, boiler safety testing or excess emission call

255-7100

PART XIV
PERMITS -GENERAL PROVISIONS

2.1401 Air Pollution Source Permits

Chapter 62-4, Florida Administrative Code, is adopted and incorporated into this rule by reference as the City's air pollution source permitting requirements.

[History: New, Effective 12/19/94, Amended 9/11/95, Amended and Renumbered 11/12/96, Amended 11/08/99, Amended 08/13/01, Amended 10/13/08, Renumbered 9/14/09]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.1201.

2.1402 Air Pollution Source Permit Hearings and Public Notice Requirements

Sections 120.569, 120.57(1) and 120.57(2), Florida Statutes, and Rules 62-110.106, 28-106.110, 28-106.201, and 28-106.301, FAC, are adopted by reference as the Board requirements for hearings and public notice in conjunction with air pollution permitting.

[History: New, Effective 12/19/94, Amended and Renumbered 9/11/95, Amended and Renumbered 11/12/96, Amended 11/8/99, Amended and Renumbered 9/14/09]. Note: The rules covered by this part were previously adopted by reference under former EPB rule section 2.1204.

DONE AND ORDERED This 10th day of DECEMBER, 2012, at the regular meeting of the Environmental Protection Board, City of Jacksonville.

ENVIRONMENTAL PROTECTION BOARD

BY: _____
Steven Jenkins, Chair

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