COMMISSION
Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Stacy White

EXECUTIVE DIRECTOR
Janet Dougherty

DIVISION DIRECTORS
Legal & Admin. Richard Tschantz, Esq.
Air Management Jerry Campbell, P.E.
Waste Management Hooshang Boostani, P.E.
Water Management Sam Elrabi, P.E.
Wetlands Management Scott Emery, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

Kevin Wertman
Plant Manager
Sea-3 of Florida, Inc.
3606 Pendola Point Rd.
Tampa, FL 33619
_____/

File No.: 0571217-015-AO
County: Hillsborough

Enclosed is Renewal Permit No. 0571217-015-AO for the operation of a refrigerated liquefied petroleum gas (LPG) storage and transfer facility located at 3606 Pendola Point Road in Tampa, issued pursuant to Section 403.087, Florida Statutes. Please read this new permit thoroughly as there are changes from the previous permit.

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of receipt of this permit. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice.

A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the F.A.C.

A petition that disputes the material facts on which the EPC's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number if known;

(b) The name, address, and telephone number of the petitioner and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;

(c) A statement of how and when the petitioner received notice of the EPC action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPC's proposed action;

(f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision.

Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statues, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr, Tampa, Florida 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida.

Sincerely,

Janet L. Dougherty

Janet L. Dougherty
Executive Director

JD/KRZ/krz

cc: Lynn Robinson, P.E. - Southern Environmental Sciences, Inc.

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on July 15, 2015 to the listed persons.

Clerk Stamp
FILED, on this date, pursuant to Section 120.52(11), Florida Statutes, with the designated clerk, receipt of which is hereby acknowledged.

Madlei Mishlai 7/15/15

Clerk Date

COMMISSION
Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Stacy White

EXECUTIVE DIRECTOR
Janet Dougherty

DIVISION DIRECTORS
Legal & Admin. Richard Tschantz, Esq.
Air Management Jerry Campbell, P.E.
Waste Management Hooshang Boostani, P.E.
Water Management Sam Elrabi, P.E.
Wetlands Management Scott Emery, Ph.D.

PERMITTEE:
Sea-3 of Florida, Inc.
3606 Pendola Point Rd.
Tampa, FL 33619

PERMIT/CERTIFICATION
Permit No: 0571217-015-AO
County: Hillsborough
Expiration Date: July 15, 2020
Project: LPG Handling, Storage and Transfer Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-209, 62-210, 62-212, 62-272, 62-275, 62-296, 62-297, and 62-4. 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 EPC and made a part of hereof and specifically described as follows:

Sea-3 of Florida, Tampa LPG Terminal, operates a refrigerated liquid petroleum gas (LPG) storage and transfer facility. LPG is unloaded from ships using one (1) liquid unloading arm and one (1) vapor arm. The LPG is transferred from the ship to a refrigerated LPG storage tank via pipeline. The tank has a 22,800,000 gallon capacity and is controlled at a pressure just above atmospheric pressure by a propane refrigeration unit. The unit compresses and re-condenses boil-off vapor from the propane storage tank and then returns the condensed vapor back to the LPG storage tank. LPG is loaded into trucks from the storage tank via four (4) truck loading racks as a liquid after it has been odorized with Ethyl Mercaptain to give it a cabbage type smell. Each rack has two (2) loading arms, for a total of eight (8). The facility can unload a maximum of 18 ships per year. Also, the facility can load LPG up to 75 barges per year through a pipeline from the storage tank, and a maximum of 25,000 trucks per year.

The LPG storage tank has an emergency control valve to route vapors to an open flare as protection against an over pressurization situation in the event that the tank refrigeration is lost. This valve is set to begin venting to the flare once the tank pressure reaches 1.8 pounds per square inch gauge pressure (psig). The tank is also equipped with six other pressure relief valves that vent directly to the atmosphere in the event of a catastrophic tank failure and venting to the flare alone is insufficient to maintain the tank pressure at a safe level. These pressure relief valves are set to open at various pressures in the range of 2.0 to 2.2 psig and rupture disks are installed downstream of the emergency relief valves

The operation at the facility also involves three boilers. Two of the boilers are manufactured by Algas-SDI, Inc and the maximum design heat input rate of each of the Algas-SDI, Inc boiler is 13.3 MMBtu/hr. The third boiler is a Cleaver Brooks, Model No. 4WI-700-805-I25 boiler, which has a maximum design heat input rate of 33.5 MMBtu/hr. The boilers are used as water bath heaters. The propane from the refrigerated storage tank is heated to 50 °F by the boilers before being loaded into tank trucks/barges

PM and SO_2 emissions from the (3) boilers are limited by firing the boilers exclusively on LPG, which is considered to be BACT, and the boilers are not subject to 40 CFR 60, Subpart Dc (Edition 7/1/08) since they only combust propane gas, which is not a fuel regulated in the Subpart. VOC emissions from this facility are generated from the LPG ship/barge unloading and truck/barge loading operations and the flare, as well as fugitive emissions from valves, flanges, compressors, pumps, pressure relief valves, and open-ended valves and lines. The facility-wide PTE for VOC emissions are 24.7 TPY. This includes worst case emissions from the flare, which were estimated to be 0.2 TPY, assuming that 35,000 gallons of LPG fuel are burned at the flare.

The refrigerated LPG storage tank is subject to 40 CFR 60 Subpart Kb. The boilers are subject to an opacity standard of 20% as stipulated in Rule 62-296.406(1), F.A.C. The facility is subject to Rule 62-296.320, F.A.C. The flare under EU 001 (Refrigerated LPG Storage Tank and Flare) is subject to 40 CFR 60.112b(a)(3)(ii) and 60.18(f).

Location: 3606 Pendola Point Rd., Tampa, FL 33619

UTM: 17- 360.10 E 3087.10 N NEDS NO: 1217

Emission Unit Nos.:
001 - Refrigerated LPG Storage Tank and Flare
002 - Ship Unloading
003 - Two Algas-SDI, Inc Boilers (13.3 MMBtu/hr each)
004 - Cleaver Brooks Boiler (33.5 MMBtu/hr)
005 - Truck Loading
006 – Barge Loading

Replaces Permit No.: 0571217-013-AO

SPECIFIC CONDITIONS:

1. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]

2. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]

3. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]

4. The use of property, facilities, equipment, processes, products, or compounds, or the commission of paint overspraying or any other act, that causes or materially contributes to a public nuisance is prohibited, pursuant to the Hillsborough County Environmental Protection Act, Section 16, Chapter 84-446, Laws of Florida, as Amended.

5. No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]

6. The particulate matter and sulfur dioxide emissions from the two Algas-SDI boilers and the Cleaver Brooks Boiler shall be limited by firing the boilers exclusively on LPG.
[Rule 62-296.406, F.A.C. and BACT Determinations dated May 24, 1999 and March 1, 2007]

7. Visible emissions from all three boilers shall not exceed 20 percent opacity, except for one six minute period per hour of not more than 27 percent opacity, or one two-minute per hour during which opacity shall not exceed 40 percent. [Rules 62-4.070(3) and 62-296.406(1), F.A.C.]

8. The flare shall be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. [40 CFR 60.18 and Rule 62-4.070(3), F.A.C.]

9. The flare shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18 (f). [40 CFR 60.18 and Rule 62-4.070(3), F.A.C.]

10. The following restrictions and limitations shall apply per twelve consecutive month period for the ship/barge unloading, truck/barge loading and the boilers operation:
[Rules 62-4.070(3), 62-212.300, F.A.C., BACT Determination dated March 1, 2007 and Permit No. 0571217-006-AC]

A) The number of ships unloaded shall not exceed 18.
B) The total number of trucks loaded at the four (4) loading racks shall not exceed 25,000.
C) The number of barges loaded shall not exceed 75.
D) Fuel type for the boilers: LPG (propane) only.

SPECIFIC CONDITIONS:

E) Maximum heat input for the Cleaver Brooks Boilers: 33.5 MMBtuU/hr.
F) Maximum heat input of each of the two Algas-SDI, Inc: 13.3 MMBtu/hr.
G) Total maximum fuel usage for the Algas-SDI boilers: 2,10,000 gallons per 12 consecutive month period.
H) Total maximum fuel usage for the Cleaver-Brooks boiler: 3,200,000 gallons per 12 consecutive month period.
I) All products of combustion must vent through the stack.
J) The hours of operation are not restricted.

11. In order to demonstrate compliance with Specific Condition No. 10, the permittee shall maintain a recordkeeping system for the most recent three-year period. The records shall be made available to the Environmental Protection Commission of Hillsborough County, state or federal air pollution agency upon request. The records shall include, but not limited to, the following:
[40 CFR 60.48c.(g) and (i), Rules 62-4.070(3) and 62-4.160(14), F.A.C.]

A) Date, Month, Year;
B) Number of ships/barges unloaded;
C) Number of trucks/barges loaded;
D) Total fuel usage for each boiler (gallons);
E) Twelve-month rolling total of B), C) and D) above.

12. The permittee shall maintain the following records for the LPG storage tank for the most recent three- year period. The records shall be made available for inspection by any local, state, or federal air pollution agency. The records shall include, but not limited to, the following:
[40 CFR 60.116b, Rules 62-4.070(3) and 62-4.160(14), F.A.C.]

A) The permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. [40 CFR 60.116b(b)]
B) The permittee shall maintain a record of the volatile organic liquid (VOL) stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period. [40 CFR 60.116b(c)]
C) Available data on the storage temperature may be used to determine the maximum true vapor pressure. The maximum true vapor pressure is calculated based upon the highest expected calendar month average of the storage temperature. [40 CFR 60.116b(e)(1) and (e)(3)]
D) The vapor pressure:
   i) May be obtained from standard reference tests; or
   ii) Determined by ASTM Method D2879-83 (incorporated by reference 40 CFR 60.17); or
   iii) Measured by an appropriate method approved by the Administrator; or
   iv) Calculated by an appropriate method approved by the Administrator.

SPECIFIC CONDITIONS:

13. The permittee shall maintain the following records for the flare for the most recent three-year period. The records shall be made available for inspection by any local, state, or federal air pollution agency. The records shall include, but not limited to, the following:
[40 CFR 60.115b, Rules 62-4.070(3) and 62-4.160, F.A.C. and]

A) All periods of operation during which the flare pilot flame is absent.
B) Submit semiannual reports of all periods recorded under A) above in which the pilot flame was absent.

14. In order to demonstrate a closed vent system and control device which is operated to reduce inlet VOC emissions from the LPG storage tank and refrigeration system by 95% or greater, the permittee shall have rupture disks installed downstream of the six LPG tank emergency relief valves.
[62-4.070(3), F.A.C.]

15. Test all three boilers for visible emissions annually once every calendar year (January 1- December 31), and submit two copies of the test data to the Air Management Division of the Environmental Protection Commission of Hillsborough County within 45 days of such testing.
[Rule 62-297.310(8)(a)1., F.A.C.]

16. Test the flare for visible emissions, once every 5 years prior to the renewal of the operating permit, and submit 2 copies of the test data to the Air Management Division of the Environmental Protection Commission of Hillsborough County within 45 days of such testing. Testing shall be conducted no later than 120 days from the expiration date of the renewal operating permit. Testing procedures shall be consistent with the requirements of 40 CFR 60 and Rule 62-297.310, F.A.C.
[40 CFR 60.18 and EPA letter received March 4, 1999 and Permit No. 0571217-012-AC]

17. Test the flare in accordance with 40 CFR 60.18 requirements, once every 5 years prior to the renewal of the operating permit, and submit 2 copies of the test data to the Air Management Division of the Environmental Protection Commission of Hillsborough County within 45 days of such testing. Testing shall be conducted no later than 120 days from the expiration date of the renewal operating permit. Testing procedures shall be consistent with the requirements of 40 CFR 60 and Rule 62-297.310, F.A.C.
[40 CFR 60.18 and EPA letter received March 4, 1999 and Permit No. 0571217-012-AC]

18. Compliance with Specific Condition No. 7 shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. The EPA Method 9 test observation period on the boiler shall be at least thirty (30) minutes in duration and shall be read at the point of highest opacity associated with the activity. [40 CFR 60.11(b), Rule 62-297.310(4)(a)2., F.A.C.]

19. Compliance with Specific Condition No. 8 shall be determined using EPA Method 22 contained in 40 CFR 60, Appendix A adopted by reference in Rule 62-297, F.A.C. The EPA Method 22 observation period shall be at least 2 hours in duration. [40 CFR 60.18]

SPECIFIC CONDITIONS:

20. Compliance testing of the boilers must be accomplished during a period when it is cycling up to a normal high firing rate, or is continuously operated at capacity. Capacity is defined as 90-100% of rated capacity of 33.5 MMBtu/hr for the Cleaver Brooks, Model No. CB-700-800, boiler and 13.3 MMBtu/hr for the Algas-SDI, boilers. If it is impracticable to test at capacity, then the boiler may be tested at less than capacity; in this case subsequent operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. The permittee shall submit a statement of the operating mode as part of the compliance test. Failure to submit an operation mode statement or operating at conditions which do not reflect the normal operating conditions may invalidate the data. [Rule 62-4.070(3), F.A.C.]

21. The permittee shall notify the Air Compliance Section of the Environmental Protection Commission of Hillsborough County at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the contact person who will be responsible for coordinating and having such test conducted. [Rule 62-297.310(7), F.A.C.]

22. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4)]

23. When the Environmental Protection Commission of Hillsborough County (EPC) 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 Rules 62-204, 62-210, 62-212, 62-296, or 62-297, F.A.C., or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the source to conduct compliance tests which identify the nature and quantity of pollutant emissions from the source and to provide a report on the results of said tests to the EPC.
[Rule 62-297.310(7)(b) and 62-4.070(3), F.A.C.]

24. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provision in Rule 62-296.320, F.A.C. These provisions are applicable to any source, including, but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions shall include, but not limited to, the following:
[Rule 62-296.320(4)(c), F.A.C.]

A) Paving and maintenance of roads, parking areas and yards.
B) Exercise good housekeeping at all times.

25. The permittee shall not store, handle, process, or use in any process the volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems as follows and as deemed necessary and ordered by the Environmental Protection Commission of

SPECIFIC CONDITIONS:

Hillsborough County, which includes immediately attending to all spills/waste as appropriate. [Rule 62-296.320, F.A.C.]

26. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to: [40 CFR 68.10(a)]

RMP Reporting Center
Post Office Box 1515
Lanham-Seabrook, MD 20703-1515
Telephone: 301/429-5018

27. The permittee shall provide timely notification to the Environmental Protection Commission of Hillsborough County prior to implementing any changes that may result in a modification to this permit pursuant to Rule 62-210.200(203), F.A.C. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation: [40 CFR 60.15, Rules 62-4.070(3) and 62-210.300, F.A.C.]

A) Alteration or replacement of any equipment* or major component of such equipment.
B) Installation or addition of any equipment* which is a source of air pollution.

28. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted, in duplicate, to the Environmental Protection Commission of Hillsborough County within 30 days after the sale or legal transfer of the permitted facility. [Rule 62-4.120, F.A.C.]

29. The permittee must submit to the Environmental Protection Commission of Hillsborough County each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. The AOR shall be submitted by April 1 of the following year. [Rule 62-210.370(3), F.A.C.]

30. Prior to sixty days before the expiration of this operating permit, the permittee shall apply for a renewal of the permit using the current version of the permit renewal application form. A renewal application shall be timely and sufficient. If the application is submitted prior to sixty days before the expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the EPC or, if there is court review of the final agency action, until a later date is required by Section 120.60, Florida Statutes. [Rule 62-4.090, F.A.C.]

PERMITTEE:
Sea-3 of Florida, Inc.

PERMIT/CERTIFICATION NO.: 0571217-015-AO
PROJECT: LPG Handling, Storage and Transfer Facility

SPECIFIC CONDITIONS:

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

Janet L. Dougherty
Executive Director

ATTACHMENT - GENERAL CONDITIONS

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 (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. Not applicable to Air Permits.

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 and at reasonable times, access to the premises where the permitted activity is located or conducted to:

a. Have access to and copy any records that must be kept under conditions of the permit;

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

c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

a. A description of and cause of noncompliance; and

b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

ATTACHMENT - GENERAL CONDITIONS

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department 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 is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

( ) Determination of Best Available Control Technology (BACT)
( ) Determination of Prevention of Significant Deterioration (PSD)
( ) Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

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.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.