

**COMMISSION**

Kevin Beckner  
Victor D. Crist  
Ken Hagan  
Al Higginbotham

Lesley "Les" Miller, Jr.  
Sandra L. Murman  
Mark Sharpe



EXECUTIVE DIRECTOR  
Richard D. Garrity, Ph.D.

**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.

**MEMORANDUM**

**DATE:** December 13, 2013

**TO:** Richard D. Garrity, Ph.D.

**FROM:** Stephen Hathaway, P.E. *SA* **THRU:** Diana M. Lee, P.E. *DL*

**SUBJECT:** **FESOP Permit Revision/Renewal – Winfield Solutions, LLC**  
**Permit No. 0571292-007-AF**  
**Incorporate Paladin Packaging (Permit No. 0571292-004-AC)**

Attached is Permit No. 0571292-007-AF for Winfield Solutions, LLC to renew and revise Permit No. 0571292-003-AF. Winfield Solutions, LLC, a Synthetic Non-Title V Source, is a wholesale distributor of agricultural pesticides and herbicides. The facility is located at 4094 Paul Buchman Highway, Plant City, Florida. This permit incorporates the operation of the Paladin<sup>TM</sup> pesticide fumigant blending/repackaging line, the removal of the methyl bromide/chloropicrin blending/repackaging line (EU 001), and the increase in production limits.

Winfield Solutions' facility consists of liquid storage tanks and "production" areas for the blending and packaging of organic chemical products. The chemicals; pesticide fumigants, herbicides, and surfactants/adjuvants, are received in bulk and repackaged into smaller containers or blended then repackaged into smaller containers. The fumigants are repackaged into 110-gallon containers called "pigs" or 17-gallon cylinders. The fugitive emission points are at valves, flanges, and other piping connections. Returned fumigant cylinders and pigs are depressurized and decanted to remove any liquid and vented to a series of four (4) activated carbon drums in series.

Air Construction Permit No. 0571292-004-AC authorized the construction of two (2) pesticide fumigant blending/repackaging lines controlled by activated carbon drums (EU 006). At the time of the operation permit renewal application, only the Paladin<sup>TM</sup> repackaging line was constructed. Paladin<sup>TM</sup> is a blend of dimethyl disulfide (DMDS) and chloropicrin, both VOC's. DMDS and chloropicrin are received by railcars or tanker trucks, and transported using nitrogen gas to two (2) blending stations. The facility is permitted to construct two (2) additional Paladin<sup>TM</sup> blending stations under Permit No. 0571292-004-AC. The containers, which are new or used, pressurized containers, are vented to the exhaust manifold which directs the emissions through a pressure regulating orifice to a series of four activated carbon drums, each containing 180 pounds of activated carbon. The two chemical constituents, DMDS and chloropicrin, are blended at the desired ratios in enclosed containers using controllers and scales for distribution to customers.

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The emissions from the Paladin<sup>TM</sup> fumigant blending/repackaging operations are controlled using work practice standards, reasonable precautions, and the use of four (4) activated carbon drums in series to control volatile organic compound emissions as stipulated in the specific conditions of this permit. Winfield Solutions conducted extensive testing on the activated carbon drums to determine breakthrough of the Paladin<sup>TM</sup> blends. The facility will continue daily monitoring the concentration between the second and third activated carbon drums to ensure the carbon is changed timely to prevent objectionable odors and minimize emissions.

The second fumigant blending/repackaging line (Telone<sup>TM</sup>) proposed under Permit No. 0571292-004-AC has not been constructed. The expiration date of Permit No. 0571292-004-AC was extended until November 30, 2015, in the event the facility decides to construct the Telone<sup>TM</sup> blending/repackaging line.

Emissions Unit No. 002 consists of repackaging the fumigants VAPAM and K-PAM for resale. These fumigants contain no HAPs. These are stored in Tank Nos. 9 and 10, which are both 15,000 gallon vertical fixed roof (VFR) tanks. These fumigants are received onsite by tanker truck and are pumped/transferred to various sized containers. These chemicals may also be loaded from the storage tanks into bulk tanker trucks using pumps. Due to the low vapor pressure of these fumigants, the gases displaced during packaging and truck unloading activities are vented directly into the atmosphere without air pollution controls.

Emission Unit Nos. 003 and 004 consist of repackaging herbicides and adjuvants, respectively. The herbicides and adjuvants are delivered by tanker trucks in liquid form and are transferred to the storage tanks. From the storage tanks, these chemicals are transferred to the repackaging and blending processes using pumps. These chemicals may also be loaded from the storage tanks into bulk tanker trucks using pumps. The emission points are at tank vents, pumps, valves, flanges, and other piping connections. Due to the low vapor pressure of these chemicals, emissions are vented directly to the atmosphere without air pollution controls.

The herbicides are received by truck and loaded into one of eight tanks (Tank Nos. 1, 2, 11, 12, 13, 14, 15, and 16) located in the tank farm. Tank Nos. 1 and 2 have capacities of 4,000 gal each and Tank Nos. 11, 12, 13, 14, 15, and 16 range in capacity between 5,000 and 8,500 gallons each and are located within the Herbicide building. The herbicides are repackaged by filling various sized tanks and containers. Adjuvants are received by truck and loaded into the appropriate tank(s) both inside the production building and outside in the tank farm. These are stored for short durations ranging from several days to months.

Potential emissions are based on the concentration of VOCs and HAPs in the air displaced during tank and truck loading/unloading activities. A vapor pressure of 31 mmHg was used in conjunction with the Tanks, version 4.09b program, to determine the potential emissions from the tanks in the tank farm, and AP-42, Section 5.2, Equation No. 1, was used to determine the potential emissions in the air displaced while loading tanker trucks. Both VAPAM and K-PAM have low vapor pressures of approximately 24 mmHg ( $<< 31$  mmHg). The herbicides and the adjuvants have low vapor pressures ( $< 2$  mmHg), however, a vapor pressure of 31 mmHg and the chemical toluene were used in conjunction with the Tanks 4.09b along with the worst case tank to evaluate the potential emissions from the tanks, and AP-42, Section 5.2, Equation No. 1, was used to determine the potential emissions in the air displaced while loading tanker trucks. Emissions from the Paladin<sup>TM</sup> blending/repackaging line were estimated using a 99% control efficiency for the activated carbon drums.



Winfield Solutions also conducts various exempt activities. The facility refinishes pigs and cylinders by spray painting in a covered area consisting of two walls and over an impervious surface. The coatings used are water-based and have low-VOC content. This activity is exempt from permitting pursuant to Rule 62-210.300(3)(a)27., F.A.C. The facility also receives 275 gallon bulk totes of liquid fertilizers and repackages them inside the facility into 2.5 gallon containers. Due to the low vapor pressure of the liquid fertilizers ( $< 1.2$  mmHg), this activity is considered to be exempt from permitting pursuant to Rule 62-210.300(3)(b)1., F.A.C. Also at the facility is the combustion of LPG in mobile equipment, such as forklifts. This activity is exempt from permitting due to the low level of emissions from the LPG combustion.

Based on the permit revision application received on October 2, 2013, the facility's current potential emissions, including fugitive emissions, are estimated to be 26 TPY VOC and 2 TPY HAP.

Based upon our review, we recommend the issuance of the FESOP permit renewal/revision, as drafted.

SRH: 0571292-007-AF



#### COMMISSION

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EXECUTIVE DIRECTOR  
Richard D. Garrity, Ph.D.

### ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY, as Delegated by

### STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### NOTICE OF PERMIT

Mr. Jim Lanier, Operations Manager  
Winfield Solutions, LLC  
4094 Paul Buchman Highway  
Plant City, Florida 33565

Re: Hillsborough County – AP

Dear Mr. Lanier:

Enclosed is renewal FESOP Permit No. 0571292-007-AF for your facility located at 4094 Paul Buchman Highway, Plant City, Florida, 33565, issued pursuant to Section 403.087, Florida Statutes. This permit also incorporates the operation of the new Paladin<sup>TM</sup> fumigant blending/repackaging line, and the removal of the methyl bromide/chloropicrin blending/repackaging line from the permit.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the EPC in the Legal Department at 3629 Queen Palm Drive, Tampa, Florida, 33619 and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the clerk of the EPC.

Executed in Tampa, Florida.

Sincerely,

Richard D. Garrity, Ph.D.  
Executive Director

cc: Robert A. Baker, P.E., Baker Environmental Engineering, Inc.

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CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on December 13, 2013 to the listed persons.

Clerk Stamp

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

Madlain Miskiker  
Clerk

12/13/13  
Date

#### COMMISSION

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#### **PERMITTEE:**

Winfield Solutions, LLC  
4094 Paul Buchman Highway  
Plant City, Florida 33565

#### **PERMIT/CERTIFICATION**

**Permit No.:** 0571292-007-AF  
**County:** Hillsborough  
**Expiration Date:** December 13, 2018  
**Project:** FESOP Renewal/Revision

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204, 62-210, 62-212, 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 hereof and specifically described as follows:

This permit is being issued to Winfield Solutions, LLC, to operate a wholesale distribution facility of agricultural pesticides and herbicides. The facility's operations also include the Paladin<sup>TM</sup> pesticide fumigant blending/repackaging line. The methyl bromide/chloropicrin blending/repackaging line is no longer in operation, and all references to this operation have been removed from the permit.

Winfield Solutions' facility consists of liquid storage tanks and "production" areas for the blending and packaging of organic chemical products. The chemicals; pesticide fumigants, herbicides, and surfactants/adjuvants, are received in bulk and repackaged into smaller containers or blended then repackaged into smaller containers. The fumigants are repackaged into 110-gallon containers called "pigs" or 17-gallon cylinders. The fugitive emission points are at valves, flanges, and other piping connections. Returned fumigant cylinders and pigs are depressurized and decanted to remove any liquid and vented to a series of four (4) activated carbon drums in series.

Air Construction Permit No. 0571292-004-AC authorized the construction of two (2) pesticide fumigant blending/repackaging lines controlled by activated carbon drums (EU 006). At the time of the operation permit renewal application, only the Paladin<sup>TM</sup> repackaging line was constructed. Paladin<sup>TM</sup> is a blend of dimethyl disulfide (DMDS) and chloropicrin, both VOC's. DMDS and chloropicrin are received by railcars or tanker trucks, and transported using nitrogen gas to two (2) blending stations. The facility is permitted to construct two (2) additional Paladin<sup>TM</sup> blending stations under Permit No. 0571292-004-AC. The containers, which are new or used, pressurized containers, are vented to the exhaust manifold which directs the emissions through a pressure regulating orifice to a series of four activated carbon drums, each containing 180 pounds of activated carbon. The two chemical constituents, DMDS and chloropicrin, are blended at the desired ratios in enclosed containers using controllers and scales for distribution to customers.

The emissions from the Paladin<sup>TM</sup> fumigant blending/repackaging operations are controlled using work practice standards, reasonable precautions, and the use of four (4) activated carbon drums in series to control volatile organic compound emissions as stipulated in the specific conditions of this permit. Winfield Solutions conducted extensive testing on the activated carbon drums to determine breakthrough

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of the Paladin™ blends. The facility will continue daily monitoring the concentration between the second and third activated carbon drums to ensure the carbon is changed timely to prevent objectionable odors and minimize emissions.

Emissions Unit No. 002 consists of repackaging the fumigants VAPAM and K-PAM for resale. These fumigants contain no HAPs. These are stored in Tank Nos. 9 and 10, which are both 15,000 gallon vertical fixed roof (VFR) tanks. These fumigants are received onsite by tanker truck and are pumped/transferred to various sized containers. These chemicals may also be loaded from the storage tanks into bulk tanker trucks using pumps. Due to the low vapor pressure of these fumigants, the gases displaced during packaging and truck unloading activities are vented directly into the atmosphere without air pollution controls.

Emission Unit Nos. 003 and 004 consist of repackaging herbicides and adjuvants, respectively. The herbicides and adjuvants are delivered by tanker trucks in liquid form and are transferred to VFR storage tanks. From the storage tanks, these chemicals are transferred to the repackaging and blending processes using pumps. These chemicals may also be loaded from the storage tanks into bulk tanker trucks using pumps. The emission points are at tank vents, pumps, valves, flanges, and other piping connections. Due to the low vapor pressure of these chemicals, emissions are vented directly to the atmosphere without air pollution controls.

The herbicides are received by truck and loaded into one of eight tanks (Tank Nos. 1, 2, 11, 12, 13, 14, 15, and 16) located in the tank farm. Tank Nos. 1 and 2 have capacities of 4,000 gal each and Tank Nos. 11, 12, 13, 14, 15, and 16 range in capacity between 5,000 and 8,500 gallons each and are located within the Herbicide building. The herbicides are repackaged by filling various sized tanks and containers. Adjuvants are received by truck and loaded into the appropriate tank(s) both inside the production building and outside in the tank farm. These are stored for short durations ranging from several days to months.

Winfield Solutions also conducts various exempt activities. The facility refinishes pigs and cylinders by spray painting in a covered area consisting of two walls and over an impervious surface. The coatings used are water-based and have low-VOC content. This activity is exempt from permitting pursuant to Rule 62-210.300(3)(a)27., F.A.C. The facility also receives 275 gallon bulk totes of liquid fertilizers and repackages them inside the facility into 2.5 gallon containers. Due to the low vapor pressure of the liquid fertilizers (< 1.2 mmHg), this activity is considered to be exempt from permitting pursuant to Rule 62-210.300(3)(b)1., F.A.C. Also at the facility is the combustion of LPG in mobile equipment, such as forklifts. This activity is exempt from permitting due to the low level of emissions from the LPG combustion.

#### **Facility Information Summary**

**Location:** 4094 Paul Buchman Highway, Plant City, Hillsborough County

**Facility UTM Coordinates:** 17-388.6 E 3104.9 N

**Latitude:** 28° 3' 53" N **Longitude:** 82° 8' 0" W

**Facility ID No.:** 0571292

**Emission Unit ID Nos.:** 002 – Fumigant Blending/Packaging Using Pumps  
003 – Herbicide Repackaging Operations  
004 – Adjuvant Blending/Packaging Operations  
006 – Fumigant Processing Controlled by Activated Carbon Drums

**SPECIFIC CONDITIONS:**

- 1. General Conditions.** A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]
- 2. Applicable Requirements.** 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.]
- 3. Rules of the EPC.** 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.]
- 4. Chapter 84-446, Laws of Florida.** The use of property, facilities, equipment, processes, products, or compounds, 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.

**Operation and Emission Limitations**

- 5. Material Usage Limitations.** As requested by the permittee, in order to establish the facility as a Synthetic Non-Title V Source for criteria pollutants and hazardous air pollutants, the maximum amount of material that may be handled within a rolling 12-month period are as follows:

EU No.	Material	Production Limit
002	VAPAM, K-PAM	1,000,000 (gallons)
003	Herbicides	625,000 (gallons)
004	Adjuvants	1,600,000 (gallons)
006	Chloropicrin (100%)	7,000,000 (lbs)
	Paladin™/Chloropicrin Blends	20,000,000 (lbs)

[Rule 62-4.070(3), F.A.C., Air Construction Permit No. 0571292-004-AC, Permit No. 0571292-003-AF, and Permit Application received October 2, 2013]

- 6. [RESERVED]**

- 7. Work Practice and Monitoring Requirements.** The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Florida Department of Environmental Protection or its delegated agent, the Environmental Protection Commission of Hillsborough County. Known and existing vapor emission control devices or systems include, but are not limited to, the following:



SPECIFIC CONDITIONS:

General:

- A) Equipping all pressure relief valves with diaphragms;
- B) Maintaining all connections, pressure relief valves, and system piping between the railcars and storage tanks and the vapor or liquid processing equipment;
- C) Maintaining the vapor processing equipment in good working order; and
- D) When a specific process is running that day, inspecting all components (i.e., valves, compressor seals, pressure relief valves, and connectors) for leaks. Detection methods incorporating sight, sound, smell, and bubble solutions are acceptable. All detected leaks shall be repaired immediately.

Processing of dimethyl disulfide (Paladin™) and chloropicrin products:

- E) All vented gases from returned containers and the blending and packaging processes shall be routed through the four (4) activated carbon drum system before being released to the atmosphere. Each drum shall contain at least 180 pounds of activated carbon;
- F) Replacement of the first activated carbon drum in series shall occur when the vapor concentration of dimethyl disulfide, as measured between the second and third drums, reaches 30 ppm by volume, or the concentration of chloropicrin reaches 16 ppm by volume. Once breakthrough is determined, the remaining drums shall be moved up in series and the new drum shall become the fourth drum.
- G) Vapor concentrations in item F) shall be measured during the blending/repackaging operations and recorded at least once per operating day. Concentration measurements shall be taken using a photo ionization detector (PID) or detection tube which is designed to produce a reading within the range of expected concentrations. The measurement devices shall be operated and maintained according to the manufacturer's specifications.

[Rule 62-4.070(3), F.A.C., Chapter 1-3.23, Rules of the EPC, and Air Construction Permit No. 0571292-004-AC]

**8. Emission Limitations.** The following material limitations shall be adhered to at all times:

- A) The vapor pressure of the fumigants, herbicides, and adjuvants handled under EU 002, 003, and 004 shall not exceed 31 mmHg.
- B) The HAP content of the herbicides and adjuvants (EU 003 and 004) handled at the facility shall not exceed 25 percent by weight.
- C) The fumigants handled under EU 002 and 006 shall not contain any HAP.

[Rules 62-210.200(225) "Potential to Emit" and 62-4.070, F.A.C., Permit No. 0571292-003-AF, and Air Construction Permit No. 0571292-004-AC]

**9. Objectionable Odor.** The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is any odor present

#### SPECIFIC CONDITIONS:

in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-210.200 (Definitions) and 62-296.320(2), F.A.C.]

#### **Compliance Testing**

**10. Special Compliance Testing.** When the Environmental Protection Commission of Hillsborough County (EPC) after investigation, has good reason (such as complaints, increased visible emissions, objectionable odors, 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 shall 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), F.A.C.]

#### **Recordkeeping And Reporting Requirements**

**11. Records.** In order to demonstrate compliance with Specific Condition Nos. 5, 7, and 8 the permittee shall maintain a recordkeeping system. The records shall include, but not be limited to the following information:

- A) Date (mm/dd/yyyy)
- B) Monthly amount and type of fumigants, herbicides, and adjuvants blended and packaged under EU 002, 003, 004, and a rolling total of the previous 12-months, in gallons;
- C) Monthly amount and type of fumigants blended and packaged under EU 006, and a rolling total of the previous 12-months, in lbs;
- D) Annual emissions of VOC, Individual HAP, and Total HAP, in tons per year, on a calendar year basis;
- E) Records of inspections and maintenance of the processes and air pollution control equipment;
- F) Records of daily activated carbon drum monitoring and replacement;
- G) MSD sheets for each fumigant, herbicide, and adjuvant handled at the facility;
- H) Records of any process or air pollution control equipment malfunctions.

[Rule 62-4.070(3), F.A.C.]

**12. Records Retention.** All records shall be completed by the end of the following month, shall be maintained onsite and made available to the Environmental Protection Commission of Hillsborough County, state or federal air pollution agency upon request, and kept on file for at least three years from the date of measurement. [Rules 62-4.070(3), and 62-4.160(14)(b), F.A.C.]

SPECIFIC CONDITIONS:

**13. Annual Reporting.** The permittee shall submit to the Environmental Protection Commission of Hillsborough County, by April 1<sup>st</sup> of 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. [Rule 62-210.370(3), F.A.C.]

**Permit Applications and Transfers**

**14. Transfer of Ownership.** If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of 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.] [Rules 62-4.070(3), 62-4.090, 62-210.300(2), and 62-210.900, F.A.C.]

**15. Modifications.** 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, F.A.C., Modification. 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:

- 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;
- C) Receipt and blending of any fumigants, herbicides, or adjuvants not authorized by this permit.

**Note:** Items A and B are not applicable to routine maintenance, repair, or replacement of component parts. [Rules 62-210.300 and 62-4.070(3), F.A.C.]

**16. Operation Permit Renewal.** Prior to 60 days before the expiration of this operation permit, the permittee shall apply for a renewal of the permit using the current version of the permit renewal application form and submit the most recent 3 months of records required by this permit. 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. [Rules 62-4.090, F.A.C. and 62-4.070(3), F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY



Richard D. Garrity, Ph.D.  
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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

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.