



# Florida Department of Environmental Protection

Southeast District  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
(561) 681-6600

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

July 12, 2016

## PERMITTEE

Charles Composites  
1252 NE 12<sup>th</sup> Street  
Okeechobee, Florida 34972

Authorized Representative:  
Henry Gunsauls, Corporate Safety Manager

Air Permit No. 0930118-002-AO  
Initial Air Operation Permit

Charles Composites, Okeechobee  
Okeechobee County, Florida

## PROJECT

This is the final air operation permit, which authorizes the operation of Charles Composites, Okeechobee, which is a plastic product manufacturer (Standard Industrial Classification No. 7389). This project permits the operation of the facility which manufactures utility enclosures using a fiberglass reinforced plastic (FRP) process with a vacuum bagged system to reduce air emissions. The facility is permitted to emit up to 20 tons per year of Volatile Organic Carbons (VOC) and/or Hazardous Air Pollutants (HAPS) and 9 tons per year of any individual HAP. The facility is located in Okeechobee County at 1252 NE 12<sup>th</sup> Street in Okeechobee, Florida. The UTM coordinates are Zone 17, 522.77 kilometers (km) East, and 3014.76 km North.

This final permit is organized into the following sections: Section 1 (General Information); Section 2 (Administrative Requirements); Section 3 (Emissions Unit Specific Conditions); and Section 4 (Appendices). Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

**Permitting Authority:** Applications for air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4 and 62-210 of the Florida Administrative Code (F.A.C.). The Permitting Authority responsible for making a permit determination for this project is the Southeast District Office. The Permitting Authority's physical address is: 3301 Gun Club Road, Bldg. B-2, West Palm Beach, Florida 33406. The Permitting Authority's mailing address is: 3301 Gun Club Road, Bldg. MSC 7210-1, West Palm Beach, Florida 33406. The Permitting Authority's telephone number is 561-681-6600.

**Petitions.** A person whose substantial interests are affected by the proposed decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must 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, F.A.C.

A petition that disputes the material facts on which the Department'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

## FINAL AIR OPERATION PERMIT

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known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed 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, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority'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, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department'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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available in this proceeding.

**Effective Date:** This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

**Judicial Review:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure 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 30 days after this order is filed with the clerk of the Department.


0930118-002-AO Effective Date: July 12, 2016

Renewal Application Due Date: May 12, 2021

Expiration Date: July 11, 2021

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
Diane M. Pupa  
Permitting Program Administrator  
Southeast District

July 12, 2016  
Date

DMP/jke/lch/sdt

## FINAL AIR OPERATION PERMIT

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### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Air Permit package was sent by electronic mail, or a link to these documents made available electronically on a publicly accessible server, with received receipt requested before the close of business on the date indicated below to the following persons.

Henry Gunsauls, Charles Composites, [hgunsaul@charlesindustries.com](mailto:hgunsaul@charlesindustries.com)

Heath Olalde, Charles Composites, [HOlalde@charlesindustries.com](mailto:HOlalde@charlesindustries.com)

Stephanie Brooks, Brooks Eng., [BROOKSENG@AOL.COM](mailto:BROOKSENG@AOL.COM)

Diane Pupa, FDEP, [Diane.Pupa@dep.state.fl.us](mailto:Diane.Pupa@dep.state.fl.us)

Kent Edwards, FDEP, [Kent.Edwards@dep.state.fl.us](mailto:Kent.Edwards@dep.state.fl.us)

Scott Trainor, FDEP, [Scott.Trainor@dep.state.fl.us](mailto:Scott.Trainor@dep.state.fl.us)

### FILING AND ACKNOWLEDGMENT

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

  
Clerk

July 12, 2016  
Date

## SECTION 1. GENERAL INFORMATION

### FACILITY DESCRIPTION

The existing facility manufactures utility enclosures using a fiberglass reinforced plastic (FRP) process with a vacuum bagged system to reduce air emissions. The facility has been rapidly increasing production and expects emissions to rise to levels requiring a minor air permit in the near future. Therefore, the applicant wishes to obtain a minor air pollution permit for up to 20 tons per year of Volatile Organic Carbons (VOC) and/or Hazardous Air Pollutants (HAPS) and 9 tons per year of any individual HAP in order to allow for future growth.

The existing facility consists of the following emissions unit (EU).

EU No.	Emission Unit Description
001	FRP Utility Enclosure Manufacturing Process

### APPLICABLE REGULATIONS

A summary of applicable regulations is shown in the following table.

Regulation	EU No(s).
<i>State Rule Citations</i>	
Rule 62-4, F.A.C., Permits	001
Rule 62-210, F.A.C., Air Pollution Control - General Provisions	001
Rule 62-210, F.A.C., Stationary Sources - General Requirements	001
Rule 62-212, F.A.C., Stationary Sources - Preconstruction Review	001
Rule 62-296, F.A.C., Stationary Sources - Emission Standards	001
Rule 62-297 F.A.C., Stationary Sources - Emissions Monitoring	001

### FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility does not operate units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

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## SECTION 2. ADMINISTRATIVE AND GENERAL REQUIREMENTS

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### ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The permitting authority for this project is the Southeast District Office. The Southeast District Office mailing address is 3301 Gun Club Road, MSC 7210-1, West Palm Beach, Florida 33406. Email is [SED\\_Permitting@dep.state.fl.us](mailto:SED_Permitting@dep.state.fl.us). All documents related to applications for permits to operate an emissions unit shall be submitted to the Southeast District Office.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southeast District Office at: 3301 Gun Club Road, MSC 7210-1, West Palm Beach, Florida 33406. Email is [sed.air@dep.state.fl.us](mailto:sed.air@dep.state.fl.us)
3. Appendices: The following Appendices are attached as a part of this permit: Appendix A (Citation Formats and Glossary of Common Terms); Appendix B (General Conditions); and Appendix C (Common Conditions).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to
7. Source Obligation:
  - a. At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.
  - b. At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.[Rule 62-212.400(12), F.A.C.]
8. Renewal: Prior to 60 days before the expiration date of this permit, the permittee shall apply for a renewal of the permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 60 days before 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 Department. [Rule 62-4.090, F.A.C.]

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## SECTION 2. ADMINISTRATIVE AND GENERAL REQUIREMENTS

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9. Annual Emissions Summary Report: The owner or operator shall submit an Annual Emissions Summary Report to the compliance authority by March 1 of each year per Specific Condition No. 8 of Section 3. [Rule 62-4.070(3) F.A.C.]

### GENERAL REQUIREMENTS

10. Unconfined Particulate Matter. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:
- a. Paving and maintenance of roads, parking areas and yards
  - b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing
  - c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
  - d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
  - e. Landscaping or planting of vegetation.
  - f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
  - g. Confining abrasive blasting where possible.
  - h. Enclosure or covering of conveyor systems.
  - i. Substitution of powdery materials with granular or pelletized materials, where possible
- [Rule 62-296.320(4)(c), F.A.C.]

## SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

### A. EU001 FRP Utility Enclosure Manufacturing Process

This section of the permit addresses the following emissions unit.

EU No.	Emission Unit Description
001	FRP Utility Enclosure Manufacturing Process

*{The existing facility manufactures utility enclosures using a fiberglass reinforced plastic process with a vacuum bagged system to reduce air emissions. With some expected growth, the facility has the potential to emit up to 20 tons per year of Volatile Organic Carbons (VOC) and/or Total Hazardous Air Pollutants (HAPS) and 9 tons per year of any individual HAP.}*

#### PERFORMANCE RESTRICTIONS

1. Permitted Capacity: Manufacturer is permitted to increase production, but not beyond that which will result in emissions of VOC and/or Total HAPS greater than 20 tons per year or any individual HAP greater than 9 tons per year. [Rule 62-4.070(3) & 62-210.200(PTE), F.A.C.; and Permit No. 0930118-001-AC]
2. Restricted Operation: The hours of operation is limited operating 16 hours a day, 5 days a week, 50 weeks per year. [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; and Permit No. 0930118-001-AC]

#### EMISSIONS STANDARDS

3. Emissions Standards:
  - a. Visible Emissions: The permittee shall not cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than 20 percent opacity. [Rule 62-296.320(4)(b) F.A.C. and Permit No. 0930118-001-AC]
  - b. Facility Wide VOC Emissions: Total Emissions of all VOCs shall not exceed 20 tons in any consecutive 12-month period. [Rule 62-4.070(3) F.A.C. and Permit No. 0930118-001-AC]
  - c. Facility Wide Total HAP Emissions: Total emissions of all hazardous air pollutants (HAPs) shall not exceed 20 tons in any consecutive 12-month period. [Rule 62-4.070(3) F.A.C. and Permit No. 0930118-001-AC]
  - d. Facility Wide Individual HAP Emissions: Emissions of any individual hazardous air pollutant (HAP) shall not exceed 9 tons in any consecutive 12-month period. [Rule 62-4.070(3) F.A.C. and Permit No. 0930118-001-AC]

#### MONITORING REQUIREMENTS

4. Material Usage: Facility shall monitor the use of all HAP and VOC containing material at the facility on a monthly basis. Rule 62-4.070(3) F.A.C.]

#### RECORDS AND REPORTS

5. VOC Content and Emissions: The permittee shall determine the VOC content of all materials, including solvents, shall monitor the usage of such materials at the referenced emissions unit(s), and shall record and maintain the following information:
  - a. The VOC content for each material containing or emitting VOCs.
  - b. The material utilization rate on a monthly basis, for all materials containing or emitting VOCs used at the referenced emissions unit.
  - c. The total monthly VOC emissions rates for each material, calculated from the monthly material utilization rates and the VOC content, calculated for the preceding month no later than 10 days after the end of that month.

### SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

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#### A. EU001 FRP Utility Enclosure Manufacturing Process

- d. A rolling consecutive 12-month total emissions rate for VOCs, calculated from the monthly totals for the previous twelve calendar months.

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

- 6. HAP Content and Emissions: The permittee shall determine the total and individual HAP contents of all materials, including solvents, shall monitor the usage of such materials at the referenced emissions unit(s), and shall record and maintain the following information:
  - a. The individual and total HAP contents for each material containing or emitting HAPs.
  - b. The material utilization rate on a monthly basis, for all materials containing or emitting HAPs used at the referenced emissions unit(s).
  - c. The individual and total monthly HAP emissions rates for each material, calculated from the monthly material utilization rates and the individual and total HAP content, calculated for the preceding month no later than 10 days after the end of that month.
  - d. A rolling consecutive 12-month total emissions rate for individual and total HAPs, calculated from the monthly totals for the previous twelve calendar months.

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

- 7. Supporting Documentation: The owner or operator shall maintain supporting documentation, such as Material Safety Data Sheets, purchase orders, usage and disposal records, etc., and shall include sufficient information to determine compliance. The log and documents shall be kept at the facility and made available for inspection for a minimum of five (5) years from the date of such records. Monthly logs shall be completed within 10 calendar days after completion of the preceding month. [Rule 62-4.070(3) F.A.C.]
- 8. Annual Emissions Summary Report: The owner or operator shall submit an Annual Emissions Summary Report to the compliance authority by March 1 of each year a report summarizing the VOC and HAP emissions calculations for the previous calendar year. The report shall also include the highest rolling consecutive 12-month total VOC, total HAP and individual HAP's that were recorded in the previous calendar year. [Rule 62-4.070(3) F.A.C.]



## SECTION 4. APPENDICES

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[Appendix B. General Conditions](#)

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**SECTION 4. APPENDIX A**  
**Citation Formats and Glossary of Common Terms**

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**CITATION FORMATS**

The following illustrate the formats used in the permit to identify applicable requirements from permits and regulations.

**Old Permit Numbers**

Example: Permit No. AC50-123456 or Permit No. AO50-123456

Where: “AC” identifies the permit as an Air Construction Permit  
“AO” identifies the permit as an Air Operation Permit  
“123456” identifies the specific permit project number

**New Permit Numbers**

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: “099” represents the specific county ID number in which the project is located  
“2222” represents the specific facility ID number for that county  
“001” identifies the specific permit project number  
“AC” identifies the permit as an air construction permit  
“AF” identifies the permit as a minor source federally enforceable state operation permit  
“AO” identifies the permit as a minor source air operation permit  
“AV” identifies the permit as a major Title V air operation permit

**PSD Permit Numbers**

Example: Permit No. PSD-FL-317

Where: “PSD” means issued pursuant to the preconstruction review requirements of the Prevention of Significant Deterioration of Air Quality  
“FL” means that the permit was issued by the State of Florida  
“317” identifies the specific permit project number

**Florida Administrative Code (F.A.C.)**

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

**Code of Federal Regulations (CFR)**

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

**GLOSSARY OF COMMON TERMS**

° F: degrees Fahrenheit

µg: microgram

AAQS: Ambient Air Quality Standard

acf: actual cubic feet

acfm: actual cubic feet per minute

ARMS: Air Resource Management System  
(Department’s database)

BACT: best available control technology

bhp: brake horsepower

Btu: British thermal units

CAM: compliance assurance monitoring

CEMS: continuous emissions monitoring system

cfm: cubic feet per minute

CFR: Code of Federal Regulations

CAA: Clean Air Act

CMS: continuous monitoring system

CO: carbon monoxide

CO<sub>2</sub>: carbon dioxide

## SECTION 4. APPENDIX A

### Citation Formats and Glossary of Common Terms

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**COMS:** continuous opacity monitoring system  
**DARM:** Division of Air Resource Management  
**DEP:** Department of Environmental Protection  
**Department:** Department of Environmental Protection  
**dscf:** dry standard cubic feet  
**dscfm:** dry standard cubic feet per minute  
**EPA:** Environmental Protection Agency  
**ESP:** electrostatic precipitator (control system for reducing particulate matter)  
**EU:** emissions unit  
**F:** fluoride  
**F.A.C.:** Florida Administrative Code  
**F.A.W.:** Florida Administrative Weekly  
**F.D.:** forced draft  
**F.S.:** Florida Statutes  
**FGD:** flue gas desulfurization  
**FGR:** flue gas recirculation  
**ft<sup>2</sup>:** square feet  
**ft<sup>3</sup>:** cubic feet  
**gpm:** gallons per minute  
**gr:** grains  
**HAP:** hazardous air pollutant  
**Hg:** mercury  
**I.D.:** induced draft  
**ID:** identification  
**kPa:** kilopascals  
**lb:** pound  
**MACT:** maximum achievable control technology  
**MMBtu:** million British thermal units  
**MSDS:** material safety data sheets  
**MW:** megawatt  
**NESHAP:** National Emissions Standards for Hazardous Air Pollutants  
**NO<sub>x</sub>:** nitrogen oxides

**NSPS:** New Source Performance Standards  
**O&M:** operation and maintenance  
**O<sub>2</sub>:** oxygen  
**Pb:** lead  
**PM:** particulate matter  
**PM<sub>10</sub>:** particulate matter with a mean aerodynamic diameter of 10 microns or less  
**ppm:** parts per million  
**ppmv:** parts per million by volume  
**ppmvd:** parts per million by volume, dry basis  
**QA:** quality assurance  
**QC:** quality control  
**PSD:** prevention of significant deterioration  
**psi:** pounds per square inch  
**PTE:** potential to emit  
**RACT:** reasonably available control technology  
**RATA:** relative accuracy test audit  
**RBLC:** EPA's RACT/BACT/LAER Clearinghouse  
**SAM:** sulfuric acid mist  
**scf:** standard cubic feet  
**scfm:** standard cubic feet per minute  
**SIC:** standard industrial classification code  
**SIP:** State Implementation Plan  
**SNCR:** selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)  
**SO<sub>2</sub>:** sulfur dioxide  
**TPD:** tons/day  
**TPH:** tons per hour  
**TPY:** tons per year  
**TRS:** total reduced sulfur  
**UTM:** Universal Transverse Mercator coordinate system  
**VE:** visible emissions  
**VOC:** volatile organic compounds

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## SECTION 4. APPENDIX B

### General Conditions

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The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are “permit conditions” and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, 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 403.987(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. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as 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 reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 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

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## SECTION 4. APPENDIX B

### General Conditions

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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 Rules 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:
  - a. Determination of Best Available Control Technology (not applicable);
  - b. Determination of Prevention of Significant Deterioration (not applicable); and
  - c. Compliance with New Source Performance Standards (not applicable).
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.

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**Common Conditions**

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Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

**EMISSIONS AND CONTROLS**

1. **Plant Operation - Problems:** If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. **Circumvention:** The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. **Excess Emissions Allowed:** Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed 2 hours in any 24-hour period unless specifically authorized by the Department for longer duration. Pursuant to Rule 62-210.700(5), F.A.C., the permit subsection may specify more or less stringent requirements for periods of excess emissions. Rule 62-210-700(Excess Emissions), F.A.C., cannot vary or supersede any federal NSPS or NESHAP provision. [Rule 62-210.700(1), F.A.C.]
4. **Excess Emissions Prohibited:** Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. **Excess Emissions - Notification:** In case of excess emissions resulting from malfunctions, the permittee shall notify the Compliance Authority in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. **VOC or OS Emissions:** No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. **Objectionable Odor Prohibited:** No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]
8. **General Visible Emissions:** No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. **Unconfined Particulate Emissions:** No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.
  - a. Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
  - b. Reasonable precautions include the following:
    - (1) Paving and maintenance of roads, parking areas and yards.
    - (2) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
    - (3) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
    - (4) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming

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airborne.

- (5) Landscaping or planting of vegetation.
  - (6) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
  - (7) Confining abrasive blasting where possible.
  - (8) Enclosure or covering of conveyor systems.
- c. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rule 62-296.320(4)(c), F.A.C.]

**RECORDS AND REPORTS**

10. Records Retention: 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. [Rule 62-4.160(14)(b), F.A.C.]

11. Emissions Computation and Reporting:

- a. *Applicability*. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit. [Rule 62-210.370(1), F.A.C.]
- b. *Computation of Emissions*. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.
  - (1) *Basic Approach*. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
    - (a) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
    - (b) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
    - (c) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
  - (2) *Continuous Emissions Monitoring System (CEMS)*.
    - (a) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
      - 1) The CEMS complies with the applicable certification and quality assurance requirements of 40

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CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or

- 2) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
  - (b) Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
    - 1) A calibrated flow meter that records data on a continuous basis, if available; or
    - 2) The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
  - (c) The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.
- (3) Mass Balance Calculations.
- (a) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
    - 1) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and
    - 2) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.
  - (b) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.
  - (c) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.
- (4) Emission Factors.
- (a) An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.
    - 1) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
    - 2) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
    - 3) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to



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pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.

- (b) If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.
- (5) Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.
- (6) Accounting for Emissions During Periods of Startup and Shutdown. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.
- (7) Fugitive Emissions. In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.
- (8) Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

[Rule 62-210.370(2), F.A.C.]

*c. Annual Operating Report for Air Pollutant Emitting Facility*

- (1) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year for the following facilities:
  - (a) All Title V sources.
  - (b) All synthetic non-Title V sources.
  - (c) All facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) tons per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area.
  - (d) All facilities for which an annual operating report is required by rule or permit.
- (2) Notwithstanding paragraph 62-210.370(3)(a), F.A.C., no annual operating report shall be required for any facility operating under an air general permit.
- (3) By April 1 of the year following each calendar year, an annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office. However, if the annual operating report is submitted using the DEP's electronic annual operating report software, there is no requirement to submit DEP Form No. 62-210.900(5) to any DEP or local air program office. Each Title V Source shall submit the annual operating report using the DEP's electronic annual operating report software, unless the Title V source claims a technical or financial hardship. A technical or financial hardship is claimed by submitting DEP Form No. 62-210.900(5) to the DEP Division of Air Resource Management at:

AOR and Major Air Pollution Source Annual Emissions Fee  
P.O. Box 3070  
Tallahassee, Florida 32315-3070

(See <http://www.dep.state.fl.us/air/emission/eaor/> for information regarding annual operating reports.)

- (4) Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C., for purposes of the annual operating report.

[Rule 62-210.370(3), F.A.C.]

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- d. *Facility Relocation.* Unless otherwise provided by rule or more stringent permit condition, the owner or operator of a relocatable facility must submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)) to the Department at least 30 days prior to the relocation. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated. [Rule 62-210.370(4), F.A.C.]