



# Department of Environmental Protection

Jeb Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Colleen M. Castille  
Secretary

## NOTICE OF PERMIT

### E-CORRESPONDENCE

Fax: 407-290-8041

Frito-Lay, Inc.  
2800 Silver Star Road  
Orlando, FL 32808

Attention: Larry Lighthiser, Regional Vice President

Orange County - AP  
Food Production Facility  
DEP File Number: 0950078-017-AC

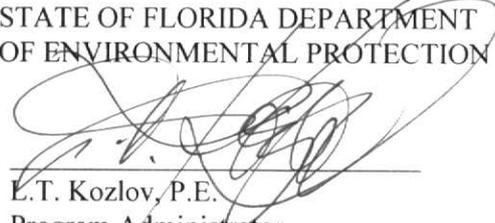
Dear Mr. Lighthiser:

Enclosed is Permit Number 0950078-017-AC to construct/modify the above referenced source issued pursuant to Section(s) 403.087, Florida Statutes (F.S.).

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68 F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the permitting authority in the Legal Office; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the permitting authority.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
E.T. Kozlov, P.E.  
Program Administrator  
Air Resources Management

Date: 12-27-06

  
LTK/jt

"More Protection, Less Process"

Printed on recycled paper.

Copy: Phillip J. Samulewicz, P.E. (fax: 610-444-5909)  
Hamp Pridgen, OCEPD (hamp.pridgen@ocfl.net)  
Caroline Shine, FDEP

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Dina Jones                      12/27/06  
Clerk                                      Date

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on 12/28/06 to the listed persons, by [Signature].



# Department of Environmental Protection

Jeb Bush  
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Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Colleen M. Castille  
Secretary

Permittee:

Frito-Lay, Inc.  
2800 Silver Star Road  
Orlando, FL 32808

Attention: Larry Lighthiser,  
Regional Vice President

I.D. Number: 0950078  
Permit Number: 0950078-017-AC  
**Expiration Date: November 30, 2007**  
County: Orange  
Latitude/Longitude:  
28°37'48"N/81°36'20"W  
UTM: 17-462.00 KmE; 3161.00 KmN  
Project: Food Production Facility

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-210. 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 department and made a part hereof and specifically described as follows:

The permittee may construct/modify to replace the existing starch dryer drum (EU003) with a larger drum (from 12 in. to 18 in.) resulting in an increase in process weight from 342 lbs/hr to 650 lbs/hr and an increase in allowable particulate emissions from 5.256 tons/yr to 7.836 tons/yr. The permit also allows an increase in the process weight for the corn chip fryer and product cooler in the UTC Line (EU002) from 2,400 lbs/hr to 3,200 lbs/hr.

This facility is classified as a **synthetic minor** facility and is located at 2800 Silver Star Road, Orlando, Orange County, Florida.

**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. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold 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 and 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 this 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.

**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 '62-30.300, Florida Administrative Code (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)
  - ( ) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
  - ( ) Compliance with New Source Performance Standards
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 information) 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.

**SPECIFIC CONDITIONS:**

**OPERATING LIMITS**

1. The maximum permitted production rates are as follows:
  - a) EU002 - UTC Line and Potato Chip Fryer – 45,552 tons per consecutive 12 months.
  - b) EU004 - Corn Chip Fryer – 9,636 tons per consecutive 12 months.  
[Rule 62-210.200 (PTE), F.A.C. and permit application received September 5, 2006]
2. The sources are permitted to operate continuously.
3. No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-296.320(2), F.A.C.]

**EMISSION LIMITS**

4. The fryers and product cooler (EU002) are subject to the Process Weight Table 296.320-1. For process weights less than 30 tons/hour, the allowable particulate emission rate is calculated as:

$$E_1 = 3.59 (P_1^{0.62})$$

where  $P_1$  is the process weight rate in tons per hour, and  $E_1$  is the allowable particulate emission rate given in pounds per hour. The total allowable particulate emission rate is capped at 12.44 pounds per hour for any process weight rate. The maximum permitted process rates are 7,200 pounds per hour for the potato chip fryer; 3,200 pounds per hour for the corn chip fryer; and 3,200 pounds per hour for the product cooler.

[Rule 62-296.320(4)(a), F.A.C. and permit application received September 5, 2006]

5. The starch dryer (EU003) is subject to the Process Weight Table 296.320-1. For process weights less than 30 tons/hour, the allowable particulate emission rate is calculated as:

$$E_1 = 3.59 (P_1^{0.62})$$

where  $P_1$  is the process weight rate in tons per hour, and  $E_1$  is the allowable particulate emission rate given in pounds per hour. The maximum process weight for the dryer is 0.325 tons per hour, resulting in an allowable particulate emission rate of 7.836 tons per consecutive 12-month period.

[Rule 62-296.320(4)(a), F.A.C. and permit application received September 5, 2006]

6. The visible emissions for EU002 and EU003 are limited to less than 20% opacity per Rule 62-296.320(4)(b)1., F.A.C.

**COMPLIANCE TESTING**

7. EU002 and EU003 must be tested for particulates in accordance with EPA Method 5 and concurrently for visible emission in accordance with DEP Method 9 within 180 days after the permitted changes have been implemented. The DEP Method 9 test shall last 30 minutes or the length of the batch/cycle.  
[Rule 62-297.310(4)(a)2. F.A.C.]

**SPECIFIC CONDITIONS:**

8. At least 15 days prior to the date on which each formal compliance test is due to begin, the permittee shall provide written notification of the test to the Orange County Environmental Protection Division. The notification must include the following information: the date, time and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and telephone number of the person conducting the test. [Rule 62-297.310(7)(a)9, F.A.C.]
9. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum permitted operation rate. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2), F.A.C.]
10. Reports of the required compliance tests shall be filed with the Orange County Environmental Protection Division as soon as practical, but no later than 45 days after the last test is completed. [Rule 62-297.310(8)(b), F.A.C.]

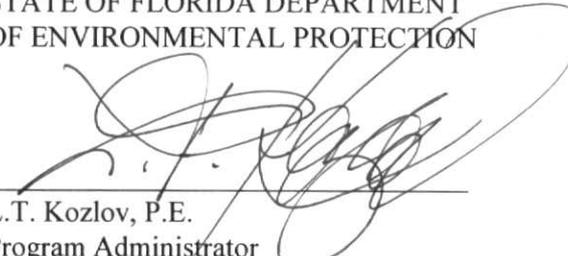
**PERMIT APPLICATION**

11. The construction/modifications shall reasonably conform to the plans and schedule submitted in the application. If the permittee is unable to complete construction on schedule, he must notify the Department in writing at least 90 days prior to the expiration of the construction permit and submit an application for an extension of the construction permit.

An operating permit modification is required for the source. To obtain a permit modification, the permittee must demonstrate compliance with the conditions of the construction permit and submit the application fee, along with compliance test results (if required), records and Application for Air Permit to the Department's Central Florida District office [Rule 62-4.220, F.A.C.]. **The application shall be submitted no later than 180 days after the permitted construction has been completed and placed in operation.**

[Rules 62-4.220, and 62-4.055(1),F.A.C.]

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



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L.T. Kozlov, P.E.  
Program Administrator  
Air Resources Management

Issued: 12-27-06