Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Permittee:
East Baltimore Bakery of Florida, Inc.
1108 Collins Drive
Kissimmee, FL 34741-4697

Attn.: Tim Weitfeldt, General Manager

Facility Number: 0970037
Permit Number: 0970037-004-AF
Expiration Date: October 30, 2013
County: Osceola
Latitude/Longitude:
28° 18' 02"N/81° 26' 18"W
Project: Initial FESOP

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 operate the existing sandwich bun bakery. The production of buns uses one conveyorized oven that is heated with natural gas. The oven has two stacks.

Additionally, the facility has two flour storage silos, one steam boiler, and one hot water heater. The particulate emissions from the silos are controlled with one silo mounted baghouse. The silos are exempt from testing pursuant to Rule 62-210.300(3)(b)1., F.A.C. The steam boiler and the hot water heater are exempt from testing requirements pursuant to Rule 62-210.300(3)(a)33., but are the units are subject to recordkeeping requirements (volatile organic compound emissions or VOC emissions) since this is a Federally Enforceable State Operation Permit (FESOP) with a VOC emissions limitation.

This facility is located at 1108 Collins Drive, Kissimmee, Osceola County, Florida.

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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 Rule 62-730.300, 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.

OPERATING CONDITIONS

1. The facility is permitted to operate continuously.
[Rule 62-210.200 (Potential to Emit), F.A.C.]

2. No person shall circumvent any pollution control device or allow the emissions of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.650, F.A.C.]

3. No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOCs) or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department [Rule 62-296.320(1)(a), F.A.C.] To comply, procedures to minimize pollutant emissions should include but not be limited to the following:

   a) tightly cover or close all VOC containers when they are not in use,
   b) tightly cover, where possible, all open troughs, basins, baths, tanks, etc. when they are not in use,
   c) maintain all piping, valves, fittings, etc. in good operating condition,
   d) prevent excessive air turbulence across exposed VOCs,
   e) immediately confine and clean up VOC spills and make sure certain wastes are placed in closed containers for reuse, recycling or proper disposal

   [Rule 62-296.320(1)(a), F.A.C.]

4. 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.
[Rules 62-296.320(2), F.A.C.]

5. All reasonable precautions shall be taken to prevent emissions of unconfined particulate matter. Reasonable precautions shall include, but not be limited to, the following [Rules 62-296.320(4)(c), F.A.C.]:

   a) Application of water when necessary to control emissions.
   b) Removal of particulate matter from roads and other paved areas under control of the owner or operator to prevent reentrainment, and from buildings or work areas to prevent particulate.

EMISSION LIMITS

6. The visible emission limitation for each emission unit which emits particulate must comply with Rule 62-296.320(4)(b)1., F.A.C. (limited to less than 20% opacity).
[Rule 62-296.320(4)(b)1., F.A.C.]

7. The maximum facility-wide volatile organic compound (VOC) emission rate shall not exceed 98.0 tons per consecutive twelve months.
[Rules 62-210.300(2)(b)1.d. and 62-210.200, (Potential to Emit), F.A.C.]

COMPLIANCE

8. In order to demonstrate compliance with specific condition number 7, general condition number 14c, and pursuant to Rule 62-4.070(3), F.A.C., the permittee shall maintain a monthly log at the facility for a period of at least three years from the date the data is recorded. The log, at a minimum, shall contain the following:

Monthly

a) Designation of the month and year of operation for which the records are being tabulated;

b) Consecutive 12-months total of facility-wide VOC emissions; and

c) One month total of facility-wide VOC emissions. [Rule 62-4.070(3), F.A.C.]

Note: A consecutive 12-months total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12-months total treats each month of the year as the end of a 12-months period. A 12-months total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12-monthS totals using whatever number of months of data is available until such a time as a consecutive 12-months total can be maintained each month. The monthly logs shall be completed by the end of the following month.
[Rule 62-4.070(3), F.A.C.]

9. Supporting documentation (chemical usage tracking logs, MSDS sheets, purchase orders, EPA "As Supplied" data sheets, EPA Method 24, etc.) shall be kept for each chemical and associated products which includes sufficient information to determine usage rates and emissions. These records shall be made available to the Department upon request. Documentation of each chemical reclaimed will use a mass balance method to determine usage/emissions (amount used minus amount collected for disposal or recycle). The log and documents shall be kept at the facility for at least three years and made available to the Department. [Rule 62-4.070(3), F.A.C.]

10. The owner or operator shall complete DEP Form No. 62-210.900(5), F.A.C., "Annual Operating Report for Air Pollutant Emitting Facility," for each calendar year and submit it either electronically using the latest Department Annual Operating Report software or by hard copy to the air compliance section of this office on or before March 1 of the following year in accordance with Rule 62-210.370(3), F.A.C. The emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C., for the purposes of the annual operating report.
[Rule 62-210.370(3), F.A.C.]

PERMIT APPLICATION

11. At least sixty days prior to the expiration date of this operation permit, the permittee shall submit to this office four air permit applications, DEP Form No. 62-210.900(4), along with the processing fee established in 62-4.050(4), F.A.C.
[Rule 62-4.090, F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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James N. Bradner, P.E.
Program Administrator
Air Resources Management

Issued: _____