Jeb Bush
Governor

FLORIDA DEPARTMENT OF HEALTH

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary

ELECTRONIC CORRESPONDENCE
JOSE.DELAGARZA@cemexusa.com

August 31, 2006

NOTICE OF A
FINAL AIR CONSTRUCTION PERMIT

PERMITTEE:
Cemex Cement, Inc.
3820 Northdale Blvd, 100-B
Tampa, FL 33624

Air Permit No.: 0990046-005-AC
PALM BEACH COUNTY, FLORIDA
Project: Replacing two dust collectors and increasing the operating hours of the ship unloader

Authorized Representative:
Jose A. De La Garza
Logistics Operations Director – Florida Region

Dear Mr. De La Garza:

Enclosed is Air Permit No. 0990046-005-AC to operate a source of air pollution located in Palm Beach County. This permit is issued pursuant to Chapter 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204 through 62-297 of the Florida Administrative Code. Any party to this Order (Permit) has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below 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 Order (Permit) is filed with the Clerk of the Health Department.

Executed in West Palm Beach, Florida
PALM BEACH COUNTY HEALTH DEPARTMENT

James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Environmental Health and Engineering

For any questions, contact:
Laxmana Tallam, P.E.
Air Pollution Control Section
Palm Beach County Health Department
P.O. Box 29 (901 Evernia Street)
West Palm Beach, Florida, 33402-0029

CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by electronic mail before the close of business on 8/31/06 to the permittee. In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by electronic mail on the same date to the following persons:

Fawn Bergen, PE, Koogler Associates	*Email*	*fbergen@kooglerassociates.com*
David Speigl, Cemex Cement, Inc.	*Email*	*davidg.speigl@cemexusa.com*
Darrel Graziani, PE, Southeast District, DEP	*Email*	*Darrel.Graziani@dep.state.fl.us*
Ajaya Satyal, Compliance Section, PBCHD	*Email*	*Ajaya_Satyal@doh.state.fl.us*

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency Clerk, receipt of which is hereby acknowledged.

Bridget Bethune (Clerk) 8/31/06 (Date)

FINAL DETERMINATION

FINAL AIR CONSTRUCTION PERMIT

FACILITY

Cemex Cement, Inc.
3820 Northdale Blvd, 100-B
Tampa, FL 33624

Description: Cement Terminal
SIC No.: 5032
UTM: Zone 17; 594.3 km E; 2960.8 km N
Palm Beach County, Florida

Authorized Representative:
Jose A. De La Garza
Logistics Operations Director – Florida Region

PROJECT

Air Construction Permit No. 0990046-005-AC
Air Construction Permit is to replace two dust collectors and to increase the operating hours of the ship unloader.

COMMENTS / CHANGES

The Health Department received proof of publication on August 23, 2006 that the Public Notice of Intent to Issue Permit was published in the August 16, 2006 issue of The Palm Beach Post. The applicant, the general public, or the Florida Department of Environmental Protection made no comments. The engineer identified a few typographical errors.

FINAL ACTION

The final action of the Health Department is to issue this air pollution permit. Final permit is issued after correcting the typos.

ELECTRONIC CORRESPONDENCE
JOSE.DELAGARZA@cemexusa.com
August 31, 2006

AIR POLLUTION CONSTRUCTION PERMIT

PALM BEACH COUNTY HEALTH DEPARTMENT

ISSUED TO (PERMITTEE):

Cemex Cement, Inc.
3820 Northdale Blvd, 100-B
Tampa, FL 33624

ARMS No.	099-0046
Air Permit No.	099-0046-005-AC
Issued:	**August 31, 2006**
Expires:	**August 30, 2007**

Authorized Representative:
Jose A. De La Garza
Logistics Operations Director – Florida Region

LOCATED AT:

Cemex Cement, Inc.
500 Broadway, Port of Palm Beach, Pier #2
West Palm Beach, FL 33407

UTM: Zone 17; 594.3 km E; 2960.8 km N
SIC No. 5032

Project Description: The facility is proposing to replace two dust collectors and to increase the operating hours of the ship unloader.

STATEMENT OF BASIS:
The Florida Department of Environmental Protection (DEP) has permitting jurisdiction for this project pursuant to Section 403.087 of the Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the DEP recognizes the Palm Beach County Health Department (Health Department) as the approved local air pollution control program in Palm Beach County. As such, the DEP and the Health Department have entered into a Specific Operating Agreement that delegates the authority, to issue or deny permits, to the Health Department for this type of air pollution source located in Palm Beach County. Accordingly, the Health Department issues this permit under the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The permittee is authorized to perform the work for the proposed project in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Health Department.

ISSUED BY:

Executed in West Palm Beach, Florida
PALM BEACH COUNTY HEALTH DEPARTMENT

James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Environmental Health and Engineering

Air Permit Engineer: Laxmana Tallam, PE
Filename: 0990046-005-AC_FINAL.DOC

SECTION I: SUMMARY INFORMATION

PERMIT HISTORY

July 03, 2006: Application Received
August 16, 2006: Public Notice Published

REGULATORY CLASSIFICATION

This facility is classified as a Synthetic non-Title V source of air pollution.

PERMIT CONTENT

- Section I: Summary Information
- Section II: Facility-Wide Specific Conditions
- Section III: Emissions Unit Specific Conditions
- Section IV: Appendices
  Appendix A: General Conditions
  Appendix B: Citation Format

EMISSIONS UNIT LIST

This permit addresses the following emissions units.

EU ID NO.	EMISSIONS UNIT DESCRIPTION
001	Dust collector on north ship unloading (silos) **Proposed**: Replacement of the dust collector. ***Specifications of the new dust collector:*** Wheelabrator size 510 Model WCC36, 10,000 acfm, 2500 sq. ft fabric area. Each filter cartridge contains fifty (50) square feet of filter media, which is arranged in ten (10) rows of five (5) cartridges each.
002	Dust collector on south ship unloading (silos) **Proposed**: Replacement of the dust collector. ***Specifications of the new dust collector:*** Wheelabrator size 510 Model WCC36, 10,000 acfm, 2500 sq. ft fabric area. Each filter cartridge contains fifty (50) square feet of filter media, which is arranged in ten (10) rows of five (5) cartridges each.
007	Ship unloader with three diesel engines and a dust collector **Proposed**: Increase in operating hours from 4900 hrs/yr to 5900 hrs/yr

Existing emission units at the facility:

EU ID no.	Brief Description
003	Dust collector on south truck load out
004	Dust collector on cement transfer system
005	Dust collector on bagging operation
006	Dust collector on rail car unloading (inactive)

This facility is currently operating under 0990046-003-AG (a general permit), effective June 07, 2004.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

1.0 ADMINISTRATIVE REQUIREMENTS

1.1 Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department (Health Department) at P.O. Box 29 (901 Evernia Street), West Palm Beach, Florida, 33402-0029, and telephone number (561) 355-3435. In addition, *copies* shall be submitted to the Air Program, Southeast District Office, Florida Department of Environmental Protection (DEP) at 400 North Congress Avenue, West Palm Beach, Florida, 33401.
[Specific Operating Agreement]

1.2 General Conditions: The permittee shall be aware of, and operate under the attached General Conditions listed in *Appendix A* of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**

1.3 Citation Format: *Appendix B* of this permit provides the format for citing applicable regulations.

1.4 Application for Operation Permit: **An operation permit is required for regular operation of the permitted emission units.** The owner or operator shall **apply for** an operation permit prior to expiration of this permit. The application shall include: the Short Form Application *[DEP Form No. 62-210.900(3)]* including certification by a Professional Engineer with Florida registration; the correct application fee; all test reports required by this permit; examples of record keeping requirements, including operation and maintenance logs; and a summary of any changes or substitutions to equipment, processes, fuels, controls, etc., that vary from the original application. **[Rule 62-210.900, F.A.C.]**

(a) The permittee may continue to operate the emissions units in compliance with the conditions of this construction permit during the application process for an operation permit. **[Rule 62-4.030, F.A.C.]**

(b) The permittee must maintain a valid (not expired) air construction permit during the entire application process for an operation permit. This construction permit may be extended at the written request of the permittee prior to its expiration. **[Rule 62-4.080(3), F.A.C.]**

1.5 Applicable Regulations: This facility is subject to the following regulations: Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. **[Rule 62-210.300(1), F.A.C.]**

2.0 EMISSION LIMITING STANDARDS

2.1 General VOC Standards: The permittee shall not 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. Such controls include the following: **[Rule 62-296.320(1), F.A.C.]**

(a) Regular inspection and maintenance of piping, valves, flanges, tanks, and containers used for storage and transfer of organic liquids in order to minimize fugitive VOC emissions.
(b) When not in use, directing solvent-containing materials to containers that prevent evaporation.
(c) Tightly cover or close all VOC containers when they are not in use.
(d) Tightly cover all open tanks that contain VOCs when they are not in use.
(e) Immediately confine and clean up VOC spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.

2.2 Objectionable Odors: The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. **[Rule 62-296.320(2), F.A.C.]**

Note: 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 62-210.200(187), F.A.C.]

2.3 General Visible Emissions Standard: Unless otherwise specified in this permit, the permittee shall not cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from new, or existing emissions units, the opacity of which is equal to or greater than 20 percent. **[Rule 62-296.320(4)(b), F.A.C.]**

2.4 Unconfined Emissions of Particulate Matter: The permittee shall not 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 include the following: **[Rule 62-296.320(4)(c), F.A.C.]**

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

(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, 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.

Note: Facilities that cause frequent, valid complaints will be required by the Health Department to take these or other reasonable precautions. In determining what constitutes reasonable precautions for a particular facility, the Health 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.

3.0 PERFORMANCE STANDARDS

3.1 Circumvention: The permittee shall not circumvent air pollution control equipment/methods or allow the emission of air pollutants without the equipment/methods operating properly. **[Rule 62-210.650, F.A.C.]**

3.2 Excess Emissions Requirements**:**

(a) Excess emissions resulting from start-up, shutdown or malfunction of these emissions units 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 two hours in any 24 hour period unless specifically authorized by the Health Department for longer duration. **[Rule 62-210.700(1), F.A.C.]**

(b) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction are prohibited. **[Rule 62-210.700(4), F.A.C.]**

(c) In case of excess emissions resulting from malfunctions, the permittee shall notify the Air Pollution Control Section of the Palm Beach County Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the problem; and the corrective actions being taken to prevent recurrence. **[Rule 62-210.700(6), F.A.C.]**

Note: This state rule does not apply to any emissions standards imposed by federal regulations such as New Source Performance Standards (NSPS) or National Emissions Standards for Hazardous Air Pollutants (NESHAP).

4.0 COMPLIANCE MONITORING REQUIREMENTS

4.1 Duration: Unless otherwise specified in this permit, all records and reports required by this permit shall be kept for at least 5 years from the date the information was recorded. **[Rule 62-4.160(14)(b), F.A.C.]**

4.2 Test Procedures: All test methods and procedures shall be performed in accordance with the applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-297.100, F.A.C.]**

4.3 Operational Rate during Testing: Unless otherwise stated in the applicable emission limiting standard for a rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable 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.]**

4.4 Stack Testing Facilities: The permittee shall install and maintain permanent / temporary stack testing facilities in accordance with the requirements provided in Chapter 62-297, F.A.C. **[Rule 62-297.310(6), F.A.C.]**

4.5 Test Notification: At least 15 days prior to the date on which each formal compliance test is to begin, the permittee shall notify the Health Department in writing of: the test date; the expected test time; the location of the test; the facility contact person responsible for coordinating the test; and the person or company conducting test. The 15 day notification

requirement may be waived at the discretion of the Health Department. Likewise, if circumstances prevent testing during the 60-day test window specified for the emissions unit, the owner or operator may request an alternate test date before the expiration of this window. **[Rule 62-297.310(7)(a)9., F.A.C.]**

4.6 Special Compliance Tests**:** When the Health Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a DEP rule or permit is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Health Department. **[Rule 62-297.310(7)(b), F.A.C.]**

5.0 REPORTS REQUIRED

5.1 Annual Operations Report: Before March 1st of each year, the owner or operator shall submit an Annual Operations Report *[DEP Form No. 62-210.900(5)]* to the Health Department which summarizes operations for the previous calendar year. **[Rule 62-210.370(3), F.A.C.]**

5.2 Excess Emissions Report: If excess emissions occur, the Health Department may request a written summary report of the incident. **[Rules 62-4.130 and 62-210.700(6), F.A.C.]**

5.3 Emission Compliance Stack Test Reports: For each required emissions compliance test, a report indicating the results of the test shall be filed with the Health Department as soon as practical, but no later than 45 days after the last sampling run is completed. The report shall provide sufficient detail on the tested emissions unit and the procedures used to allow the Health Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in **Rule 62-297.310(8)(c), F.A.C.** Additional report information may be specified for a given group of emissions units in this permit. **[Rule 62-297.310(8), F.A.C.]**

6.0 WASTE REQUIREMENTS

6.1 Waste Disposal: The owner or operator shall treat, store, and dispose of all liquid, solid, and hazardous wastes in accordance with all applicable Federal, State, and Local regulations. This air pollution permit does not preclude the permittee from securing any other types of required permits, licenses, or certifications.

SECTION III. FACILITY-WIDE SPECIFIC CONDITIONS

SUBSECTION A. This subsection addresses the following emissions units:

EU ID NO.	EMISSIONS UNIT DESCRIPTION
001	Dust collector on north ship unloading (silos) **Proposed**: Replacement of the dust collector. ***Specifications of the new dust collector:*** Wheelabrator size 510 Model WCC36, 10,000 cfm, 2500 sq. ft fabric area. Each filter cartridge contains fifty (50) square feet of filter media, which is arranged in ten (10) rows of five (5) cartridges each.
002	Dust collector on south ship unloading (silos) **Proposed**: Replacement of the dust collector. ***Specifications of the new dust collector:*** Wheelabrator size 510 Model WCC36, 10,000 cfm, 2500 sq. ft fabric area. Each filter cartridge contains fifty (50) square feet of filter media, which is arranged in ten (10) rows of five (5) cartridges each.

A.1 EMISSION LIMITING AND PERFORMANCE STANDARDS

A.1.1 Emissions from silos and other enclosed storage and conveying equipment shall be controlled to the extent necessary to limit the visible emissions to 5 percent opacity.
[Rule 62-296.414(1), F.A.C.]

A.2 COMPLIANCE MONITORING REQUIREMENTS

A.2.1 Each dust collector exhaust point shall be tested during each federal fiscal year (October 1 – September 30) to demonstrate compliance with the visible emissions standard, specified in condition A.1.1.
[Rules 62-296.414(4), F.A.C. and 62-297.310(7)(a), F.A.C.]

A.3 TEST METHODS AND PROCEDURES [Rules 62-296.414(3) and 62-297.310(4)(a), F.A.C.]

A.3.1 The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.

A.3.2 Visible emissions tests of silo dust collector exhaust points shall be conducted while loading the silo at a rate that is representative of the normal silo loading rate.

A.3.3 Each dust collector exhaust point shall be tested for a minimum of 30 minutes or, if the operation is normally completed within less than 30 minutes and does not recur within that time, the test shall last for the length of the loading operation.

A.4 OPERATING REQUIREMENTS

A.4.1 Circumvention: The owner or operator shall not circumvent the dust collectors. All air pollution equipment shall be operational and functioning properly according to the manufacturer's specifications, prior to loading, unloading, and transfer of cement.
[Rule 62-4.070(3), F.A.C.]

A.5 REPORTS REQUIRED

A.5.1 Visible Emissions Test Reports: For each required compliance test, a report shall be submitted to the Health Department as soon as practical, but no later than (45) days after the last sampling run of each test is completed.
[Rule 62-297.310(8), F.A.C]

SECTION III. FACILITY-WIDE SPECIFIC CONDITIONS

Subsection B: This subsection addresses the following emissions unit:

EMISSIONS UNIT	EMISSIONS UNIT DESCRIPTION
007	Ship unloader three (3) Diesel Engines and one (1) Dust Collector **Proposed: Increase in operating hours from 4900 hrs/yr to 5900 hrs/yr** Specifications of the emission points: Dust Collector-ship Unloader – 2650 acfm, 2449 dscfm. Dalamatic DLM V45/15K10; reverse jet pulse, 484 sq. ft filter surface area. Diesel Engine (688 kW, 923 hp) for the compressor/blow pump system – 5650acfm Diesel Engine (72 kW, 97 hp) for the electric generator Diesel Engine (200 kW, 268) for ship unloader – 2200 acfm

This emissions unit includes a Siwertell 10,000 S ship unloader at the dock of the terminal to unload ships at a maximum transfer rate of 331 tons per hour. The ship unloader will utilize three diesel engines for operation. One engine will power the compressor/blow pump system, the second engine will power the electric generator, and the third diesel engine will power the ship unloader. The dust collector will control particulate emissions from the transfer of cement from the ship unloader to the silos.

B.1 EMISSION LIMITING STANDARDS

B.1.1 Diesel Engines- Operating Hours Limit: The operating hours of each diesel engine shall not exceed 5900 hours in any twelve-month consecutive period.
[Permittee's request to escape Title V regulations]

{Permitting Note: Based on the above limit, the potential emissions of Nitrogen oxides (NOx) will be 98.68 tons per year, less than Title V thresholds.}

B.1.2 Dust Collector – Visible Emissions (VE) Limit: Emissions from silos and other enclosed storage and conveying equipment shall be controlled to the extent necessary to limit the visible emissions to 5 percent opacity.
[Rule 62-296.414(1), F.A.C.]

B.2 COMPLIANCE MONITORING REQUIREMENTS

B.2.1 Diesel Engines – Operating Hours: The owner or operator shall monitor the operating hours of each diesel engine on monthly basis. Monthly records shall be used in computing the operating hours in twelve month consecutive period, and to demonstrate compliance with the specific condition B.1.1
[Permit No. 0990046-004-AC]

B.2.1 Dust Collector – VE Test: Each dust collector exhaust point shall be tested during each federal fiscal year (October 1 – September 30) to demonstrate with the visible emissions standard, specified in condition B.1.2.
[Rules 62-296.414(3) and 62-297.310(4)(a), F.A.C.]

B.3 TEST METHODS AND PROCEDURES

Dust Collector [Rules 62-296.414(3) and 62-297.310(4) (a), F.A.C.]

B.3.1 The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.

B.3.2 Visible emissions tests of silo dust collector exhaust points shall be conducted while loading the silo at a rate that is representative of the normal silo loading rate.

B.3.3 Each dust collector exhaust point shall be tested for a minimum of 30 minutes or, if the operation is normally completed within less than 30 minutes and does not recur within that time, the test shall last for the length of the loading operation.

SECTION III. FACILITY-WIDE SPECIFIC CONDITIONS

B.4 OPERATING REQUIREMENTS

B.4.1 Circumvention: The owner or operator shall not circumvent the dust collectors. All air pollution equipment shall be operational and functioning properly according to the manufacturer's specifications, prior to loading, unloading, and transfer of cement.
[Permit No. 0990046-004-AC]

B.5 RECORD KEEPING REQUIREMENTS

B.5.1 The owner or operator shall prepare the monthly records, as specified in the condition #B 2.1, by 30th of the following month. All records required by this permit shall be maintained for a period of five (5) years.
[Permit No. 0990046-004-AC]

B.6 REPORTS REQUIRED

B.6.1 Dust Collector --Visible Emissions Test Reports: For each required compliance test, a report shall be submitted to the Health Department as soon as practical, but no later than (45) days after the last sampling run of each test is completed.
[Rule 62-297.310(8), F.A.C]

SECTION IV. APPENDICES

APPENDIX	DESCRIPTION
A	General Permit Conditions
B	Citation Format

G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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.

G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

G.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.

G.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.

G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or 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.

G.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 a reasonable time, access to the premises, where the permitted activity is located or conducted to:

(a) Have access to and copy and records that must be kept under the conditions of the permit.
(b) Inspect the facility, equipment, practices, or operations regulated or required under this permit.
(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.

G.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 non-compliance.
(b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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.

G.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 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extend it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

G.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.

G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code 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.

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

G.13 This permit also constitutes:

(a) Determination of Best Available Control Technology. *(Not applicable.)*
(b) Determination of Prevention of Significant Deterioration. *(Not applicable.)*
(c) Compliance with New Source Performance Standards. *(NSPS, Subpart I)*

G.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 or 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.

G.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 that 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.

ABBREVIATIONS AND ACRONYMS

°F	-	Degrees Fahrenheit
DEP	-	State of Florida, Department of Environmental Protection
DARM	-	Division of Air Resource Management
EPA	-	United States Environmental Protection Agency
F.A.C.	-	Florida Administrative Code
F.S.	-	Florida Statute
SOA	-	Specific Operating Agreement
UTM	-	Universal Transverse Mercator

RULE CITATIONS

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, permit numbers, and identification numbers.

Florida Administrative Code (F.A.C.) Rules:

Example:	**[Rule 62-213.205, F.A.C.]**		
Where:	62	-	refers to Title 62 of the Florida Administrative Code (F.A.C.)
	62-213	-	refers to Chapter 62-213, F.A.C.
	62-213.205	-	refers to Rule 62-213.205, F.A.C.

Facility Identification (ID) Number:

Example:	Facility ID No.: 099-0001		
Where:	099	-	3 digit number indicates that the facility is located in Palm Beach County
	0221	-	4 digit number assigned by state database identifies specific facility

New Permit Numbers:

Example:	099-2222-001-AC or 099-2222-001-AV		
Where:	AC	-	identifies permit as an Air Construction Permit
	AV	-	identifies permit as a Title V Major Source Air Operation Permit
	099	-	3 digit number indicates that the facility is located in Palm Beach County
	2222	-	4 digit number assigned by state database identifies specific facility
	001	-	3 digit sequential number assigned by the state database identifies specific permit project

Old Permit Numbers:

Example:	AC50-123456 or AO50-123456		
Where:	AC	-	identifies permit as an Air Construction Permit
	AO	-	identifies permit as an Air Operation Permit
	123456	-	6 digit number assigned by state database identifies specific permit