

Mission:  
To protect, promote & improve the health  
of all people in Florida through integrated  
state, county & community efforts.



Rick Scott  
Governor

John H. Armstrong, MD, FACS  
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

**April 08, 2015**  
**ELECTRONIC CORRESPONDENCE**  
[jmassarda@indiantrail.com](mailto:jmassarda@indiantrail.com)

## NOTICE OF AIR POLLUTION OPERATION PERMIT

**Indian Trail Improvement District**  
13476 61st Street North  
West Palm Beach, FL 33412-1915

<b>ARMS No.</b>	0990566
<b>Air Permit No.</b>	0990566-006-AO
<b>Issued:</b>	<b>04/08/2015</b>
<b>Expires:</b>	<b>04/07/2020</b>

**Authorized Representative:**

Juan Mas Sarda, Director – Operations & Maintenance

**Project: Renewal of Air Operating Permit  
No. 0990566-005-AO.**

Dear Mr. Sarda:

Enclosed is [Air Permit No. 0990566-006-AO](#) for the operation of 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, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code.

*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 Florida Department of Health Palm Beach County (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 authorizes the Health Department to issue or deny permits 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.).*

A person whose substantial interests are affected by the Department's permitting 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 Health Department Legal Office of the, located at 800 Clematis Street in West Palm Beach, Florida, 33401 (Telephone: (561) 671-4000, Fax (561) 837-5195). Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this final permit. 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 permitting authority'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 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 final permit. Persons whose substantial interests will be affected by any such final decision of the Health Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this action.

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*

FLORIDA DEPARTMENT OF HEALTH PALM BEACH COUNTY



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Timothy G. Mayer, RS, MPH; Director  
Division of Environmental Public Health

*If you have any questions, contact:*

Laxmana Tallam, P.E.  
Permitting Supervisor  
Air & Solid Waste Section  
Department of Health Palm Beach County  
P.O. Box 29 (800 Clematis St.)  
West Palm Beach, Florida, 33402-0029

**CERTIFICATE OF SERVICE**

The undersigned duly designated agency clerk hereby certifies that the Notice of Air Pollution Operation Permit and the Final Air Operation Permit were sent by electronic mail (**with received receipt**) before the close of business on 4/8/15 to the permittee.

**Juan Mas Sarda, Director – Operations & Maintenance**  
13476 61st Street North  
West Palm Beach, FL 33412-1915

**Email**                      [jmassarda@indiantrail.com](mailto:jmassarda@indiantrail.com)

In addition, the undersigned duly designated deputy agency clerk hereby certifies that **copies** of these documents were sent by electronic mail (**with received receipt**) on the same date to the following persons:

**Diane Pupa**  
Air Program, DEP/SED  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406

**Email**                      [Diane.pupa@dep.state.fl.us](mailto:Diane.pupa@dep.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.



(Clerk)

4/8/15

(Date)

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**April 8, 2015**

**ELECTRONIC CORRESPONDENCE**

[imassarda@indiantrail.com](mailto:imassarda@indiantrail.com)

**ISSUED TO:**

*Permittee:*

Indian Trail Improvement District  
13476 61st Street North  
West Palm Beach, FL 33412-1915

<b>ARMS No.:</b>	0990566
<b>Permit No.:</b>	0990566-006-AO
<b>Issued:</b>	April 8, 2015
<b>Expires:</b>	April 7, 2020

*Authorized Representative:*

Juan Mas Sarda, Director – Operations & Maintenance

*Note: A renewal application must be submitted by February 6, 2020*

**LOCATED AT:** 3178 Dellwood Boulevard, West Palm Beach, FL 33412

**UTM Coordinates:** Zone 17; 565.321 km E; 2956.481 km N

**Latitude:** 26° 43' 36" North; **Longitude:** 80° 20' 35" West

**SIC Description:** Refuse Systems [4953]

**NAICS Description:** Refuse disposal combustors or incinerators [562213]

**STATEMENT OF BASIS:**

The Florida Department of Health Palm Beach County (Health Department) issues this permit under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4 through 62-297 the Florida Administrative Code (F.A.C.). The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under Chapter 403.087, F.S. However, in accordance with Section 403.182, F.S., the DEP recognizes the 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 authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The above named permittee is authorized to operate the facility 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*

FLORIDA DEPARTMENT OF HEALTH PALM BEACH COUNTY

Timothy G. Mayer, RS, MPH; Director  
Division of Environmental Public Health

**Florida Department of Health**

Palm Beach County, Division of Environmental Public Health  
P.O. Box 29, 800 Clematis Street, West Palm Beach, FL 33402  
PHONE: 561-837-5900 • FAX: 561-837-5294

**www.FloridasHealth.com**

TWITTER: HealthyFLA

FACEBOOK: FLDepartmentofHealth

YOUTUBE: fldoh

**SECTION I. SUMMARY INFORMATION**

**PERMIT HISTORY**

February 17, 2015: Health Department received air permit renewal application.

**Project Description**

The applicant applied for a permit renewal on February 17, 2015. The renewal permit will allow continued operation of the air curtain incinerator with a compacted limestone pit to burn a maximum of 22,100 tons of clean wood wastes per year. The air curtain incinerator is rated at a maximum capacity of 10 tons per hour and is allowed to operate at a maximum of 260 days per year. The wood wastes consist of trees, logs, large brush, stumps relatively free of soil, un-bagged leaves, yard trimmings, tree surgeon debris, and clean dry lumber such as pallets.

**PERMIT CONTENT**

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

**REGULATORY CLASSIFICATION**

This facility is classified as a minor source of air pollution under the Title I (Preconstruction Review & Hazardous Air Pollutants) and Title V (Federal Operating Permit) programs of the Federal Clean Air Act. The facility’s air curtain incinerator is subject to the requirements of Rule 62-296.401(7)(b), F.A.C., ‘Air Curtain Incinerators.’

Title III: The facility is **not** a major source of hazardous air pollutants (HAPs).

Title IV: The facility will **not** operate units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is **not** a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.

PSD: The facility is **not a** synthetic minor source facility in accordance with Rule 62-212.400, F.A.C.

NSPS/EG: The facility **is** subject to the requirements of **40 CFR 60.2810 thru 60.2870 Subpart DDDD as referenced in Rule 62-204.800(9)F, F.A.C.**

NESHAP: The facility is **not** subject to the requirements of 40 CFR 61, Subpart M, Asbestos

**EMISSIONS UNITS SUMMARY**

This permit addresses the following emissions unit:

EMISSIONS UNIT No.	EMISSIONS UNIT DESCRIPTION
001	Air Curtain Incinerator – Compacted Limestone Pit.

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**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 Florida Department of Health Palm Beach County (Health Department) at P.O. Box 29 (800 Clematis Street), West Palm Beach, Florida, 33402-0029, and phone number (561) 837-5900. [**Specific Operating Agreement (SOA)**]
- 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: The permittee shall apply for a renewal permit at least 60 days prior to the expiration of this operation permit. The application shall include: the Application Renewal **Form [DEP Form No. 62-210.900(4)]**; the correct application processing fee; all required test reports; and a summary of any changes or substitutions to the original equipment, processes, fuels, controls, etc. When the renewal application is timely and sufficient, the existing permit shall remain in effect until final action is taken by the Health Department. [**Rules 62-4.090 and 62-210.900, F.A.C.**]
- 1.5 Applicable Regulations: This facility is subject to the following regulations: Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. 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, F.A.C. and the SOA**]

**2.0 EMISSION LIMITING AND PERFORMANCE STANDARDS**

- 2.1 General Particulate Emission Limiting Standards: General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, the permittee shall not:
- (a) 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 that designated as No. 1 on the Ringelmann Chart (20 percent opacity).
  - (b) If the presence of uncombined water is the only reason for failure to meet the visible emissions standards given in Rule 62-296.320(4)(b)3., F.A.C., such failure shall not be a violation of the rule.
  - (c) All visible emissions test performed pursuant to the requirements of Rule 62-296.320(4)(b)1., F.A.C. shall use EPA Reference Method 9, and shall meet all applicable requirements of Chapter 62-297, F.A.C. [**Rule 62-296.320(4), F.A.C.**]
- 2.2 Notifications and Reports: The permittee shall submit all compliance-related notifications and reports required by this permit to the Florida Department of Health Palm Beach County at:
- Florida Department of Health Palm Beach County**  
Air & Waste Section  
Post Office Box 29  
West Palm Beach, Florida 33402-0029  
Telephone: (561) 837-5900  
Fax: (561) 837-5295
- 2.3 Objectionable Odors: Objectionable Odor Prohibited: 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.*

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**SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**

- 2.4 General VOC Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions: The permittee shall allow no person to store, pump, handle, process, load, unload, or use in any process or installation, volatile organic compounds (VOC) or organic solvents (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.]**
- 2.5 Unconfined Particulate Emission Limiting Standards: 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 shall include the following:
- (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 re-entrainment, 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.

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

*{Permitting 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 OPERATION AND MAINTENANCE REQUIREMENTS**

- 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.]**

**4.0 COMPLIANCE MONITORING REQUIREMENTS**

- 4.1 Retain Records: Unless otherwise specified in this permit, all records and reports required by this permit shall be kept for at least 3 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., summarized in **Appendix C** of this permit. **[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.]**

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**SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**

- 4.4 **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.]**
- 4.5 **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 **Noncompliance report:** 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 description of and cause of noncompliance; and
  - 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 Palm Beach County Health Department for penalties or for revocation of this permit. If an exceedance of a permit limit occurs, the permittee shall submit a written summary report of the incident to the Palm Beach County Health Department as specified in Facility-Wide Specific Condition 3.2. **[Rules 62-4.130, 62-4.160, and 62-210.700(6), F.A.C.]**

- 5.2 **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. EMISSIONS UNIT SPECIFIC CONDITIONS**

**SUBSECTION A.** This portion of the permit addresses the following emissions unit:

EU No.	EMISSIONS UNIT DESCRIPTION
001	<b>Air curtain incinerator</b> consisting of compacted limestone pit with a diesel powered air blower and manifold. Blower Manufacturer Holland Pump Manufacturing; Model No. H-82B-D; Incineration rate is 10 tons per hour; Maximum Non-Stack Height is 8 feet. Combustion Temperature is 1500°F.

**1.0 AIR POLLUTION CONTROL EQUIPMENT**

- 1.1 Pollution Control Equipment: The air curtain incinerator, associated parts, and equipment shall be installed, maintained and operated in accordance with the manufacturer’s instructions. **[Rule 62-4.070(1), F.A.C. & 0990566-001-AC]**
- 1.2 Pit Dimensions: If the air curtain incinerator employs an earthen trench, the pit walls (width and length) shall be vertical and maintained as such, so that combustion of the waste within the pit is maintained at an adequate temperature and with sufficient air recirculation to provide enough residence time and mixing for proper combustion and control of emission. The following dimensions for the pit must be strictly adhered to: no more than twelve feet (12') wide, between eight feet (8') and fifteen (15') feet deep, and no longer than the length of the manifold. The pit shall not be dug within a previously active portion of a landfill. **[Rule 62-296.401(7)(b)2., F.A.C.]**
- 1.3 Equipment Location: The air curtain incinerator shall be located at least fifty (50) feet from any wildlands, brush, combustible structure, or paved public roadway. **[Rule 62-296.401(7)(b)7., F.A.C.]**

**2.0 EMISSION LIMITING CONDITIONS AND OPERATING RESTRICTIONS**

- 2.1 This air curtain incinerator is subject to the requirements of 40 CFR Part 60 Subpart DDDD “Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999”, which is adopted and incorporated by reference at Rule 62-204.800, F.A.C. The incinerator shall be constructed and operated so as to comply with all standards, limitations, and requirements of the 40 CFR 60 subpart DDDD and with the requirements of paragraph 62-296.401(7)(b), F.A.C. to the extent that those requirements are stricter than, or supplemental to, the requirements of the subpart DDDD. ***Specific conditions 6.1 to 6.15 of this Subsection*** contain the applicable requirements of the 40 CFR 60 Subpart DDDD. **[Rule 62-296.401(7)(a) and 62-204.800(9)(f), F.A.C.]**
- 2.2 Operating Requirements: Outside of startup periods, visible emissions shall not exceed ten percent (10%) opacity, six (6) minute average. During startup periods, which shall not exceed the first thirty (30) minutes of operation, opacity of up to thirty-five percent (35%), averaged over a six (6) minute period, shall be allowed. The general excess emissions rule, Rule 62-210.700, F.A.C., shall not apply. **[Rule 62-296.401(7)(b)1. & 62-204.800(9)(f), F.A.C.]**
- 2.3 Allowable Materials: Only materials that shall be burned in the air curtain incinerator are vegetative material and untreated wood, excluding sawdust. This air curtain incinerator shall only burn 100% wood waste as defined in 40 CFR 60 Subpart DDDD.

The air curtain incinerator shall not be used to burn any biological waste, hazardous waste, asbestos-containing materials, mercury-containing devices, pharmaceuticals, tires, rubber material, residual oil, used oil, asphalt, roofing material, tar, treated wood, plastics, garbage, trash or other material prohibited to be open burned as set forth in Rule 62-256.300(2), F.A.C. Only kerosene, diesel fuel, drip-torch fuel (as used to ignite prescribed fires), untreated wood, virgin oil, natural gas, or liquefied petroleum gas shall be used to

**SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS**

start the fire in the air curtain incinerator. The use of used oil, chemicals, gasoline, or tires to start the fire is prohibited. **[Rule 62-296.401(7)(b)3. and 62-204.800(9)(f), F.A.C. ]**

- 2.4 **Startup/Shut Down:** In no case shall the air curtain incinerator be started before sunrise. All charging shall end no later than one (1) hour after sunset. After charging ceases, air flow shall be maintained until all material within the air curtain incinerator has been reduced to coals, and flames are no longer visible. A log shall be maintained onsite that documents daily beginning and ending times of charging.

**[Rule 62-296.401(7)(b)5., F.A.C.]**

- 2.5 **Restrictions on Burning:** The permittee shall not burn more than 85 tons of allowable materials per day nor operate the air curtain incinerator more than 260 days in any consecutive 12 month period, rolling total.

**[Permit No. 0990566-001-AC]**

- 2.6 **Loading Height:** The material shall not be loaded into the air curtain incinerator such that it protrudes above the air curtain. **[Rule 62-296.401(7)(b)8., F.A.C.]**

- 2.7 **Ash Layer:** Ash shall not be allowed to build up in the pit of the air curtain incinerator to higher than one third (1/3) the pit depth or to the point where the ash begins to impede combustion, whichever occurs first.

**[Rule 62-296.401(7)(b)9., F.A.C.]**

- 2.8 **Operation and Maintenance Guide/Operator Training:** An operation and maintenance guide shall be available to the operators of the air curtain incinerator at all times, and the owner shall provide training to all operators before they work at the incinerator. This guide shall be made available to the Department or for an inspector's onsite review upon request.

The air curtain incinerator shall be attended at all times while materials are being burned or flames are visible within the incinerator. **[Rule 62-296.401(7)(b)6.&10., F.A.C.]**

- 2.9 **Department of Forestry notification:** Prior to conducting burning using the air curtain incinerator, the person responsible for the burn shall contact the Florida Forest Service regarding the planned burning activity. **[Rule 62-4.070(3), F.A.C.]**

**3.0 COMPLIANCE MONITORING REQUIREMENTS**

- 3.1 Test Methods and Procedures. All emissions tests performed pursuant to the requirements of this subsection shall comply with the following requirements.

1. The reference test method for visible emissions shall be EPA Method 9, as described at 40 CFR Part 60, **Appendix A**, adopted and incorporated by reference at Rule 62-204.800, F.A.C.
2. Test procedures shall conform to the procedures specified in Rule 62-297.310, F.A.C. All test results shall be reported to the Department in accordance with the provisions of Rule 62-297.310, F.A.C.
3. Records of the results of all initial and annual visible emissions tests shall be kept by the owner or operator in either paper copy or electronic format for at least five (5) years. These records shall be made available to the Department or for an inspector's onsite review upon request.

**[Rule 62-296.401(7)(c)]**

**4.0 COMPLIANCE TEST REQUIREMENTS**

- 4.1 **Special Compliance Tests:** The Permittee shall have a formal compliance test conducted for visible emissions within thirty (30) days of reconstruction of the burn pit. **[Rule 62-297.310(5)(b), F.A.C.]**

- 4.2 The owner or operator of any air curtain incinerator subject to this subsection and using an earthen trench shall have a performance test conducted for visible emissions no later than thirty (30) days after it commences operation at any new trench location, and annually thereafter. However, if the air curtain incinerator will be operated for less than thirty (30) days at the new trench location, and the owner or

**SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS**

operator has demonstrated compliance with the emissions limiting standards of paragraph 62-296.401(7)(b), F.A.C., through a visible emissions test conducted and submitted to the Department within the previous twelve (12) months, the requirement for testing within thirty (30) days of commencing operation at the new trench location shall not apply. **[Rule 62-296.401(7)(d)2 F.A.C.]**

**5.0 NOTIFICATIONS, REPORTS AND RECORDKEEPING REQUIREMENTS**

- 5.1 Reconstruction Notifications: The Permittee shall notify the Health Department at least twenty-four (24) hours prior to performing reconstruction maintenance on the burn pit. Notification shall be made telephone to the Air & Waste Section at 561-837-5900. **[Rule 62-4.130 F.A.C.]**
- 5.2 Record Maintenance: The Permittee shall maintain all records required by this permit for the most recent three (5) year period of operation. **[Permit No. 0990566-001-AC]**
- 5.3 Daily Log: For each day of operation, the permittee shall record the following information in a written log:
- Date of operation, time of startup and time of shut down for the air curtain incinerator.
  - Total weight of material burned in tons per day, and type of material burned.
  - Description of any maintenance performed
  - Indicate either satisfactory pit dimensions or that reconstruction of the pit is necessary before next burn day.
  - Time of last wood waste charge for the day.
- [Permit No. 0990566-001-AC]**
- 5.4 Monthly Log: By the tenth day of each month, the permittee shall record the following information in a written log for the previous month of operation:
- Month of operation.
  - Total tons of wood waste burned for the previous month.
  - Total number of days of operation for the previous month and previous 12 month period, rolling total.
- [Permit No. 0990566-001-AC]**

**6.0 Applicable Requirements from 40 CFR 60 Subpart DDDD**

- 6.1 The air curtain incinerator shall meet the following requirements from 40 CFR Part 60 Subpart DDDD "Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999" **[Rule 62-204.800(9)(f), F.A.C.]**

**6.2 40 CFR 60.2810: What is an air curtain incinerator?**

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(b) Air curtain incinerators that burn only the materials listed in paragraphs (b)(1) through (3) of this section are only required to meet the requirements under "Air Curtain Incinerators" (40 CFR 60.2810 through 60.2870).

(1) 100 percent wood waste.

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**SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS**

(2) 100 percent clean lumber.

(3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

**6.3** 40 CFR 60.2815: What are my requirements for meeting increments of progress and achieving final Compliance?

If you plan to achieve compliance more than 1 year following the effective date of State plan approval, you must meet the two increments of progress specified in paragraphs (a) and (b) of this section.

(a) Submit a final control plan.

(b) Achieve final compliance.

**6.4** 40 CFR 60.2820: When must I complete each increment of progress?

(a) Submit a final control plan by **August 7, 2015**

(b) Achieve final compliance by **February 7, 2018**

**6.5** 40 CFR 60.2825: What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items described in paragraphs (a) through (c) of this section.

(a) Notification that the increment of progress has been achieved.

(b) Any items required to be submitted with each increment of progress (see 40 CFR 60.2840).

(c) Signature of the owner or operator of the incinerator.

**6.6** 40 CFR 60.2830: When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

**6.7** 40 CFR 60.2835: What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the date for that increment of progress in table 1 of this subpart. You must inform the Administrator that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

**6.8** 40 CFR 60.2840: How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (a) and (b) of this section.

(a) Submit the final control plan, including a description of any devices for air pollution control and any process changes that you will use to comply with the emission limitations and other requirements of this subpart.

(b) Maintain an onsite copy of the final control plan.

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**SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS****6.9 40 CFR 60.2845: How do I comply with the increment of progress for achieving final compliance?**

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected incinerator is brought online, all necessary process changes and air pollution control devices would operate as designed.

**6.10 40 CFR 60.2850: What must I do if I close my air curtain incinerator and then restart it?**

(a) If you close your incinerator but will reopen it prior to the final compliance date in your State plan, you must meet the increments of progress specified in §60.2815.

(b) If you close your incinerator but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations on the date your incinerator restarts operation

**6.11 40 CFR 60.2855: What must I do if I plan to permanently close my air curtain incinerator and not restart it?**

If you plan to close your incinerator rather than comply with the State plan, submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

**6.12 40 CFR 60.2860: What are the emission limitations for air curtain incinerators?**

After the date the initial stack test is required or completed (whichever is earlier), you must meet the limitations in paragraphs (a) and (b) of this section.

(a) Maintain opacity to less than or equal to 10 percent opacity (as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values), except as described in paragraph (b) of this section.

(b) Maintain opacity to less than or equal to 35 percent opacity (as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values) during the startup period that is within the first 30 minutes of operation.

**6.13 40 CFR 60.2865: How must I monitor opacity for air curtain incinerators?**

(a) Use Method 9 of appendix A of this part to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in §60.8 no later than 180 days after your final compliance date.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

**6.14 40 CFR 60.2870: What are the recordkeeping and reporting requirements for air curtain incinerators?**

(a) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least 5 years.

(b) Make all records available for submittal to the Administrator or for an inspector's onsite review.

(c) Submit an initial report no later than 60 days following the initial opacity test that includes the information specified in paragraphs (c) (1) and (2) of this section.

(1) The types of materials you plan to combust in your air curtain incinerator.

(2) The results (as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values) of the initial opacity tests.

(d) Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date and keep a copy onsite for a period of 5 years.

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**SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS****6.15 40 CFR 60.2875: *What definitions must I know?***

*Administrator* means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or Administrator of a State Air Pollution Control Agency.

*Air curtain incinerator* means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

*Calendar quarter* means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

*Calendar year* means 365 consecutive days starting on January 1 and ending on December 31.

*Shutdown* means the period of time after all waste has been combusted in the primary chamber.

*Wood waste* means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings.

Wood waste does not include:

- (a) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.
- (b) Construction, renovation, or demolition wastes.
- (c) Clean lumber.

*Clean lumber* means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

SECTION IV. APPENDICES

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APPENDIX	DESCRIPTION
A	General Permit Conditions
B	Citation Format
C	General Testing Requirements

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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 extent 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. *(40 CFR 60 Subpart DDDD)*

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.A.C.** - Florida Administrative Code
- F.S.** - Florida Statute
- FDEP** - State of Florida, Department of Environmental Protection
- MSDS** - Material Safety Data Sheets
- 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

**62-297.310 General Compliance Test Requirements.**

The focal point of a compliance test is the stack or duct which vents process and/or combustion gases and air pollutants from an emissions unit into the ambient air.

(2) Operating Rate During Testing. Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operation at permitted capacity as defined below. 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.

(b) All Other Sources. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit.

(4) Applicable Test Procedures.

(a) Required Sampling Time.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

(5) Determination of Process Variables.

(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

(7) Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

**SECTION IV. APPENDIX C  
GENERAL TEST REQUIREMENTS**

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1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
  2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.
  3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
    - a. Did not operate;
  4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
    - a. Visible emissions, if there is an applicable standard;
  9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
  10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4)(a)1. through 7., F.A.C.
    - (b) Special Compliance Tests. When the 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 Department rule or in a permit issued pursuant to those rules 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 Department.
- (8) Test Reports.
- (a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.
  - (b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.