

Reynolds, John

SC 880 - 4310 Ex 242

**From:** Linero, Alvaro  
**Sent:** Tuesday, January 16, 2001 2:58 PM  
**To:** Reynolds, John  
**Subject:** FW: AIRS I.D. #0010087 FRI

**Sensitivity:** Confidential



C\_My

Documents\_FRInewberry\_00.. John. Please review the attached Title V Permit ASAP. It needs to conform to the AC as amended. We will be working on the AC into next week, so we will need to keep Leslie up to date with any changes.

Let Leslie know you are reviewing. Someone in Title V may also review.

Thanks. Al.

-----Original Message-----

**From:** Maybin, Leslie  
**Sent:** Tuesday, January 16, 2001 2:34 PM  
**To:** Linero, Alvaro  
**Cc:** Fancy, Clair; Sheplak, Scott  
**Subject:** AIRS I.D. #0010087 FRI  
**Sensitivity:** Confidential

Al,

Here is the pre-draft Title V permit for Florida Rock. Please find attached all of the files too. Your input and comments would be appreciated. Thank you, Leslie.

Name	Modified	Size	Ratio	Packed	Path
draft 26Jan.doc	1/16/2001 1:37 PM	160,768	77%	37,302	
sob FRI.doc	1/16/2001 9:08 AM	33,792	79%	6,980	
00100871.xls	1/16/2001 9:20 AM	96,256	85%	14,157	
00100872.xls	1/16/2001 1:30 PM	68,608	84%	10,935	
appendix A.doc	1/16/2001 1:43 PM	23,552	83%	4,083	
appendix-H.doc	12/14/2000 9:31 AM	35,328	80%	7,085	
297310-1.doc	1/16/2001 2:07 PM	23,552	87%	2,993	
SS-1.doc	1/16/2001 2:06 PM	32,768	84%	5,248	
table II.xls	11/22/2000 7:14 AM	60,928	76%	14,527	
TV-3.doc	10/26/2000 7:26 AM	116,736	75%	29,068	
FIGURE1.doc	12/11/2000 7:13 AM	27,136	87%	3,626	
<b>11 file(s)</b>		<b>679,424</b>	<b>80%</b>	<b>136,004</b>	

Florida Rock Industries, Inc.  
Newberry Cement Plant  
Facility ID No.: 0010087  
Alachua County

Initial Title V Air Operation Permit  
Pre-DRAFT Permit No.: 0010087-002-AV

Permitting Authority:

State of Florida  
Department of Environmental Protection  
Northeast District Air Program  
7825 Baymeadows Way, Suite B-200  
Jacksonville, Florida 32256-7590  
Telephone: 904/448-4310  
FAX: 904/448-4363

Compliance Authority:

State of Florida  
Department of Environmental Protection  
Northeast District - Branch Office  
101 NW 75<sup>th</sup> Street, Suite 3  
Gainesville, Florida 32607-1609  
Telephone: 352/333-2850  
FAX: 352/333-2856

Drafted on January, 2001

[electronic file name: 0010087d.doc]

Initial Title V Air Operation Permit  
Pre-DRAFT Permit No.: 0010087-002-AV

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Permittee:  
Florida Rock Industries, Inc.

Pre-DRAFT Permit No.: 0010087-002-AV  
Facility ID No.: 0010087  
SIC Nos.: 32, 3241  
Project: Initial Title V Air Operation Permit

This permit is for the operation of the Newberry Cement Plant. This facility is located <sup>on</sup> ~~County Road~~ 235, 2.5 Miles Northeast of Newberry, Alachua County; UTM Coordinates: Zone 17, 348.4 km East and 3287.0 km North; Latitude: 29° 42' 21" North and Longitude: 82° 35' 00" West.

Statement of Basis: This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

**Referenced attachments made a part of this permit:**

APPENDIX TV-3, TITLE V CONDITIONS version dated 04/30/99  
APPENDIX SS-1, STACK SAMPLING FACILITIES version dated 10/07/96  
TABLE 297.310-1, CALIBRATION SCHEDULE version dated 10/07/96  
Figure 1 - Summary Report-Gaseous and Opacity Excess  
Emission and Monitoring System Performance REPORT version dated 07/96  
40 CFR Part 60 Subpart A - General Provisions  
40 CFR Part 63 Subpart A - General Provisions  
Table I - Allowable Opacity Limitations  
Table II - Allowable Emissions

Effective Date: \*  
Renewal Application Due Date: \*  
Expiration Date: \*

\_\_\_\_\_  
Christopher L. Kirts, P.E.  
District Air Program Administrator

CLK:LM

\* to be inserted upon issuance

## **Section I. Facility Information.**

### **Subsection A. Facility Description.**

Florida Rock Industries, Inc. Newberry Cement Plant is a Portland cement plant. This facility consists of raw material handling and storage, a raw mill system, kiln system, clinker handling, finish grinding operations, cement handling, loading, and bagging operations, and coal handling and grinding operations.

Based on the initial Title V permit application received October 1, 1999, this facility is a major source of hazardous air pollutant Sulfur Dioxide, Carbon Monoxide, Particulate Matter, PM<sub>10</sub>, and NO<sub>x</sub>.

This facility is subject to 40 CFR 60, Subparts A, F and Y (Standards of Performance for New Stationary Sources –General Provisions and Standards of Performance for Portland Cement Plants) adopted and incorporated by reference in Rule 62-204.800(7)(b)9., F.A.C.; Rule 62-296.407, F.A.C., Portland Cement Plants. This facility is subject to 40 CFR 63 Subparts A and LLL (National Emission Standards for Hazardous Air Pollutants -- General Provisions; and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

{Permitting Note: **The permittee shall be in compliance with the applicable provisions of 40 CFR 63, Subparts A and LLL prior to June 10, 2002.** This facility is exempted (except as provided in 40 CFR 63.1356 (a)(1) and (a)(2)) from otherwise applicable NSPS requirements (40 CFR 60, Subpart F) beginning on the applicable 40 CFR 63, Subpart LLL compliance date. [40 CFR 63.1356]}

### **Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).**

<b><u>E.U.</u></b>	
<b><u>ID No.</u></b>	<b><u>Brief Description</u></b>
001	Raw Materials Handling and Storage
002	Raw Mill System
003	Kiln system
004	Clinker Handling
005	Finish Grinding Operations
006	Cement Handling, Loading, and Bagging Operations
007	Coal Handling and Grinding Operations

**Subsection C. Relevant Documents.**

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with permitting authority:

Initial Title V Permit Application received October 1, 1999

Additional Information Request dated: November 22, 1999

Additional Information Response received: December 23, 1999

Extension of Air Construction Permit dated: October 6, 1999

**Section II. Facility-wide Conditions.**

**The following conditions apply facility-wide:**

1. APPENDIX TV-3, TITLE V CONDITIONS, is a part of this permit.

{Permitting note: APPENDIX TV-3, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

Basis?

2. **[Not federally enforceable.]** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall 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.]

3. 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, no person shall 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 Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.

[Rules 62-296.320(4)(b)1. & 4., F.A.C.]

4. Prevention of Accidental Releases (Section 112(r) of CAA).

a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable; and

b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.

[40 CFR 68]



## 5. Compliance Plan

### E.U. ID

<u>No.</u>	<u>Brief Description</u>
001	Raw Materials Handling and Storage
002	Raw Mill System
003	Kiln System
004	Clinker Handling
005	Finish Grinding Operations
006	Cement Handling, Loading, and Bagging Operations

These emissions units were constructed under the authority of Air Construction Permit, No. AC01-267311/PSD-FL-288, issued 12/23/96.

The following conditions clarify the scope of such activities that may continue following issuance of the Title V permit:

1. The permittee shall comply with all of the terms and conditions of air construction Permit No. AC01-267311/PSD-FL-288, issued 12/23/96, and the AC Permit modification dated ~~??/??/??~~. *the extension issued on ———, A C*
2. The permit modification ~~will~~ authorize ~~further work only for~~ replacement or addition of continuous emission monitoring equipment and conversion of the precalciner to a Low NO<sub>x</sub> (MSC to meet the lower nitrogen oxides emission limit as described in Table II of the original permit. Deadline date is 12/31/01. *Multi-stage calciner for completion of construction*
3. VOC monitoring, pending. *Installation of continuous emission*
4. ~~Test Beryllium (Be) and report the results quarterly for two years, to determine compliance and to establish limits.~~ *by testing of raw mill feed coal and fines*
5. A system to burn ~~tires~~ *whole* must be constructed by 12/31/01. *as allowed by the original permit or be removed from the permit as an allowable condition.*

6. [Not federally enforceable.] General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) 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)(a), F.A.C.; Proposed by applicant in the initial Title V permit application received [October 1, 1999]]

7. The provisions of Rule 62-296.320(4)(c), F.A.C., shall apply to all sources of unconfined particulate emissions, including but not limited to vehicular movement, transportation of materials, construction, alternation, demolition or wrecking, or related activities such as loading, unloading, storing and handling. Florida Rock Industries shall follow the following protocol for the unconfined particulate matter (UPM, Fugitive Emissions):

The material handling activities at the plant covered by this protocol include loading and unloading, storage and conveying of:

- Limestone and overburden

- Iron oxide source (coal ash, iron ore, or other)
- Gypsum
- Coal

Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- All materials at the plant will be stored under roof on compacted clay or concrete.
- The plant area will be paved to limit the generation of UPM from truck and equipment traffic.
- A sweeper truck will be maintained and operated at the plant to limit dust buildup on paved surfaces.
- All materials are to be received and used with excess surface moisture.
- Water supply lines, hoses and sprinklers will be located near all material stockpiles.
- All plant equipment operators will be trained in basic environmental compliance, and will perform visual inspections of materials before handling. If the visual inspections indicate a lack of excess, the materials can be handled without generating UPM

[Rule 62-296.320(4)(c)2., F.A.C.; Proposed by applicant in the initial Title V permit application received [10/01/99]]

{Note: This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4. F.A.C., Condition 58. of APPENDIX TV-3, TITLE V CONDITIONS.}

8. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines Day One.  
[Rule 62-213.440, F.A.C.]

9. The permittee shall submit all compliance-related notifications and reports required of this permit to the Department's Northeast District Branch Office, Air Section:

Department of Environmental Protection  
Northeast District Branch Office  
101 NW 75 Street, Suite 3  
Gainesville, Florida 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

10. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency  
Region 4  
Air, Pesticides & Toxics Management Division  
Air and EPCRA Enforcement Branch, Air Enforcement Section  
61 Forsyth Street  
Atlanta, Georgia 30303  
Telephone: 404/562-9155, Fax: 404/562-9164

Section III. Emission Unit(s) and Conditions

**Subsection A.: This section addresses the following emissions unit**

**E.U. ID**

**No.**      **Brief Description**

-001      Raw Material Handling and Storage. Emission points EP01 (Raw material unloading). EP02 (Raw material handling and storage) and EP03 (Crusher)

Emissions Unit 001 identifies the raw material handling and storage operations. Controlled by the application of water sprays. *EU 001 shall be*

{Permitting note(s): This emissions unit is regulated under NSPS - 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants adopted and incorporated by reference in Chapter 62-204, F.A.C.; NSPS- 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants adopted and incorporated by reference in Chapter 62-204, F.A.C.

**The following conditions apply to the emissions unit(s) listed above:**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**Essential Potential to Emit (PTE) Parameters**

**A.1. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**Emission Limitations and Standards**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.2. Visible Emissions.** Visible emissions shall not exceed 10 percent opacity for (EP01) Raw material processing and (EP02) Raw material handling and storage. *2*

[40 CFR 60.62(c), Air Construction Permit AC01-267311/PSD-FL-288]

{Permitting Note: The averaging time for Condition A.2. is based on the run time of the specified test method.}

**A.3. Visible Emissions (Crusher).** Visible emissions shall not exceed 15 percent opacity for the primary crusher, EP 03. *2*

[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.672(c)]

{Permitting Note: The averaging time for Condition A.3. is based on the run time of the specified test method.}

*NOTE SHOULD  
BE ADDED AT  
BOTTOM OF  
TABLE*

**Test Methods and Procedures**

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.4.** The permittee shall test the emissions from the Raw Materials Handling and Storage for visible emissions (V.E.) annually on, or during the 60 days prior to August 7. (See Condition A.2.)

**A.5. Visible Emissions.** (EP01, EP02, EP03), The test method for visible emissions shall be EPA Method 9 as outlined in 40 CFR 60 Appendix A.  
[40 CFR 60.64(b)(4); Air Construction Permit AC01-267311]

**A.6.** Common condition I.1 – I.14.

**A.7.** Common condition J.1

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PSD-FL-2228  
A

### Section III. Emission Unit(s) and Conditions

#### Subsection B.: This section addresses the following emissions unit

##### E.U. ID

<u>No.</u>	<u>Brief Description</u>
-002	Raw Mill system .

Emissions Unit 002 identifies the raw mill system, consisting of: (EP01) Recycle Dust and Raw Meal to Homogenization Silo, (EP02) Recycle dust airlift, (EP03) Recycle dust and raw material to homogenization silo No. 2, and (EP04) Raw meal and recycle dust to preheater, all controlled by fabric filters.

{Permitting note(s): This emissions unit is regulated under NSPS- 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants adopted and incorporated by reference in Chapter 62-204, F.A.C., and PSD Regulations.

#### The following conditions apply to the emissions unit(s) listed above:

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

##### Essential Potential to Emit (PTE) Parameters

**B.1. Capacity.** The maximum throughput rate for this emissions unit shall not exceed 212 tons per hour of raw materials.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**B.2. Methods of Operation - (i.e. Fuels).** A maximum of 280 gallons per hour of No. 2 fuel oil shall be fired in the Raw Mill Air Heater.

[Rule 62-213.410, F.A.C., Air Construction Permit No. AC01-267311/PSD-FL-288]

*283.8 or 284.0 and 2,486,000 gallons per year*

**B.3. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.

[Rules 62-4.160(2) and 62-210.200(228), F.A.C.]

##### Emission Limitations and Standards

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**B.4. Visible Emissions.** Visible emissions at each emissions point at this emissions unit shall not exceed 5 percent opacity.

[62-212.400, F.A.C., Air Construction permit AC01-267311/PSD-FL-288]

{Permitting Note: The averaging time for Condition B.4. is based on the run time of the specified test method.}



**B.5. Particulate Matter.** Particulate Matter emissions at each emission point at this emissions unit shall not exceed 0.01 gr/dscf.  
[BACT dated 12/20/96; Air Construction Permit AC01-267311/PSD-FL-288]

{Permitting Note: The averaging time for Condition B.5. is based on the run time of the specified test method.}

**B.6. Sulfur Dioxide.** Sulfur content of the fuel oil shall not exceed 0.05% by weight, which is equal to 2.02 lbs/hr and 8.8 TPY of SO<sub>2</sub> emissions.  
[BACT dated 12/20/96; Air Construction Permit AC01-267311/PSD-FL-288]

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PSD permit

### **Test Methods and Procedures**

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**B.7.** The permittee shall test the emissions from the Raw Mill System for the following pollutants annually on, or during the 60 days prior to the anniversary date:

- a. Visible Emissions (V.E.)  
(See Condition B.4.)
- b. Particulate (PM)  
(See Condition B.5.)

[Rule 62-297.310(7)(a)4, F.A.C.]

NOT IN RULE!  
SEE PG. 15

**B.8. Visible Emissions.** The test method for visible emissions shall be EPA Method 9.  
[Rule 62-212.400, F.A.C., Air Construction Permit AC01-267311/PSD-FL-288]

**B.9. Particulate Matter.** Compliance shall be demonstrated by conducting the visible emissions test required under specific condition B.7. Because of the expense and complexity of conducting a stack test on a minor source of particulate matter, and because these sources are equipped with a baghouse control device, the Department, pursuant to the authority granted under Rule 62-297.620(4), F.A.C., hereby establishes a visible emission limitation not to exceed an opacity 5% in lieu of the particulate stack test.  
[Rule 62-297.620(4), F.A.C.]

**B.10. Sulfur Dioxide.** Compliance with the SO<sub>2</sub> emissions limit shall be demonstrated by ~~with~~ certified ASTM fuel oil analysis in lieu of a stack test.  
[Rule 62-212.400, F.A.C., Air Construction Permit AC01-267311/PSD-FL-288]

**B.11.** Common Condition H.1 - H.4

**B.12.** Common Condition I.1 - I.14

**B.13.** Common condition J.1.

**B.14.** This emissions unit is subject, as applicable and designated per 40 CFR 63.1340, to Subsection K, Common Conditions, Rule 40 CFR 63 Subparts A and LLL (National Emission Standards for Hazardous Air Pollutants – General Provisions and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

{Permitting Note: **The permittee shall be in compliance with the applicable provisions of 40 CFR 63, Subparts A and LLL prior to June 10, 2002.** This facility is exempted (except as provided in 40 CFR 63.1356 (a)(1) and (a)(2)) from otherwise applicable NSPS requirements (40 CFR 60, Subpart F) beginning on the applicable 40 CFR 63, Subpart LLL compliance date. [40 CFR 63.1356]}

### Section III. Emission Unit(s) and Conditions

#### Subsection C.: This section addresses the following emissions unit

##### E.U. ID

<u>No.</u>	<u>Brief Description</u>
-003	Kiln System

Emissions Unit 003 identifies the Kiln system. A high efficiency electrostatic precipitator controls particulate emissions.

{Permitting note(s): This emissions unit is regulated under NSPS- 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants adopted and incorporated by reference in Chapter 62-204, F.A.C., and PSD regulations. }

#### The following conditions apply to the emissions unit(s) listed above:

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit. }

#### Essential Potential to Emit (PTE) Parameters

**C.1. Capacity (Preheater).** The preheater dry feed rate shall not exceed 149.9 tons per hour and 1,114,350 tons per year.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C, Air Construction permit AC01-267311/PSD-FL-288]

**C.2. Capacity.** The maximum production rate for the kiln clinker shall not exceed 95.8 tons per hour and 2300 tons per day and 712,500 tons per year. The clinker production rate shall be determined as a function of the preheater dry feed rate.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C, Air construction permit AC01-267311/PSD-FL-288]

**C.3. Methods of Operation - (i.e. Fuels).** Fuels fired in the pyroprocessing system (kiln and calciner) shall not exceed a total maximum heat input of 364 MMBtu/hr and shall consist of only coal, whole tires, propane and unused No. 2 fuel oil which may also be fired in the Raw Mill Air Heater. Propane usage is limited to startup and in lieu of tires in the first stage of the MSC. The burning of RCRA hazardous waste or used oil is prohibited. The fuel usage shall meet the following:

NOT IN PERMIT

Coal	<ul style="list-style-type: none"><li><del>Shall be fired and</del> The sulfur content shall not exceed 1.25% by weight. The maximum usage rate shall not exceed 14.0 tons per hour. The sulfur content shall be determined by ASTM Method D-2234, D-3173, D-3176, D-3177 or D-4239.</li></ul>
Whole Tires	<ul style="list-style-type: none"><li>The maximum feed rate shall not exceed 109.2 MMBtu/hour (30% of the total kiln fuel input) or 4.2 tons per hour (approximately 400 tires per hour) and 36,792 tons per year.</li></ul>



	<ul style="list-style-type: none"> <li>The tires shall be fed into the kiln system at the transition section between the base of the precalciner and the point where gases exit the kiln. The tire feeder mechanism shall have a double airlock, vertical and horizontal guillotine gates, and a ram.</li> <li>Prior to initiating tire firing, the gases exiting the kiln ahead of the calciner burner shall be maintained at a minimum of 1,400 degrees F for at least one hour.</li> </ul>
No. 2 Fuel Oil (used)	<ul style="list-style-type: none"> <li>Shall be fired and the sulfur content shall not exceed 0.05% by weight. The maximum usage rate shall not exceed 125,000 gallons per year for kiln startup.</li> </ul>
Propane	<ul style="list-style-type: none"> <li>Shall be fired</li> </ul>

[Rule 62-213.410, F.A.C., Air Construction Permit No. AC01-267311/PSD-FL-288; AC Modification dated - - ]

**C.4. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

#### **Emission Limitations and Standards**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**C.5. Mercury (Hg).** Total input in all materials and fuel kiln system shall not exceed 200 pounds per year. [Rule \_\_\_\_\_]

**C.6. Visible Emissions (Kiln).** Visible emissions from the kiln shall not exceed 10 percent opacity. [Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated 12/20/96]  
{Permitting Note: The averaging time for Condition C.6. is based on the run time of the specified test method.}

**C.7. Particulate Matter.** Particulate Matter emissions shall not exceed 0.20 pounds per ton of dry feed to the kiln and 0.31 pounds per ton of clinker, and 30 lb/hr and 110.50 ton/yr. [Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996; 40 CFR 60.62(a)(1), 40 CFR 63.1343(c)(1)]  
{Permitting Note: The averaging time for Condition C.7. is based on the run time of the specified test method.}

**C.8. Particulate Matter (PM<sub>10</sub>).** PM<sub>10</sub> emissions shall not exceed 0.17 pounds per ton of dry feed to the kiln and 0.26 pounds per ton of clinker, and 25.50 lb/hr and 93.93 ton/yr. [Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated 12/20/96]  
{Permitting Note: The averaging time for Condition C.8. is based on the run time of the specified test method.}

**C.9. Sulfur Dioxide.** Sulfur dioxide emissions shall not exceed 0.18 lb/ton of dry feed to the kiln and 0.28 pounds per ton of clinker (24-hr average), and 28.82 lb/hr and 108.55 ton/yr. The Department may revise the sulfur dioxide emissions limit to less than 0.28 lb/ton clinker based on the compliance test and continuous emission monitoring data within 120 days following receipt of this data. Any such changes will be publicly noticed.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated 12/ 20/96]

**C.10. NO<sub>x</sub>.** NO<sub>x</sub> emissions shall not exceed 3.8 pounds per ton of clinker (30-day rolling average) during the first two years after startup. After this two-year time period, NO<sub>x</sub> emissions shall not exceed 2.8 pounds per ton of clinker (30-day rolling average). The permittee shall install any additional control equipment during the two-year time period to insure compliance with the 2.8 pounds per ton of clinker limit by the end of the period.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated 12/ 20/96]

**C.11. Carbon Monoxide.** Carbon Monoxide emissions shall not exceed 2.30 lb/ton of dry feed and 3.60 pounds per ton of clinker (1-hr average), and 346.38 lb/hr and 1288.60 ton/yr.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**C.12. VOC.** VOC emissions shall not exceed 0.08 lb/ton of dry feed and 0.12 pounds per ton of clinker (1-hr average), and 11.55 lb/hr and 42.90 ton/year.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**C.13. Beryllium.** Test Beryllium (Be) and report the results quarterly for two years.

[Modified Air Construction Permit AC01-267311/PSD-FL-288 dated -- --]

**C.14. Sulfuric Acid Mist (SAM).** SAM emissions shall not exceed 0.0016 lb/ton dry feed and 0.0025 lb/ton clinker, and 0.25 lb/hr and 1 ton/year.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

{Permitting Note: Attached Table II – based on stack test dated 07/21/00}

### Operations

**C.15. Tires.** The Permittee shall not place waste tires on the ground. Waste tires shall be received in closed vans and unloaded directly into the tire feeding hopper. In an effort to control mosquitoes at the site, waste tires shall be sprayed with an insecticide prior to receipt at the facility.

[Air Construction Permit AC01-267311/PSD-FL-288]

**C.16. Cement Kiln Dust (CKD).** The permittee shall “immediately collect” any spilled CKD to prevent fugitive emissions.

[Air Construction Permit AC01-267311/PSD-FL-288]

**C.17. Cement Kiln Dust (CKD).** CKD collected in the kiln electrostatic precipitator (ESP) will be returned to the process. Any CKD not returned to the process shall be handled in accordance with Subtitle C rules under development by EPA. In the interim, the Permittee shall operate under the contingent management practice plan for the storage, sale, or disposal of any CKD not reused.

[Air Construction Permit AC01-267311/PSD-FL-288]

**Test Methods and Procedures**

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**C.18.** The permittee shall test the emissions from the Kiln System for the following pollutants annually:

Description	Pollutant	Fuel(s) [1]	EPA Reference Method	Testing Time Frequency [2]	Min. Compliance Test duration
Kiln/Cooler/Raw Mill	VE	Coal/Oil	9/COM	Annual/COM [3]	60 minutes
Kiln/Cooler/Raw Mill	PM/PM <sub>10</sub>	Coal/Oil	5	Annual	3 one hour run
Kiln/Cooler/Raw Mill	SO <sub>2</sub> [5]	Coal/Oil	CEMS	Daily average	Continuous
Kiln/Cooler/Raw Mill	NO <sub>x</sub> [6]	Coal/Oil	CEMS	Daily average	Continuous
Kiln/Cooler/Raw Mill	CO	Coal/Oil	10	Annual [4]	3 one hour run
Kiln/Cooler/Raw Mill	VOC	Coal/Oil	25/25A	Annual	
Kiln/Cooler/Raw Mill	Be	Coal/Oil	104	Annual	
Kiln/Cooler/Raw Mill	SAM	Coal/Oil	8	Annual	

[1] Annual testing of emissions shall be conducted according to common condition I.9. Test frequency after initial compliance shall be determined by DARM. Fuels to be burned are specified in Specific Condition C.3.

[2] Test the emissions from these units annually, within 60 days prior to the anniversary test date. {Permitting Note: The compliance test due date is for planning purposes only. Rule 62-297.310(7)(a)4, F.A.C. allows the permittee to conduct a formal compliance test anytime during the federal fiscal year (October 1- September 30).}

[3] Pursuant to 40 CFR 60, Subpart F, the kiln and cooler exhaust system shall be equipped with continuous monitors to record the opacity at the stack to indicate proper maintenance and operation. Monitoring of the opacity of emissions shall be determined by COMS pursuant to 40 CFR 60.63. Notification and recordkeeping shall be in accordance with 40 CFR 60.7 and 40 CFR

[4] Continuous process monitors for CO and/or O<sub>2</sub> to optimize combustion conditions for pollution control shall be part of the process.

[5] SO<sub>2</sub> - The continuous emission monitor (CEM) data shall be used for the Kiln compliance requirement. The CEM calibration and maintenance shall meet the applicable requirements of 40 CFR 60, Appendix B and Appendix F.

[6] NO<sub>x</sub> - The continuous emission monitor (CEM) data shall be used to demonstrate compliance with the kiln emissions limits. The CEM calibration and maintenance shall meet the applicable requirements of 40 CFR 60, Appendix B.

[Rule 62-297.310(7)(a)4, F.A.C.]

**C.19. Stack Test Conditions.** The manual stack test shall be conducted while firing both primary fuels at permitted capacity (70 to 100% coal and 0 to 30% tires) and with all continuous monitoring systems functioning properly, and with all process units operating at their permitted capacity.

If the kiln is tested while firing less than 30% tires, subsequent operation is limited to the percentage of tires burned during the test. Once the kiln is so limited, then operation at greater tire burning rate (with prior notification provided to DARM and NED) is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the permitted capacity in the permit. Operation at greater tire burning rates (with prior notification provided to DARM and NED) is also allowed for no more than 45 consecutive days in conjunction with installation and testing of the MSC

[Air Construction Permit AC01-267311/PSD-FL-288. Rule 62-297.310(2)(b), F.A.C.]

**C.20. Visible Emissions (Kiln).** Compliance shall be demonstrated with use of a continuous opacity monitor.

[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.63(b), 40 CFR 63.1349(b)(1)(v)]

**C.21. Particulate Matter.** The test method for particulate matter emissions shall be EPA Method 5 as outlined in 40 CFR 60 Appendix A, and set forth in 40 CFR 60.64 of the NSPS for Portland Cement Plants and 40 CFR 63.1349 NESHAP for Portland Cement Manufacturing Industry.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996, 40 CFR 60.64, 40 CFR 63.1349]

**C.22. Particulate Matter (PM<sub>10</sub>).** The test method for PM<sub>10</sub> emissions shall be EPA Method 5 as outlined in 40 CFR 60 Appendix A, and set forth in 40 CFR 60.64 of the NSPS for Portland Cement Plants.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996, 40 CFR 60.64]

**C.23. Sulfur Dioxide.** Compliance shall be determined with an in-stack continuous emissions monitoring system.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**C.24. NO<sub>x</sub>.** Compliance shall be determined with an in-stack continuous emissions monitoring system.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**C.25. Carbon Monoxide.** The test method for carbon monoxide emissions shall be EPA Method 10.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**C.26. VOC.** The test method for VOC emissions shall be EPA Method 25 or Method 25A.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**C.27. Beryllium.** The test method for Beryllium emissions shall be EPA Method 104 as outlined in 40 CFR 61, Appendix B.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**C.28. Sulfuric Acid Mist (SAM).** The test method for SAM emissions shall be EPA Method 8 as outlined in 40 CFR 60, Appendix A.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated 12- 20-96]

### **Monitoring Requirements**

**C.29. Flow.** The Permittee shall install and operate a continuous flow monitor.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated 12/20/96]

**C.30. NO<sub>x</sub> and SO<sub>2</sub> CEMS.** The continuous monitoring system shall be certified, and operated in accordance with the procedures stated at 40 CFR 60 Appendix F, Quality Assurance Procedures (1994 Version) or other Department approved QA plan; 40 CFR 60 Appendix B, Performance Specification 1, 2, and 3 (1995 Version), before the initial performance test. out

[Air Construction Permit AC01-267311/PSD-FL-288]

**C.31. CO and/or O<sub>2</sub> CEMS.** Continuous monitors shall be installed for CO and/or O<sub>2</sub> for use in determining plant operating parameters to optimize emissions of CO, NO<sub>x</sub>, and SO<sub>2</sub> and to set a final SO<sub>2</sub> limit. These monitors (CO and/or O<sub>2</sub>) are process monitors and are not subject to 40 CFR 60, Appendix B.

[Air Construction Permit AC01-267311/PSD-FL-288]

**C.32. Continuous Opacity Monitors (COM).** COMs shall be installed, operated, and maintained at the kiln/raw mill ESP stack.

[Air Construction Permit AC01-267311/PSD-FL-288; 40 CFR 60.63(b)]

### **Reporting**

**C.33. Excess Visible Emissions.** The Permittee shall submit reports of excess emissions on a quarterly basis to the Northeast District Office. Excess emissions are defined as all 6-minute periods during which the average opacity exceeds that allowed by 40 CFR 60.62(a)(2), i.e. 20% opacity. The content of the reports shall comply with the requirements of 40 CFR 60.7(c).

[40 CFR 60.63(d); 40 CFR 60.65(a); 40 CFR 60.7(c)]

### **Recordkeeping**

**C.34. Tires.** The Permittee shall document the number of tires burned during a week and then establish storage and inventory based on a typical weekly requirement. The Permittee shall keep all documentation concerning tire inventory at the site and make the information available for Department review during inspections.

[Construction Permit AC01-267311/PSD-FL-288]

**C.35. Coal and Fuel Oil.** The permittee shall maintain records of the quantity and analysis of coal and fuel oil consumed and invoices for all fuel purchases along with logs for all raw materials and products shall be kept for a minimum of five (5) years.

**C.36. Mercury Compounds (as Hg).** Monthly sampling and analysis shall be conducted of the raw mill feed, coal to demonstrate compliance with specific condition C.5.

**C.37.** Common Condition H.1 – H.4

**C.38.** Common Condition I.1 – I.14

**C.39.** Common Condition J.1.

**C.40.** This emissions unit is subject, as applicable and designated per 40 CFR 63.1340, to Subsection K. Common Conditions, Rule 40 CFR 63 Subparts A and LLL (National Emission Standards for Hazardous Air Pollutants – General Provisions and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

{Permitting Note: **The permittee shall be in compliance with the applicable provisions of 40 CFR 63, Subparts A and LLL prior to June 10, 2002.** This facility is exempted (except as provided in 40 CFR 63.1356 (a)(1) and (a)(2)) from otherwise applicable NSPS requirements (40 CFR 60, Subpart F) beginning on the applicable 40 CFR 63, Subpart LLL compliance date. [40 CFR 63.1356]}

### **Section III. Emission Unit(s) and Conditions**

#### **Subsection D.: This section addresses the following emissions unit**

##### **E.U. ID**

**No.**

##### **Brief Description**

-004

Clinker Handling

Emissions Unit 004 identifies the Clinker Handling system. Emission Points are described as follows: (EP01)- Clinker cooler to silos conveyor, (EP02)- Clinker silos, and (EP03)- Clinker Cooler (ESP) These silos are controlled by baghouses and the Clinker Cooler, by an electrostatic precipitator.

{Permitting note(s): This emissions unit is regulated under NSPS- 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants adopted and incorporated by reference in Chapter 62-204, F.A.C., and PSD Regulations.

#### **The following conditions apply to the emissions unit(s) listed above:**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

#### **Essential Potential to Emit (PTE) Parameters**

**D.1. Capacity.** The maximum production rate for the kiln clinker shall not exceed 95.8 tons per hour and 2300 tons per day and 712,500 tons per year. The clinker production rate shall be determined as a function of the preheater dry feed rate.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., Air construction permit AC01-267311/PSD-FL-288]

**D.2. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year provided the 712,500 ton per year clinker limit is not exceeded.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., Air Construction permit AC01-267311/PSD-FL-288]

#### **Emission Limitations and Standards**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**D.3. Particulate Matter.** Particulate Matter emissions from the Clinker Cooler shall not exceed 0.10 pounds per ton of feed (dry basis) to the kiln and 0.16 pounds per ton of clinker. The PM shall also not exceed 14.99 lbs/hr and 55.70 tons/year.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996, 40 CFR 60.62(b)(1), 40 CFR 63.1345(a)(1)]

{Permitting Note: The averaging time for Condition D.3. is based on the run time of the specified test method.}



**D.4. Particulate Matter (PM<sub>10</sub>).** PM<sub>10</sub> emissions from the cooler shall not exceed 0.13 pounds per ton of clinker.[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated 12/20/96]

{Permitting Note: The averaging time for Condition D.4. is based on the run time of the specified test method.}

**D.5. Particulate Matter.** Particulate Matter emissions from the baghouses shall not exceed 0.01 grains per dry standard cubic foot.

[Air Construction Permit AC01-267311/PSD-FL-288]

{Permitting Note: The averaging time for Condition D.5. is based on the run time of the specified test method.}

**D.6. Visible Emissions (Clinker Cooler).** Visible emissions from the Clinker Cooler shall not exceed 10 percent opacity.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996, 40 CFR 60.62(b)(2), 40 CFR 63.1345(a)(2)]

**D.7. Visible Emissions (EP01 and EP02).** Visible emissions shall not exceed 5 percent opacity from the baghouses.

[Air Construction Permit AC01-267311/PSD-FL-288]

{Permitting Note: The averaging time for Condition D.7. is based on the run time of the specified test method.}

#### **Test Methods and Procedures**

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**D.8. Visible Emissions (Clinker Cooler).** Compliance shall be demonstrated with use of a continuous opacity monitor.

[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.63(b), 40 CFR 63.1349(b)(1)(v)]

**D.9. Visible Emissions (EP01 and EP02).** The test method for visible emissions shall be EPA Method 9 as outlined in 40 CFR 60 Appendix A.

[Air Construction Permit AC01-267311/PSD-FL-288]

**D.10. Particulate Matter (EP03).** The test method for particulate matter emissions shall be EPA Method 5 as outlined in 40 CFR 60 Appendix A, and set forth in 40 CFR 60.64 of the NSPS for Portland Cement Plants and 40 CFR 63.1349 NESHAP for Portland Cement Manufacturing Industry.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996, 40 CFR 60.64, 40 CFR 63.1349]

**D.11. Particulate Matter (PM<sub>10</sub>) (EP03).** The test method for PM<sub>10</sub> emissions shall be EPA Method 5 as outlined in 40 CFR 60 Appendix A, and set forth in 40 CFR 60.64 of the NSPS for Portland Cement Plants.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]



**D.12. Particulate Matter (EP01 and EP02).** Compliance with the visible emissions standard specified in condition D.7 shall be considered compliance with the particulate matter standard established in condition D.5. [F.A.C., 62-297.620(4)].

### **Monitoring Requirements**

**D.13. Continuous Opacity Monitors (COM).** COMs shall be installed, operated, and maintained at the Clinker Cooler ESP stack pursuant to 40 CFR 60.63.

[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.63(b)]

### **Reporting**

**D.14. Excess Visible Emissions.** The Permittee shall submit reports of excess emissions on a quarterly basis to the Northeast District Office. Excess emissions are defined as all 6-minute periods during which the average opacity exceeds that allowed by Specific Condition D.6., i.e., 10% opacity. The content of the reports shall comply with the requirements of 40 CFR 60.7(c). [40 CFR 60.63(d); 40 CFR 60.65(a); 40 CFR 60.7(c)].

**D.15.** Common Conditions H.1 – H.4

**D.16.** Common Conditions I.1 – I.14

**D.17.** Common Condition J.1.

**D.18.** This emissions unit is subject, as applicable and designated per 40 CFR 63.1340, to Subsection K. Common Conditions, Rule 40 CFR 63 Subparts A and LLL (National Emission Standards for Hazardous Air Pollutants – General Provisions and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

{Permitting Note: **The permittee shall be in compliance with the applicable provisions of 40 CFR 63, Subparts A and LLL prior to June 10, 2002.** This facility is exempted (except as provided in 40 CFR 63.1356 (a)(1) and (a)(2)) from otherwise applicable NSPS requirements (40 CFR 60, Subpart F) beginning on the applicable 40 CFR 63, Subpart LLL compliance date. [40 CFR 63.1356]}

### Section III. Emission Unit(s) and Conditions

#### Subsection E.: This section addresses the following emissions unit

##### E.U. ID

##### No.

##### Brief Description

-005      Finish Grinding Operations

Emissions Unit 005 identifies the Finish Grinding Operations. Fabric filters control particulate matter emissions. Emission Points are identified as follows: (EP01)- Clinker to finish Mill-M-07, (EP02)- Clinker to finish Mill – M-08, (EP03)- Finish mill air separator- N-09, (EP04)- Finish Mill- N-12, (EP05)- Cement handling in finish mill- N-14, (EP06)- Cement storage silos- Q-25, (EP07) - Cement storage silos- Q-26 and (EP08)- Cement storage silos- Q-27

{Permitting note(s): This emissions unit is regulated under NSPS- 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants adopted and incorporated by reference in Chapter 62-204, F.A.C.

#### The following conditions apply to the emissions unit(s) listed above:

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

#### Essential Potential to Emit (PTE) Parameters

**E.1. Capacity.** The maximum process rate for this emissions unit shall not exceed 136 tons per hour of cement output  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**E.2. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

#### Emission Limitations and Standards

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**E.3. Particulate Matter (each EP).** Particulate Matter emissions from the baghouses shall not exceed 0.01 grains per dry standard cubic foot.  
[Air Construction Permit AC01-267311/PSD-FL-288]  
{Permitting Note: The averaging time for Condition E.3. is based on the run time of the specified test method.}

**E.4. Visible Emissions (each EP).** Visible emissions shall not exceed 5 percent opacity.  
[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.62(c), 40 CFR 63.1347]  
{Permitting Note: The averaging time for Condition E.4. is based on the run time of the specified test method.}

### Test Methods and Procedures

{Permitting Note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**E.5. Visible Emissions.** The test method for visible emissions shall be EPA Method 9 as outlined in 40 CFR 60 Appendix A.

[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.64(a)(4)]

**E.6. Particulate Matter.** Compliance with the visible emissions standard specified in condition E.4 shall be considered compliance with the particulate matter standard established in condition E.3.

[F.A.C., 62-297.620(4)].

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**E.7.** Common Conditions I.1 - I. 14.

**E.8.** Common Condition J.1.

**E.9.** This emissions unit is subject, as applicable and designated per 40 CFR 63.1340, to Subsection K. Common Conditions, Rule 40 CFR 63 Subparts A and LLL (National Emission Standards for Hazardous Air Pollutants – General Provisions and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

{Permitting Note: **The permittee shall be in compliance with the applicable provisions of 40 CFR 63, Subparts A and LLL prior to June 10, 2002.** This facility is exempted (except as provided in 40 CFR 63.1356 (a)(1) and (a)(2)) from otherwise applicable NSPS requirements (40 CFR 60, Subpart F) beginning on the applicable 40 CFR 63, Subpart LLL compliance date. [40 CFR 63.1356]}

### **Section III. Emission Unit(s) and Conditions**

#### **Subsection F.: This section addresses the following emissions unit**

##### **E.U. ID**

##### **No.**

##### **Brief Description**

-006 Cement Handling, Loading and Bagging

Emissions Unit 006 identifies the Cement Handling, Loading and Bagging. Emission Points are identified as follows: (EP01)-Cement silo loadout- Q-14, (EP02)- Cement silo loadout- Q-17, (EP03)-Cement silo loadout- Q-21 and (EP04)-Cement bagging operation- R-12.  
{Permitting note(s): This emissions unit is regulated under NSPS- 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants adopted and incorporated by reference in Chapter 62-204, F.A.C.

#### **The following conditions apply to the emissions unit(s) listed above:**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

##### **Essential Potential to Emit (PTE) Parameters**

**F.1. Capacity.** The maximum process rate for this emissions unit shall not exceed 500 tons per hour of cement unloading  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**F.2. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

##### **Emission Limitations and Standards**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**F.3. Particulate Matter (each EP).** Particulate Matter emissions from the baghouses shall not exceed 0.01 grains per dry standard cubic foot.  
[Air Construction Permit AC01-267311/PSD-FL-288]  
{Permitting Note: The averaging time for Condition F.3. is based on the run time of the specified test method.}

**F.4. Visible Emissions (each EP).** Visible emissions shall not exceed 5 percent opacity.  
[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.62(c)]  
{Permitting Note: The averaging time for Condition F.5. is based on the run time of the specified test method.}

**Test Methods and Procedures**

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**F.5. Visible Emissions.** The test method for visible emissions shall be EPA Method 9 as outlined in 40 CFR Appendix A.

[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.64(a)(4)]

**F.6. Particulate Matter.** Compliance with the visible emissions standard specified in condition F.4 shall be considered compliance with the particulate matter standard established in condition F.3.

[F.A.C., 62-297.620(4)].

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

**F.7. Common Condition I.1 – I.14.**

**F.8. Common Condition J.1.**

**F.9.** This emissions unit is subject, as applicable and designated per 40 CFR 63.1340, to Subsection K. Common Conditions, Rule 40 CFR 63 Subparts A and LLL (National Emission Standards for Hazardous Air Pollutants – General Provisions and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

{Permitting Note: **The permittee shall be in compliance with the applicable provisions of 40 CFR 63, Subparts A and LLL prior to June 10, 2002.** This facility is exempted (except as provided in 40 CFR 63.1356 (a)(1) and (a)(2)) from otherwise applicable NSPS requirements (40 CFR 60, Subpart F) beginning on the applicable 40 CFR 63, Subpart LLL compliance date. [40 CFR 63.1356]}

### **Section III. Emission Unit(s) and Conditions**

#### **Subsection G.: This section addresses the following emissions unit**

<b><u>E.U. ID</u></b>	<b><u>Brief Description</u></b>
<b><u>No.</u></b>	
-007	Coal Handling and Grinding

Emissions Unit 007 identifies the Coal Handling and Grinding Operation. Emission points are defined as follows: (EP01)-Coal Mill- S-17, (EP02)-Pulverized coal storage bin- S-21 and fugitive emissions from the coal handling and storage operations.

{Permitting note(s): This emissions unit is regulated under NSPS - 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation Plants adopted and incorporated by reference in Chapter 62-204, F.A.C.

#### **The following conditions apply to the emissions unit(s) listed above:**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

#### **Essential Potential to Emit (PTE) Parameters**

**G.1. Capacity.** The maximum throughput rate for this emissions unit shall not exceed 14 tons per hour of pulverized coal.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**G.2. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

#### **Emission Limitations and Standards**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**G.3. Visible Emissions (EP01 and EP02).** Visible emissions shall not exceed 5 percent opacity for each identified emission point.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

{Permitting Note: The averaging time for Condition G.3. is based on the run time of the specified test method.}

**G.4. Visible Emissions (Fugitive).** An opacity of less than 5 percent shall be maintained at each storage pile, handling equipment, etc., except during times when coal is being added, moved or removed from the coal pile when the opacity shall be no more than 20 percent.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996, 40 CFR 60.252(c)]

{Permitting Note: The averaging time for Condition G.4. is based on the run time of the specified test method.}

**G.5. Particulate Matter.** Particulate Matter emissions from coal handling facilities shall be minimized by following the procedures stated in Section II. Facility-wide Conditions, Condition No. 9. and these listed below:

- All conveyors and transfer points shall be enclosed to preclude particulate emissions (except those directly associated with coal stacking/reclaiming).
- Coal storage piles shall be shaped, compacted and oriented to minimize wind erosion.
- Water sprays or chemical wetting agents and stabilizers shall be applied to storage piles, handling equipment, etc., during dry periods and as necessary to all facilities to maintain an opacity of that stated in Specific Condition G.4.

[Air Construction Permit AC01-267311/PSD-FL-288, BACT Determination dated December 20, 1996]

#### **Test Methods and Procedures**

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**G.6. Visible Emissions (EP01 and EP02).** The test method for visible emissions shall be EPA Method 9 as outlined in 40 CFR 60 Appendix A.

[Air Construction Permit AC01-267311/PSD-FL-288, 40 CFR 60.254(b)(2)]

#### **Monitoring**

**G.7. Temperature.** A continuous monitor for temperature shall be installed, operated, and maintained at Emission Point 01 pursuant to 40 CFR 60.253.

[Air Construction Permit AC01-267311/PSD-FL-288]

**G.8. Common Condition I.1 – I.14.**

**Subsection H. Common Conditions**

**E.U. ID**

<b><u>No.</u></b>	<b><u>Brief Description</u></b>
002	Raw Mill System
003	Kiln System
004	Clinker Handling

**H.1.** Storage of solid waste at the facility shall not be in violation of the prohibitions of F.A.C. Rule 62-701.300. In addition, all solid waste material to be used in cement production shall be stored under cover, on compacted clay, to prevent the generation of runoff or leachate.  
[Air Construction Permit AC01-267311/PSD-FL-288]

**H.2.** In the event that baghouse or ESP catches come in contact with the soil, the waste shall be collected and a hazardous waste determination performed for metals in accordance with 40 CFR 262.11 and F.A.C. Rule 62-730.160. If the hazardous waste determination indicates that the material is hazardous, it shall be disposed of in a permitted hazardous waste disposal facility. If the material is not hazardous, the waste material is a solid waste as defined in F.A.C. Chapter 62-701 and must be disposed of in a permitted, lined landfill. The Permittee shall contact the Solid Waste Section, Northeast District Office, at telephone number (904) 448-4320, prior to disposal of the fugitive baghouse or SEP catches which are to be disposed of as solid waste.  
[Air Construction Permit AC01-267311/PSD-FL-288]

**H.3.** The Permittee shall store all hazardous waste generated at the site in D.O.T. approved containers and send it for disposal to a permitted hazardous waste facility in compliance with F.A.C. Chapter 62-730.  
[Air Construction Permit AC01-267311/PSD-FL-288]

**H.4.** The Permittee shall manage used oil and used oil filters generated at the facility in compliance with F.A.C. Chapter 62-710 and 40 CFR 279.12.  
[Air Construction Permit AC01-267311/PSD-FL-288]



## **Subsection I. Common Conditions**

### **E.U. ID**

<b><u>No.</u></b>	<b><u>Brief Description</u></b>
001	Raw Materials Handling and Storage
002	Raw Mill System
003	Kiln System
004	Clinker Handling
005	Finish Grinding Operations
006	Cement Handling, Loading, and Bagging Operations
007	Coal Handling and Grinding Operations

### **Emission Limitations and Standards**

**I.1.** Emissions from the facility shall comply with the pollutant limits specified in attached Tables I and II. Following completion of the performance tests required herein, the interim SO<sub>2</sub> emission limit may be revised downward based on the test results and continuous emission monitoring data, such that overall control attained for all air pollutants including, SO<sub>2</sub>, NO<sub>x</sub>, VOC, and CO, is optimized.

[Air Construction Permit AC01-267311/PSD-FL-288]

### **Prohibited Fuels**

**I.2.** The burning of RCRA hazardous waste or used oil is prohibited.

[Air Construction Permit AC01-267311/PSD-FL-288]

### **Reporting**

**I.3. Excess Emissions.** An excess emission report shall be supplied to the Northeast District office on a quarterly basis in accordance with 40 CFR 60.7. All measurements, records and other data required to be maintained by the permittee shall be retained for at least 5 years following the date on which such measurements, records, or data are recorded. The data shall be available to Department staff as requested.

[40 CFR 60.7; Air Construction Permit AC01-267311/PSD-FL-288]

### **Malfunctions and Preventable Upset Conditions**

**I.4. Malfunctions.** A malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions and shall be prohibited.

[Rules 62-210.200(176), 62-210.700(4); Air Construction Permit AC01-267311/PSD-FL-288]

### **Facility Shutdown**

**I.5.** In the event of a permanent shutdown of the facility, all residual materials will be either properly disposed at a permitted facility or transported to other cement production facilities within six (6) months following shutdown.

[Air Construction Permit AC01-267311/PSD-FL-288]

## **Test Methods and Procedures**

**I.6. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.  
[Rule 62-297.310(1), F.A.C.]

**I.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.**

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; or
- b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

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.(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 may 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.

**I.8. Operating Rate During Testing.** Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. 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.

(b) All Other Sources. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit.  
[Rules 62-297.310(2) and 62-297.310(2)(b), F.A.C.]

#### **I.9. Applicable Test Procedures.**

##### **(a) Required Sampling Time.**

1. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling port shall be of equal intervals of at least two minutes.

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.  
[Rule 62-297.310(4)(a)2., F.A.C.]

#### **I.10. 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.  
[Rule 62-297.310(5), F.A.C.]

#### **I.11. 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.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.

2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission-limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.  
[Rule 62-297.310(8), F.A.C.]

**I.12. Calculation of Emission Rate.** The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.  
[Rule 62-297.310(3), F.A.C.]

### **Stack Sampling Facilities**

**I.13.** Stack sampling facilities shall be install in accordance with Rule 62-297.310(6), F.A.C.  
[Air Construction Permit AC01-267311/PSD-FL-288]

**I.14.** Stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C.  
[Air Construction Permit AC01-267311/PSD-FL-288]

**Monitoring of Operations**

**I.15. Determination of Process Variables**

- a) Required equipment
- b) Accuracy of equipment

**Subsection J. NSPS Common Conditions**

**E.U. ID**

<b><u>No.</u></b>	<b><u>Brief Description</u></b>
001	Raw Materials Handling and Storage
002	Raw Mill System
003	Kiln System
004	Clinker Handling
005	Finish Grinding Operations
006	Cement Handling, Loading, and Bagging Operations

The following conditions apply to the NSPS emissions unit(s) listed above:

**40 CFR 60, Subpart A - General Provisions Requirements**

**J.1.** These Eus are subject to the applicable sections of 40 CFR 60, Subpart A-General Provisions.

**Subsection K. NESHAPs Common Conditions**

**E.U. ID**

<b><u>No.</u></b>	<b><u>Brief Description</u></b>
001	Raw Materials Handling and Storage
002	Raw Mill System
003	Kiln System
004	Clinker Handling
005	Finish Grinding Operations
006	Cement Handling, Loading, and Bagging Operations

{Permitting note(s): These emissions units are regulated, as applicable and designated in 40 CFR 63.1340, under Rule 40 CFR 63 Subparts A and LLL (National Emission Standards for Hazardous Air Pollutants -- General Provisions; and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).}

**The following conditions apply to the emissions unit(s) listed above:**

**K.1.** The permittee shall comply with 40 CFR 63 Subpart LLL (National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry) and the requirements of 40 CFR 63 Subpart A (National Emission Standards for Hazardous Air Pollutants -- General Provisions) as outlined in Table 1 of Subpart LLL by **June 10, 2002**.

{Permitting Note: This facility is exempted (except as provided in 40 CFR 63.1356 (a)(1) and (a)(2)) from otherwise applicable NSPS requirements (40 CFR 60, Subpart F) beginning on the applicable 40 CFR 63, Subpart LLL compliance date. [40 CFR 63.1356]}

**Emission Limit and Standards**

**K.2. Visible Emissions.** Visible emissions shall not exceed 10 percent opacity at the mill sweep or air separator air pollution control devices.

[40 CFR 63.1347]

{Permitting Note: The averaging time for Condition K.2. is based on the run time of the specified test method.}

**K.3. Visible Emissions (Conveyor transfer point, Clinker Storage Bin, and Finished Product Storage Bins).** Visible emissions at each conveyor transfer point shall not exceed 10 percent opacity:

[40 CFR 63.1348]

{Permitting Note: The averaging time for Condition K.3. is based on the run time of the specified test method.}

**Testing Requirements**

{Permitting Note: This unit is an existing source and therefore subject to the standards for a Brownfield Kiln.}

**K. 4. Frequency of Performance Tests.**

[Table 1 to 40 CFR 63.1349]

Affected Source	Pollutant	Test Method
Kiln and in-line kiln/raw mill <sup>bc</sup>	Particulate Matter	EPA Method 5 <sup>a</sup>
Kiln and in-line kiln/raw mill <sup>bc</sup>	Opacity	COM <sup>de</sup>
Kiln and in-line kiln/raw mill <sup>bctfg</sup>	D/F	EPA Method 23 <sup>h</sup>
Clinker Cooler	PM	EPA Method 5 <sup>a</sup>
Clinker Cooler	Opacity	COM <sup>di</sup>
Raw Mill	Opacity	EPA Method 9 <sup>aj</sup>
Finish Mill	Opacity	EPA Method 9 <sup>ai</sup>
Raw Material Dryer	Opacity	EPA Method 9 <sup>ai</sup>
Materials Handling processes (raw material storage, clinker storage, finished product storage, conveyor transfer points, bagging, and bulk loading and unloading systems)	Opacity	EPA Method 9 <sup>ai</sup>

<sup>a</sup> Required initially and every 5 years thereafter.

<sup>b</sup> Includes main exhaust and alkali bypass

<sup>c</sup> In-line kiln/raw mill to be tested with and without raw mill in operation.

<sup>d</sup> Must meet COM performance specification criteria. If the fabric filter or electrostatic precipitator has multiple stacks, daily EPA Method 9 visual opacity reading may be taken instead of using a COM.

<sup>e</sup> Opacity limit is 20 percent.

<sup>f</sup> Alkali bypass is tested with the raw mill on.

<sup>g</sup> Temperature and (if applicable) activated carbon injection parameters determined separately with and without the raw mill operating.

<sup>h</sup> Required initially and every 30 months thereafter.

<sup>i</sup> Opacity limit is 10 percent.

**K.5. Particulate Matter.** Particulate Matter emissions shall not exceed 0.15 kg per mg (0.30 lb per ton) of feed (dry basis) to the kiln. When there is an alkali bypass associated with a kiln or in-line kiln/raw mill, the combined particulate matter emissions from the kiln or in-line kiln/raw mill and the alkali bypass are subject to this emission limit.

[40 CFR 63.1343(b)(1)]

{Permitting Note: The averaging time for Condition K.5. is based on the run time of the specified test method.}

**K.6. Visible Emissions (VE)** VE shall not be greater than 20%.

[40 CFR 63.1343(b)(2)]

{Permitting Note: The averaging time for Condition K.6. is based on the run time of the specified test method.}

**K.7. Visible Emissions.** The test method for visible emissions shall be EPA Method 9 as outlined in 40 CFR 60 Appendix A and set forth in 40 CFR 63.1349(b)(2)]



**K.8. Dioxin and Furans (D/F).** D/F emissions shall not exceed  $1.7 \times 10^{-10}$  grains per dscf (TEQ) corrected to 7% O<sub>2</sub>, when the average of the performance test run average temperatures at the inlet to the ESP is 400°F or less.  
[40 CFR 63.1343(c)(3)(ii)]

**K.9. Temperature.** The kiln shall be operated such that the temperature of the gas at the inlet to the ESP does not exceed the limit established under 40 CFR 63.1349(b)(3)(iv).  
[40 CFR 63.1344(a)]

**K.10. Dioxin and Furans (D/F).** The test method for D/F emissions shall be EPA Method 23 as outlined in 40 CFR 63.1349(b)(3).  
[40 CFR 63.1349(b)(3)]

**K.11. Temperature.** A continuous monitor for temperature shall be installed, operated, and maintained at the inlet to the kiln. The temperature at the inlet to the kiln or in-line kiln/raw mill particulate matter control device (PMCD), and where applicable, the temperature at the inlet to the alkali bypass PMCD, must be continuously recorded during the period of the Method 23 test, and the continuous temperature record(s) must be included in the performance test report.  
[40 CFR 63.1349(b)(3)(ii)]

## **STATEMENT OF BASIS**

Florida Rock Industries, Inc.  
Newberry Cement Plant  
**Facility ID No.:** 0010087  
Alachua County

Initial Title V Air Operation Permit  
**Pre-DRAFT Permit No.:** 0010087-002-AV

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The currently permitted Florida Rock Industries, Inc. facility consists of the following: raw material handling and storage, a raw mill system, kiln system, clinker handling, finish grinding operations, cement handling, loading, and bagging operations, and coal handling and grinding operations.

Based on the initial Title V permit application received October 1, 1999, this facility is a major source of hazardous air pollutant Sulfur Dioxide, Carbon Monoxide, Particulate Matter, PM<sub>10</sub>, and NO<sub>x</sub>.

### **Summary of Emissions Unit ID Number(s) and Brief Description(s).**

<b>E.U. ID No.</b>	<b>Brief Description</b>
-001	Raw Materials Handling and Storage
-002	Raw Mill System
-003	Kiln System
-004	Clinker Handling
-005	Finish Grinding Operations
-006	Cement Handling, Loading, and Bagging Operations
-007	Coal Handling and Grinding Operations

Emission Unit ID Nos. 001: Emission points EP01 (Raw material unloading). EP02 (Raw material handling and storage) and EP03 (Crusher): Identifies the raw material handling and storage operations. Controlled by the application of water sprays.

Emission Unit ID Nos. 002: identifies the raw mill system, consisting of: (EP01) Recycle Dust and Raw Meal to Homogenization Silo, (EP02) Recycle dust airlift, (EP03) Recycle dust and raw material to homogenization silo No. 2, and (EP04) Raw meal and recycle dust to preheater all controlled by fabric filters.

*as needed.*

Emission Unit ID No. 003: Identifies the Kiln system. A high efficiency electrostatic precipitator controls particulate emissions.

Emission Unit ID No. 004: Identifies the Clinker Handling system. Emission Points are described as follows: (EP01)- Clinker cooler to silos conveyor, (EP02)- Clinker silos, and (EP03)- Clinker Cooler (ESP) These silos are controlled by baghouses and the Clinker Cooler, by an electrostatic precipitator.

Emission Unit ID No. 005: Identifies the Finish Grinding Operations. Fabric filters control particulate matter emissions. Emission Points are identified as follows: (EP01)- Clinker to finish Mill-M-07, (EP02)- Clinker to finish Mill – M-08, (EP03)- Finish mill air separator- N-09, (EP04)- Finish Mill- N-12, (EP05)- Cement handling in finish mill- N-14, (EP06)- Cement storage silos- Q-25, (EP07) -Cement storage silos- Q-26 and (EP08)- Cement storage silos- Q-27

Emission Unit ID No. 006: Identifies the Cement Handling, Loading and Bagging. Emission Points are identified as follows: (EP01)-Cement silo loadout- Q-14, (EP02)- Cement silo loadout- Q-17, (EP03)-Cement silo loadout- Q-21 and (EP04)-Cement bagging operation- R-12.

Emission Unit ID No. 007: Identifies the Coal Handling and Grinding Operation. Emission points are defined as follows: (EP01)-Coal Mill- S-17, (EP02)-Pulverized coal storage bin- S-21 and fugitive emissions from the coal handing and storage operations.

This permit contains a Compliance Plan:

1. The permittee shall comply with all of the terms and conditions of air construction Permit No. AC01-267311/PSD-FL-288, issued 12/23/96, and the AC Permit modification dated ??/??/??.
2. The permit modification will authorize further work only for replacement or addition of continuous emission monitoring equipment and conversion of the precalciner to a Low NO<sub>x</sub> MSC to meet the lower nitrogen oxides emission limit as described in Table II of the original permit. Deadline date is 12/31/01.
3. VOC monitoring, pending.
4. Test Beryllium (Be) and report the results quarterly for two years, to determine compliance and to establish limits.
5. A system to burn tires must be constructed by 12/31/01.

[0010087.sob]

**Table 1-1, Summary of Air Pollutant Standards and Terms**

Florida Rock Industries, Inc.  
Newberry Cement Plant

Pre-Draft Permit No.: 0010087-002-AV  
Facility ID No.: 0010087

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. Brief Description

EU003 Kiln  
System

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour **	TPY **	lbs./hour	TPY		
Visible Emissions (Kiln)	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<10% Opacity					BACT 12/20/96 BACT 12/20/96, 40 CFR 60.62(a)(1), 40 CFR 63.1343(c)(1)	III.C.6.
Particulate Matter	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<0.20 lb/T of dry feed to Kiln & 0.31 lb/T of clinker	30.0	110.5				III.C.7.
Particulate Matter (PM10)	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<0.17 lb/T of dry feed to Kiln & 0.26 lb/T of clinker <0.28 lb/T of Clinker (24-hr ave.) May be revised to less than, at a later date.	25.5	93.93			BACT 12/20/96	III.C.8.
Sulfur Dioxide	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<3.8 lb/T of Clinker (30-day rolling ave.) for first 2 yrs after startup. After, <2.8 lb/T of Clinker	28.82	108.55			BACT 12/20/96	III.C.9.
NOx	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<3.6 lb/T of Clinker (1-hr ave.)	268.3	1,018.0			BACT 12/20/96	III.C.10.
Carbon Monoxide	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<0.12 lb/T of Clinker (1-hr ave.)	346.38	1,288.6			BACT 12/20/96	III.C.11.
VOC	Coal, Whole Tires, or No. 2 Fuel Oil	8760	Based on Stack Test Data	11.55	42.9			BACT 12/20/96	III.C.12.
Beryllium	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<0.0025 lb/T of Clinker or <0.0016 lb/T of dry feed					BACT 12/20/96	III.C.13.
SAM	Coal, Whole Tires, or No. 2 Fuel Oil	8760	<200 lb/year in all fuels and Kiln System					BACT 12/20/96	III.C.14.
Hg Compounds	Coal, Whole Tires, or No. 2 Fuel Oil	8760							III.C.36.

Notes:

\* The "Equivalent Emissions" listed are for informational purposes only.

\*\* The Kiln lb/hr and TPY rates include fuel oil combustion emissions from the raw mill air heater.

**Table 2-1, Summary of Compliance Requirements**

Florida Rock Industries, Inc.  
Newberry Cement Plant

**Pre-Draft Permit No.:** 0010087-002-AV  
**Facility ID No.:** 0010087

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

**E.U. ID No.    Brief Description**

EU007 Coal  
Grinding and  
Handling.

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS**	See permit condition(s)
Visible Emissions (EP01)		EPA Method 9	60 Minutes	24-Jul	N/A	N/A	III.G.6.
Visible Emissions (EP02)		EPA Method 9	60 Minutes	24-Jul			III.G.6.
Visible Emissions (Fugitive)					N/A	N/A	
Particulate Matter (Fugitive)		Reasonable Precautions					
TEMP		COM	Continuous		N/A	Y	III.G.7.

**Notes:**

\* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.

\*\*CMS [=] continuous monitoring system

## Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

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### Abbreviations and Acronyms:

**°F:** Degrees Fahrenheit  
**BACT:** Best Available Control Technology  
**CFR:** Code of Federal Regulations  
**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  
**ISO:** International Standards Organization  
**LAT:** Latitude  
**LONG:** Longitude  
**MMBtu:** million British thermal units  
**MW:** Megawatt  
**ORIS:** Office of Regulatory Information Systems  
**SOA:** Specific Operating Agreement  
**UTM:** Universal Transverse Mercator

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### Citations:

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

#### Code of Federal Regulations:

*Example:* [40 CFR 60.334]

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

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

*Example:* [Rule 62-213, F.A.C.]

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

**ISO:** International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers**  
**(version dated 02/05/97) (continued)**

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**Identification Numbers:**

Facility Identification (ID) Number:

*Example:* Facility ID No.: 1050221

*Where:*

105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by state database.

Permit Numbers:

*Example:* 1050221-002-AV, or  
1050221-001-AC

*Where:*

AC = Air Construction Permit  
AV = Air Operation Permit (Title V Source)  
105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by permit tracking database  
001 or 002 = 3-digit sequential project number assigned by permit tracking database

*Example:* PSD-FL-185  
PA95-01  
AC53-208321

*Where:*

PSD = Prevention of Significant Deterioration Permit  
PA = Power Plant Siting Act Permit  
AC = old Air Construction Permit numbering

## Appendix H-1, Permit History/ID Number Changes

Florida Rock Industries, Inc.  
Newberry/ Thomas S. Baker Plant

Facility ID No.: 0010087

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### Permit History (for tracking purposes):

E.U.

<u>ID No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u> <sup>1,2</sup>	<u>Revised Date(s)</u>
001-	Raw Matl. Handling & Storage,	AC01-267311/	12/23/96	12/31/99	07/30/00	
007	Raw Mill System, Kiln System, Clinker Handling, Finish Grinding, Cement Handling, loading and bagging Operations, Coal Handling and grinding Operations	PSD-FL-288				

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### (if applicable) ID Number Changes (for tracking purposes):

From: Facility ID No.: xxx

To: Facility ID No.: xxx

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### Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., allows Title V Sources to operate under existing valid permits that were in effect at the time of application until the Title V permit becomes effective}



**TABLE 297.310-1 CALIBRATION SCHEDULE**  
**(version dated 10/07/96)**

[Note: This table is referenced in Rule 62-297.310, F.A.C.]

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%

[electronic file name: 297310-1.doc]

## APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)

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Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.

2. The ports shall be capable of being sealed when not in use.

3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.

4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.

2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

(f) Electrical Power.

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.

**APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)**  
**(continued)**

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2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

**(g) Sampling Equipment Support.**

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.

a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.

b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.

c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.

2. A complete monorail or dualrail arrangement may be substituted for the eyebolt and bracket.

3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]

**Table II**  
**Allowable Emissions**  
**Florida Rock Industries**

<b>Pollutant</b>	<b>Bact Emission Limit</b>		<b>Emission Rate *</b>		<b>Basis</b>
	<b>lb/ton clinker</b>	<b>lb/ton dry feed</b>	<b>lb/hr</b>	<b>ton/yr</b>	
PM (kiln)	0.31	0.20	30.00	110.50	BACT
PM <sub>10</sub> (kiln)	0.26	0.17	25.50	93.93	BACT
PM (cooler)	0.16	0.10	14.99	55.70	BACT-NSPS
PM <sub>10</sub> (cooler)	0.13	0.09	12.71	47.34	BACT
SO <sub>2</sub> (kiln) <sup>+</sup>	0.28	0.18	28.82	108.55	BACT
NO <sub>x</sub> (kiln)**	2.80	1.80	268.30	1018.00	BACT
H <sub>2</sub> SO <sub>4</sub> (kiln)	<b>0.0025</b>	<b>0.0016</b>	<b>0.25</b>	<b>1</b>	BACT
CO (kiln)	3.60	2.30	346.38	1288.60	BACT
VOC (kiln)	0.12	0.08	11.55	42.90	BACT
Beryllium	TO BE DETERMINED BY FUTURE STACK TESTS				BACT

**Notes:**

- \* The kiln emission rate includes fuel oil combustion emissions from the raw mill air heater.
- \*\* After startup and until December 30, 2001, the kiln shall not exceed a NO<sub>x</sub> limit of 3.8 lb/ton clinker and 2.8 lb/ton clinker thereafter. The Department may revise the limit to less than 2.8 lb/ton clinker (30-day rolling average) based on compliance test and continuous emission monitoring data.
- + The Department may revise the SO<sub>2</sub> limit to 0.28 lb/ton clinker based on compliance test and continuous monitoring.

## APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99)

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

{Permitting note: APPENDIX TV-3, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

### Chapter 62-4, F.A.C.

1. ~~(Not federally enforceable)~~ General Prohibition. Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.

[Rule 62-4.030, Florida Administrative Code (F.A.C.); Section 403.087, Florida Statute (F.S.)]

2. Not federally enforceable. Procedure to Obtain Permits: Application.

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except when the application is for renewal of an air pollution operation permit at a minor facility as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this Subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application.

[Rule 62-4.050, F.A.C.]

3. Standards for Issuing or Denying Permits. Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]

4. Modification of Permit Conditions.

(1) For good cause and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee the Department may grant additional time. For the purpose of this section, good cause shall include, but not be limited to, any of the following: (also, see Condition No. 38)

- (a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.
- (b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.
- (c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.
- (e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(1), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

5. Renewals. Prior to one hundred eighty (180) days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090(1), F.A.C.]

6. Suspension and Revocation.

(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or the permit holder's agent:

- (a) Submitted false or inaccurate information in application or operational reports.
- (b) Has violated law, Department orders, rules or permit conditions.
- (c) Has failed to submit operational reports or other information required by Department rules.
- (d) Has refused lawful inspection under Section 403.091, F.S.

[Rule 62-4.100, F.A.C.]

7. 'Not federally enforceable. Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules.

[Rule 62-4.110, F.A.C.]

8. Transfer of Permits.

(1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee.

(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.

(3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.

(4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.

(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

[Rule 62-4.120, F.A.C.]

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. (also, see Condition No. 10) [Rule 62-4.130, F.A.C.]

10. For purposes of notification to the Department pursuant to Condition No. 9, Condition No. 12(8), and Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of 40 CFR 70.6(a)(3)(iii)(B), "prompt" shall have the same meaning as "immediately". [also, see Conditions Nos. 9 and 12(8)] [40 CFR 70.6(a)(3)(iii)(B)]

11. Not federally enforceable. Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

12. Permit Conditions. All permits issued by the Department shall include the following general conditions:

(1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

(2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

(3) As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

- (4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- (5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- (7) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under conditions of the permit;
  - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
  - (c) Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- (8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information: (also, see Condition No. 10)
- (a) A description of and cause of noncompliance; and,
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- (9) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the F.S. or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
- (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (14) The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) 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; and,
    - 6. the results of such analyses.
- (15) When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.
- [Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]



13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
  - 1. plant description and operations,
  - 2. types and quantities of all waste material to be generated whether liquid, gaseous or solid,
  - 3. proposed waste control facilities,
  - 4. the treatment objectives,
  - 5. the design criteria on which the control facilities are based, and,
  - 6. other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

- (c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S. and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

14. Not federally enforceable. Operation Permit for New Sources. To properly apply for an operation permit for new sources, the applicant shall submit certification that construction was completed noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

Chapters 28-106 and 62-110, F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rule 62-110.106 and Rule 62-210.350, F.A.C.

[Rules 62-110.106, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.

[Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.]

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-210, F.A.C.

18. Permits Required. The owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits.

(a) Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of this chapter, Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. Except as provided under Rule 62-213.415, F.A.C., the owner or operator of any facility seeking to create or change an air emissions bubble shall obtain an air construction permit in accordance with all the applicable provisions of this chapter, Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(b) Notwithstanding the expiration of an air construction permit, all limitations and requirements of such permit that are applicable to the design and operation of the permitted facility or emissions unit shall remain in effect until the facility or emissions unit is permanently shut down, except for any such limitation or requirement that is obsolete by its nature (such as a requirement for initial compliance testing) or any such limitation or requirement that is changed in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C. Either the applicant or the Department can propose that certain conditions be considered obsolete. Any conditions or language in an air construction permit that are included for informational purposes only, if they are transferred to the air operation permit, shall be transferred for informational purposes only and shall not become enforceable conditions unless voluntarily agreed to by the permittee or otherwise required under Department rules.

1. Except for those limitations or requirements that are obsolete, all limitations and requirements of an air construction permit shall be included and identified in any air operation permit for the facility or emissions unit. The limitations and requirements included in the air operation permit can be changed, and thereby superseded, through the issuance of an air construction permit, federally enforceable state air operation permit, federally enforceable air general permit, or Title V air operation permit; provided, however, that:

a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;

b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; and

c. Any change in a permit limitation or requirement that originates from a permit issued pursuant to 40 CFR 52.21, Rule 62-204.800(10)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under Rule 62-204.800(10)(d)2., F.A.C., 62-212.400 or 62-212.500, F.A.C., as appropriate.

2. The force and effect of any change in a permit limitation or requirement made in accordance with the provisions of Rule 62-210.300(1)(b)1. F.A.C., shall be the same as if such change were made to the original air construction permit.

3. Nothing in Rule 62-210.300(1)(b), F.A.C., shall be construed as to allow operation of a facility or emissions unit without a valid air operation permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification and demonstration of initial compliance with the conditions of the construction permit for any new or modified facility or emissions unit, or as otherwise provided in Chapter 62-210 or Chapter 62-213, the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, Chapter 62-213, and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;

2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.

3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.

a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.

b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:

- (i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and,
- (ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and,
- (iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.

c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. Not federally enforceable. Notification of Startup. The owner or operator of any emissions unit or facility which has a valid air operation permit and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

(a) The notification shall include the planned startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

20. Emissions Unit Reclassification.

(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.

**APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)**

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(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.  
[Rule 62-210.300(6), F.A.C.]

**21. Public Notice and Comment.**

**(1) Public Notice of Proposed Agency Action.**

(a) A notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-110.106, F.A.C. A public notice under Rule 62-210.350(1)(a)1., F.A.C., for an air construction permit may be combined with any required public notice under Rule 62-210.350(1)(a)2. or 3., F.A.C., for air operation permits. If such notices are combined, the public notice must comply with the requirements for both notices.

(c) Except as otherwise provided at Rules 62-210.350(2) and (5), F.A.C., each notice of intent to issue an air construction permit shall provide a 14-day period for submittal of public comments.

**(2) Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment - Area Preconstruction Review.**

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and,
3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.

(b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.

(c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.

(d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.

(e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.

(f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.

(g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.

(h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., or Rule 62-212.500, F.A.C.:

1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
  2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and,
  2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) The notice shall identify:
1. The facility;
  2. The name and address of the office at which processing of the permit occurs;
  3. The activity or activities involved in the permit action;
  4. The emissions change involved in any permit revision;
  5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;
  6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;
  7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and,
  8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rule 62-210.350, F.A.C.]

## 22. Administrative Permit Corrections.

- (1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
- (a) Typographical errors noted in the permit;
  - (b) Name, address or phone number change from that in the permit;
  - (c) A change requiring more frequent monitoring or reporting by the permittee;
  - (d) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
  - (e) Changes listed at 40 CFR 72.83(a)(11), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(d), F.A.C.; and
  - (f) Any other similar minor administrative change at the source.
- (2) Upon receipt of any such notification the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- (3) After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rule 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.
- (4) For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

**APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)**

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(5) The Department shall incorporate requirements resulting from issuance of a new or revised construction permit into an existing Title V source permit, if the construction permit or permit revision incorporates requirements of federally enforceable preconstruction review, and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

[Rule 62-210.360, F.A.C.]

**23. Reports.**

(3) Annual Operating Report for Air Pollutant Emitting Facility.

(a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.

(c) The annual operating report shall be submitted to the appropriate Department District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request.

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

24. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

25. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Forms 62-210.900(1),(3),(4) and (5), F.A.C., including instructions, are available from the Department as hard-copy documents or executable files on computer diskettes. Copies of forms (hard-copy or diskette) may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Notwithstanding the requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate, if an air permit application is submitted using the Department's electronic application form, only one copy of the diskette and signature pages is required to be submitted.

(1) Application for Air Permit - Title V Source, Form and Instructions (Effective 2-11-99).

(a) Acid Rain Part (Phase II), Form and Instructions (Effective 7-1-95).

1. Repowering Extension Plan, Form and Instructions (Effective 7-1-95).

2. New Unit Exemption, Form and Instructions (Effective 7-1-95).

3. Retired Unit Exemption, Form and Instructions (Effective 7-1-95).

4. Phase II NOx Compliance Plan, Form and Instructions (Effective 1-6-98).

5. Phase II NOx Averaging Plan, Form (Effective 1-6-98).

(b) Reserved.

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective 2-11-99).

[Rule 62-210.900, F.A.C.]

**Chapter 62-213, F.A.C.**

26. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.

[Rules 62-213.205 and 62-213.900(1), F.A.C.]

27. Annual Emissions Fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

[Rule 62-213.205(1)(g), F.A.C.]

28. Annual Emissions Fee. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.

[Rule 62-213.205(1)(j), F.A.C.]

29. Annual Emissions Fee. A completed DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by the responsible official with the annual emissions fee.

[Rule 62-213.205(1)(k), F.A.C.]

## APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

30. Air Operation Permit Fees. After December 31, 1992, no permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(4), F.A.C.]

31. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.

(1) No Title V source may operate except in compliance with Chapter 62-213, F.A.C.

(2) Except as provided in Rule 62-213.410, F.A.C., no source with a permit issued under the provisions of this chapter shall make any changes in its operation without first applying for and receiving a permit revision if the change meets any of the following:

- (a) Constitutes a modification;
- (b) Violates any applicable requirement;
- (c) Exceeds the allowable emissions of any air pollutant from any unit within the source;
- (d) Contravenes any permit term or condition for monitoring, testing, recordkeeping, reporting or of a compliance certification requirement;
- (e) Requires a case-by-case determination of an emission limitation or other standard or a source specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapters 62-212 or 62-296, F.A.C.;
- (f) Violates a permit term or condition which the source has assumed for which there is no corresponding underlying applicable requirement to which the source would otherwise be subject;
- (g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.
- (h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of "major source of air pollution" at Rule 62-210.200, F.A.C.
- (i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1),(2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;
- (j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source.
- (k) Is a request for exemption pursuant to Rule 62-214.340, F.A.C.

[Rule 62-213.400(1) & (2), F.A.C.]

32. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation in each alternative method of operation:

- (1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
- (2) Permitted sources may implement the terms or conditions of a new or revised construction permit if;
  - (a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;
  - (b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.; and,
  - (c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(1), F.A.C.;
- (3) A permitted source may implement operating changes after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
  - (a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
  - (b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
- (4) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.

[Rule 62-213.410, F.A.C.]

33. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to 42 USC 7412(a) or to 40 CFR 52.01, 60.2, or 61.15, adopted and incorporated by reference at Rule 62-204.800, F.A.C., may implement such change prior to final issuance of a permit revision in accordance with this section, provided the change:

- (a) Does not violate any applicable requirement;
- (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;

- (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
  - (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.
- (2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.
- (3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action until all the requirements of Rule 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.
- (4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit.
- (5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.
- (6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.
- [Rule 62-213.412, F.A.C.]

34. Permit Applications.

- (1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, 62-4.050(1) & (2), and 62-210.900, F.A.C.
- (a) Timely Application.
    - 3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.
  - (b) Complete Application.
    - 1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.
    - 2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4. F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.



**APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)**

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3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

35. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. (also, see Condition No. 50.)  
[Rule 62-213.420(2), F.A.C.]

36. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.  
[Rule 62-213.420(3), F.A.C.]

37. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.  
[Rule 62-213.420(4), F.A.C.]

38. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes subject to any condition listed at 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause. (also, see Condition No. 4)

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

(i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).

(ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(m), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if:

1. Such unit or activity would be subject to no unit-specific applicable requirement;
2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s); and
3. Such unit or activity would not emit or have the potential to emit:
  - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
  - b. 1,000 pounds per year or more of any hazardous air pollutant;
  - c. 2,500 pounds per year or more of total hazardous air pollutants; or
  - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

40. Permit Duration. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five (5) years.

[Rule 62-213.440(1)(a), F.A.C.]

**APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)**

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41. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.  
[Rule 62-213.440(1)(b)2.a., F.A.C.]

42. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
[Rule 62-213.440(1)(b)2.b., F.A.C.]

43. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.  
[Rule 62-213.440(1)(b)3.a., F.A.C.]

44. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., any deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.  
[Rule 62-213.440(1)(b)3.b., F.A.C.]

45. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.  
[Rule 62-213.440(1)(b)3.c., F.A.C.]

46. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.  
[Rule 62-213.440(1)(d)1., F.A.C.]

47. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity.  
[Rule 62-213.440(1)(d)3., F.A.C.]

48. A Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.  
[Rule 62-213.440(1)(d)4., F.A.C.]

49. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.  
[Rule 62-213.440(1)(d)5., F.A.C.]

50. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C. (also, see Condition No. 35.)  
[Rule 62-213.440(1)(d)6., F.A.C.]

51. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statements shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. Such statements shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C. The statement of compliance shall include all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C.

o 40 CFR 70.6(c)(5)(iii). The compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

(A) The identification of each term or condition of the permit that is the basis of the certification;

(B) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required under 40 CFR 70.6(a)(3). If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information;

(C) The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in paragraph (c)(5)(iii)(B) of this section. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under part 64 of this chapter occurred; and

(D) Such other facts as the permitting authority may require to determine the compliance status of the source.

The statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C. The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.

[Rule 62-213.440(3), F.A.C.]

52. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall be deemed compliance with any applicable requirements in effect as of the date of permit issuance, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.

{Permitting note: The permit shield is not in effect until the effective date of the permit.}

[Rule 62-213.460, F.A.C.]

53. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee (AEF) Form.

[Rule 62-213.900(1), F.A.C.]

#### Chapter 62-256, F.A.C.

54. Not federally enforceable. Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.

[Chapter 62-256, F.A.C.]

#### Chapter 62-281, F.A.C.

55. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

(1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;

- (2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
- (3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
- (4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.  
[40 CFR 82; and, Chapter 62-281, F.A.C. (Chapter 62-281, F.A.C., is not federally enforceable)]

Chapter 62-296, F.A.C.

56. Industrial, Commercial, and Municipal Open Burning Prohibited. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or
- (b) An emergency exists which requires immediate action to protect human health and safety; or
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

58. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any emissions unit whatsoever, including, but not limited to, 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 emission.

3. Reasonable precautions may include, but shall not be limited to 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 emissions units.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the emissions unit 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.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

[electronic file name: tv-3.doc]

# FIGURE 1--SUMMARY REPORT--GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE (version dated 7/96)

[Note: This form is referenced in 40 CFR 60.7, Subpart A-General Provisions]

Pollutant (Circle One): SO<sub>2</sub> NO<sub>x</sub> TRS H<sub>2</sub>S CO Opacity

Reporting period dates: From \_\_\_\_\_ to \_\_\_\_\_

Company: \_\_\_\_\_

Emission Limitation: \_\_\_\_\_

Address: \_\_\_\_\_

Monitor Manufacturer: \_\_\_\_\_

Model No.: \_\_\_\_\_

Date of Latest CMS Certification or Audit: \_\_\_\_\_

Process Unit(s) Description: \_\_\_\_\_

Total source operating time in reporting period <sup>1</sup>: \_\_\_\_\_

Emission data summary <sup>1</sup>	CMS performance summary <sup>1</sup>
1. Duration of excess emissions in reporting period due to:	1. CMS downtime in reporting period due to:
a. Startup/shutdown .....	a. Monitor equipment malfunctions .....
b. Control equipment problems .....	b. Non-Monitor equipment malfunctions .....
c. Process problems .....	c. Quality assurance calibration .....
d. Other known causes .....	d. Other known causes .....
e. Unknown causes .....	e. Unknown causes .....
2. Total duration of excess emissions .....	2. Total CMS Downtime .....
3. Total duration of excess emissions x (100) / [Total source operating time] ..... % <sup>2</sup>	3. [Total CMS Downtime] x (100) / [Total source operating time] ..... % <sup>2</sup>

<sup>1</sup> For opacity, record all times in minutes. For gases, record all times in hours.

<sup>2</sup> For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in 40 CFR 60.7(c) shall be submitted.

*Note: On a separate page, describe any changes since last quarter in CMS, process or controls.*

I certify that the information contained in this report is true, accurate, and complete.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_