

Florida Department of Environmental Protection 3900 Commonwealth Blvd. MS49 Tallahassee, FL. 32399

Dear Sirs:

Attached is our company's Part 1 Permit application for the development of maximum achievable Control technology (M.A.C.T.) standards.

Please contact me should you have any questions.

Sincerely,

Richard Hewitt,/III

President

cc: Environmental Protection Agency

RECEIVED

MAY 16 2002

BUREAU OF AIR REGULATION



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Section	112(j) Part 1 PERMI	T APPLICATION	State Color	/FD
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9. NAME & TITLE OF RESPONSIBLE OFFICIALY	DATE:	2 2022		ER: (Include Area Code)
I certify that based of information and belief formed a constitutes a good faith effort to provide full disclosure	fler reasonable inquiry, the statemen	7. 2002 ne and information in this sub- is at this facility that may reaso	nittal are true, accurate	and complete. This submitted
requirement.		TITLE: FREST	A.	
10. CONTACT PERSON NAME: (If different than no	eme in item 9)		PHONE NUME	SSR: (Include Area Code)
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This Part 1 application package was developed as 8 service to members of the Alliance of Automobile Manufacturers for their use in submitting information of States and the Q. S. Equivants and Provided Agency once oning facilities that may be subject to a delayed MACT standard, pursuant to EPA 1 172() regulators (40 C.P.R. §63 Subpart B). Alliance maintains informations in the formation of part as they dearn appropriate. Applicants are fine to letter this form to meet their individual needs and any specific state regularisms. The letter provided in the permit application. The Alliance and to contractors are not reoperated for use of these forms to contract the permit application. The Alliance and to contractors are not reoperated for use of these forms to contractors.

BUREAU OF AIR REGULATION

BABLE 1: TITLE V EMISSION UNITS POTENTIALLY SUBJECT TO 112(j)

EMISSION UNIT ID	EMISSION UNIT DESCRIPTION	POTENTIAL NIACT	IS THERE A 112(j)	HAS A MACT	REQUEST AN
(FROM TITLE V PERMIT -	(FROM TITLE V PERMIT OR	SOURCE CATEGORY	MACT SOURCE	STANDARD BEEN	APPLICABILITY
OR APPLICATION)	APPLICATION)	THAT IS SUBJECT TO	CATEGORY	PROPOSED FOR	DETERMINATION?
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This list of Emission Units conforms to the list of Emission Units under the Title V Permit, Draft Title V Permit, Proposed Title V Permit, or the Title V application for this facility. There may be emission on its within the facility which are insignificant emission units, or do not have any associated applicable requirements, or are otherwise exempt from being listed as emission units under TitleV. (herein effected to as "de minimis units"). These de minimis units have been disclosed to the Agency during the Title V process and may even be listed in Staff Activity Reports or similar documents. These de vinimis units are not listed in this table if the applicant has reasonably determined that these de minimis units do not fall under any listed source categories subject to Section 112() requirements. The applicant does not intend to take any further action on behalf of these de minimis units nuless the Agency notifies the Applicant atherwise, in a timely fushion, consistent with the time-frames associated with a pplicability determinations.

This source category was selected based upon reasonable belief that the listed emission naits may fall into the listed source category. Since there are no final rules defining the applicability of the apcoming the MACT standards, this is a tentative determination made by the Applicant based on information available of the time of submittal of this form. For those emission units which may reasonably be determined to a tay an applicable source category, a Part 2 application will be submitted valess the Applicant otherwise.

This column addresses standards that have been proposed up to the date of this submittal. (Please note that some pending MACT standards will be proposed after this Part 1 application is due.)

For those emission units where the "YES" box is checked in this column, the Applicant specifically requests that an applicability determination be made by the Agency in a timely fashion. The Applicant will observe action regarding submittal of a Part 2 application for these emission units until the Agency affirmatively dotifies the Applicant that such a submittal is required.

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Richard Hewitt, Ill

President

Sincerely,

cc: Environmental Protection Agency



The first sentence of 60.58c(d) sets the base date for the periodic reporting as the date of submittal of "the information in paragraph (c) of this section." Paragraph (c) deals with reporting the results of the initial stack tests confirming that the modifications to the incinerator enable it to operate within the emission limitations of the subpart. Thus, the timing of subsequent reports is predicated on the submittal date of the initial stack test report.

Most of the confusion arises from the first paragraph in the box above. It starts out by defining an "annual report," then states that it is to be submitted semiannually for Title V facilities, and then refers to it again as the "annual report" in the last sentence when it defines what is to be included. Since, as far as I have been able to determine, all of our HMIWI in Florida permitted under this subpart are at Title V facilities, this will be a semiannual report for our purposes; but the subpart persists in calling it an annual report. The picture is further confused by the next paragraph in the subpart, quoted below.

60.58c(e) The owner or operator of an affected facility shall submit semiannual reports containing any information recorded under paragraphs (b)(3) through (b)(5) of this section no later than 60 days following the reporting period. The first semiannual reporting period ends 6 months following the submission of information in paragraph (c) of this section. Subsequent reports shall be submitted no later than 6 calendar months following the previous report. All reports shall be signed by the facilities manager.

This paragraph adds confusion by defining a "semiannual report" after telling Title V operators that they must submit the "annual report" semiannually. Note that the information required by 60.58c(e) duplicates the requirement in 60.58c(d)(4).

THE BOTTOM LINE—WHAT AND WHEN DO THEY REALLY NEED TO REPORT?: Six months after the submittal of the initial test report and every six months thereafter, Title V facilities with HMIWI permitted under Subpart Ce should submit reports containing the information listed in paragraphs 60.58c(d)(1) through 60.58c(d)(8). The semiannual timing for Title V purposes overrides the annual timing specified for the more general case. They do not need to submit another report as outlined in paragraph 60.58c(e), since all of those elements are a subset of the requirements of 60.58c(d). One final consideration: all reports from Title V facilities must be signed by the Responsible Official, who is not necessarily the facility manager.

Joe Cox, Engineer III Southwest District (813) 744-6100, ext 129 SUNCOM 512-1042, ext 129

Best Available Copy Section 112(j) Part 1 PERMIT APPLICATION & APPLICABILITY DETERMINATION

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SIGNATURE: TITLE: PICE:	constitutes a good faith effort to provide full disclosure and r	notification of the emission units	at this facility that may read	onably be determined t	o be subject to a Section 112(j)
	usdnikeuraur.		Ro-		
10. CONTACT PERSONS (If diseased than taking a field a)	The second secon	itom D)	TITLE: JOCCO	L SUOMS MILIU	DED: Illustrato Arma Code)
	10. CONTACT PERSON INVESTIGATION IN	tien aj		. HONE NUM	mente (simene tales entit)
E-MAIL ADDRESS:	MJ.			F-MAII ADDS	PESS:
The state of the state of the Control					
The Port 1 application package was developed as a service to members of the Alignes of Automobile Manufacturers for their use in submitting estimated at Status and the U. 4. Environmental Protect Agency of accounting figurations for their many by subject to a delayed MACT standard, pursuant to 864's 117(f) regulations (40 C.F.R. 583 Subpart 8). Aligness members and non-members are fire to use the f	The Port 1 application prokens was developed as a service to man	mbers of the Alliance of Automobile	Manufacturary for their use in su	omiting examined to Sta	les and the U. A. Environmental Protection

TITLE V EMISSION UNITS POTENTIALLY SUBJECT TO 112(j)

EMISSION UNIT (FROM TITLE V PER OR APPLICATION	KMIT - Vj	emission unit description (From Title V Permit or Application)	POTENTIAL ALACT SOURCE CATEGORY THAT IS SUBJECT TO 112(j)	IS THERE A H2(j) MACT SOURCE CATEGORY APPLICABLE TO THE EMISSION UNIT?	HAS A MACT STANDARD BEEN PROPOSED FOR THIS CATECORY?	REQUEST AN APPLICABILITY DETERMINATION
Painting of Assert	abler	point Booth (Licencep)	SELECT A SOURCE CATEGORY PLASTIC PACTS CUSTING MACT	YES D NO D UNKNOWN D	YES UNKNOWN D	YES O
HUIL/BOK/LINE ASSUMBLY AREA	R	Assembly RREP	PLASTIC FARTS CONTING MART	YES ☐ NO ☐ UNKNOWN ☑	YES	YES P
			SELECT A SOURCE CATEGORY	YES-	YES NO UNKNOWN	YES
		•	SELECT A SOURCE CATEGORY	YES	YES	YES
			SFLECT A SOURCE CATEGORY	YES DO DINKNOWN DO	YES UNKNOWN UNKNOWN	YES 🔲
			SELECT A SOURCE CATEGORY	nuknown	YES	YES
			SELECT A SOURCE CATEGORY	YES DINKNOWN DINKNOWN	YES UNKNOWN U	YES D
			SELECT A SOURCE CATEGORY	YES D NO D UNKNOWN D	AO	YES NO

This list of Emission Units conforms to the list of Emission Units under the Tide V Peruit, Draft Title V Permit, Proposed Title V Permit, or the Title V application for this facility. There may be emission I mits within the facility which are justigatificant emission units, or do not have any associated applicable vegainements, or are otherwise exempt from being listed as emission units under Title). (herein eferred to as "se minimis unit"). These de minimis units have been disclosed to the Agency during the Title V process and may even be listed in Staff Activity Reports or similar documents. Three do viainis mits are not listed in this tuble if the applicant has reasonably determined that these de minimis units do not fall under any listed source categories subject to Section 182(j) requirements. The pplicant does not intend to take any further action on behalf of these de criminia wais naters, the Agency notifies the Applicant atherwise, in a timely fashion, consistent with the time-frames associated with policability determinations.

NACT standards, this is a tensative determination made by the Applicant bused on information waits stay fall into the listed source category. Since there are no final rates defining the applicability of the apcoming to under an applicable course entering an applicable course entering a Part 2 application will be submitted wites the Agency notifies the Applicant authention underwise. This source category was relacted based upon reasonable helief that the listed emission maits sany fall into the listed source category. Since there are no final rates defining the applicability of the apcoming

This column addresses standards that have been proposed up to the date of this submittal. (Please note that some penting MACT standards will be proposed after this Part 1 application is due.)

For thme emission units where the "YES" box is checked in this column, the Applicant specifically requests that an applicability determination be made by the Agency in a timely fashion. The Applicant will whe no forther action regarding submitted of a Part 3 application for these emission units until the Agency affirmatority doctions the Applicant that such a submitted is required.

Assigned to: Air Resource Management

09: 03 DEPARTMENT OF ENVIRONMENTAL PROTECTION Office of the Secretary Correspondence Control

Correspond Number Date Received

EO-09346

05/14/02

Name: Richard Hewitt, III

Organization; Sonic USA, Inc.

Address: 3600 North 29th Avenue City/State/Zip: Hollywood, FL 33020

County: Broward Phone: 954-922-5535

Instructions: Handle Appropriately

Division/District Director to handle as deemed appropriate. No need to report response to OMB.

Assigned by Joni Scott, Office of Ombudsman 850/921-1222, SC 291-1222, Fax: 850/487-3267, Email: joni.scott@dep.state.fl.us

If there are any concerns with assignment, due date, etc., the OMB analyst listed above should be contacted immediately.

FOX: 922-6979

yesterday. They fax appl. today as today is the deadline for submitting these. I called way Phillips to let her know this was on the way We received the letter what attachments

CLARIFICATION OF PERIODIC REPORTING REQUIREMENTS FOR HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI) REGULATED UNDER 40 CFR 60, SUBPART Ce

A consultant for one of the hospitals in the Southwest District requested clarification of reporting requirements for a HMIWI regulated under Subpart Ce. In addition to reading the subpart and attempting to decipher its meaning myself, I consulted John Glunn. When he and I had reached agreement as to what we thought it meant, John suggested I check with EPA's expert on the matter—Rick Copeland, (919) 541-5265. Rick agreed with the interpretation John and I had come to, so I believe we are on solid ground when we tell operators what they need to report and when.

The confusion arises from terms used and instructions given in 40 CFR 60.58c. I have extracted the relevant paragraphs below and follow them with discussion of the confusion and the conclusion reached in consultation with John Glunn and Rick Copeland. To avoid any confusion over what is extracted from 40 CFR 60 and what is my writing, I will use a different type face for the extraction and enclose it in a box.

60.58c(d) An annual report shall be submitted 1 year following the submission of the information in paragraph (c) of this section and subsequent reports shall be submitted no more than 12 months following the previous report (once the unit is subject to permitting requirements under Title V of the Clean Air Act, the owner or operator of an affected facility must submit these reports semiannually). The annual report shall include the information specified in paragraphs (d)(1) through (d)(8) of this section. All reports shall be signed by the facilities manager.

- (1) The values for the site-specific operating parameters established pursuant to § 60.56c(d)or(i), as applicable.
- (2) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter recorded for the calendar year being reported, pursuant to § 60.56c(d)or(i), as applicable.
- (3) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable for each operating parameter recorded pursuant to § 60.56c(d)or(i) for the calendar year preceding the year being reported, in order to provide the Administrator with a summary of the performance of the affected facility over a 2-year period.
- (4) Any information recorded under paragraphs (b)(3) through (b)(5) of this section for the calendar year being reported.
- (5) Any information recorded under paragraphs (b)(3) through (b)(5) of this section for the calendar year preceding the year being reported, in order to provide the Administrator with a summary of the performance of the affected facility over a 2-year period.
- (6) If a performance test was conducted during the reporting period, the results of that test.
- (7) If no exceedances or malfunctions were reported under paragraphs (b)(3) through (b)(5) of this section for the calendar year being reported, a statement that no exceedances occurred during the reporting period.
- (8) Any use of the bypass stack, the duration, reason for malfunction, and corrective action taken.



Department of Environmental Protection

Jeb Bush Governor Marjory Stoneman Douglas Building 3900 Commonwealth Boulevard Tallahassee, Florida 32399-3000

David B. Struhs Secretary

June 12, 2002

Mr. Richard Hewitt, III President Sonic USA, Inc. 3600 North 29th Avenue Hollywood, Florida 33020

Re: Request for Determination of MACT Applicability

Dear Mr. Hewitt

In response to your information received May 15, 2002 which requests that the Department make a determination of MACT applicability for your plant, I have attached Chapter 28-105, F.A.C., Declaratory Statements, which specifies the procedure that you must follow in order for us to comply with your request.

The Department's Agency Clerk is Kathy Carter. Her address is:

Kathy Carter, Agency Clerk Florida Department of Environmental Protection MS 35 3900 Commonwealth Boulevard Tallahassee FL 32399-3000

dy L. Phillips

Thank you for submitting the 112(j) notification information. Your information submittal appears to meet our current 112(j) requirements.

Please be aware that, although your letter refers to this information submittal as a "Part 1 Permit application," the Department does not recognize your submittal as a state permit application and has no plans to process it as such.

No further 112(j) information is needed from you at this time. If you have any questions, concerning this matter, please contact me at 850/921-9534.

Sincerely,

Cindy L. Phillips, P.E. Bureau of Air Regulation

attachment

CHAPTER 28-105, F.A.C.

DECLARATORY STATEMENTS

28-105.001 Purpose and Use of Declaratory Statement.

A declaratory statement is a means for resolving a controversy or answering questions or doubts concerning the applicability of statutory provisions, rules, or orders over which the agency has authority. A petition for declaratory statement may be used only to resolve questions or doubts as to how the statutes, rules, or orders may apply to the petitioner's particular circumstances. A declaratory statement is not the appropriate means for determining the conduct of another person or for obtaining a policy statement of general applicability from an agency. A petition for declaratory statement must describe the potential impact of statutes, rules, or orders upon the petitioner's interests.

28-105.002 The Petition.

A petition seeking a declaratory statement shall be filed with the clerk of agency that has the authority to interpret the statute, rule, or order at issue and shall provide the following information:

(1) The caption shall read:

Petition for Declaratory Statement

Before (Name of Agency)

- (2) The name, address, telephone number, and any facsimile number of the petitioner.
- (3) The name, address, telephone number, and any facsimile number of the attorney or qualified representative (if any) of the petitioner.
- (4) The statutory provision(s), agency rule(s), or agency order(s) on which the declaratory statement is sought.
- (5) A description of how the statutes, rules, or orders may substantially affect the petitioner in the petitioner's particular set of circumstances.
- (6) The signature of the petitioner or of the petitioner's attorney or qualified representative.
- (7) The date.

28-105.003 Agency Disposition.

The agency may hold a hearing to consider a petition for declaratory statement. If the agency is headed by a collegial body, it shall take action on a petition for declaratory statement only at a duly noticed public meeting. If a hearing is held, it shall be conducted in accordance with Sections 120.569 and 120.57(2), F.S. The agency may rely on the statements of fact set out in the petition without taking any position with regard to the validity of the facts. Within 90 days of the filing of the petition, the agency shall render a final order denying the petition or issuing a declaratory statement.