Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

PROPOSED Permit Electronic Posting Courtesy Notification

Florida Crushed Stone Company
Brooksville Cement, Lime and Power Plants
Facility ID No.: 0530021
Hernando County

Initial Title V Air Operation Permit
PROPOSED Permit No.: 0530021-002-AV

The electronic version of the PROPOSED permit was posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review on August 24, 2000.

USEPA's review period ends on the 45th day after the permit posting date. Day 45 is October 7, 2000. If an objection (veto) is received from USEPA, the permitting authority will provide a copy of the objection to the applicant.

Provided an objection is not received from USEPA, the PROPOSED permit will become a FINAL permit by operation of law on the 55th day after the permit posting date. Day 55 is October 17, 2000.

The web site address is http://www2.dep.state.fl.us/air.

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

August 24, 2000

CERTIFIED MAIL - Return Receipt Requested

Mr. Pat Venable, REM
Environmental Manager
Florida Crushed Stone Company
Post Office Box 1508
Brooksville, Florida 34605-1508

Re: PROPOSED Title V Permit No.: 0530021-002-AV
Florida Crushed Stone Company
Brooksville Cement, Lime and Power Plants

Dear Mr. Venable:

One copy of the "PROPOSED PERMIT DETERMINATION" for the Florida Crushed Stone Company's Brooksville Cement, Lime and Power Plants located off Cobb Road 2 miles Northwest of Brooksville, Brooksville, Hernando County, is enclosed. This letter is only a courtesy to inform you that the DRAFT permit has become a PROPOSED permit.

An electronic version of this determination has been posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is *http://www2.dep.state.fl.us/air*.

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED permit is made by the USEPA within 45 days, the PROPOSED permit will become a FINAL permit no later than 55 days after the date on which the PROPOSED permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED permit, the FINAL permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Mr. Bruce Mitchell at 850/921-9506.

Sincerely,

for C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/bm

Enclosures

copy furnished to:
Mr. Bill Thomas, SWD
Mr. Doug Beason, Esq., DEP
Mr. Jake Varn, Esq., FW
Mr. Steve Cullen, P.E., K&A
Ms. Dawn Durham, HCPD
USEPA, Region 4 (INTERNET E-mail Memorandum)

8/25/00
cc: Reading file, Bruce Mitchell

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Pat Venable, REM
Environmental Manager
Florida Crushed Stone
Company
Post Office Box 1508
Brooksville, Florida
34605-1508

4a. Article Number
Z 333 638 229

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
8-28-00

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X Mary Rook

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 333 638 229

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail *(See reverse)*

Sent to Mr. Pat Venable, REM	
Street & Number Post Office Box 1508	
Post Office, State, & ZIP Code Brooksville, FL 34605-1508	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$
Postmark or Date 8/25/00 PROPOSED Title V Permit No.:0530021-002-AV	

PS Form **3800**, April 1995

STATEMENT OF BASIS

Florida Crushed Stone Company
Brooksville Cement, Lime and Power Plants
Facility ID No.: 0530021
Hernando County

Initial Title V Air Operation Permit
PROPOSED Permit No.: 0530021-002-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, 62-213, and 62-214. 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 facility is an integrated facility that includes a Portland cement manufacturing plant, a power plant, a lime manufacturing plant, and a coal yard. The power boiler is a coal fired unit that is allowed to generate a net delivered 150 MW. The cement kiln I, in-line kiln/raw mill and clinker cooler I share a common baghouse fabric filter system (for particulate matter emissions control) and stack with the power plant; and, dry limestone injection is used to control SO_2 emissions from the power boiler, which is then collected in the common baghouse fabric filter system. Waste heat from the kiln is used to provide heat to the raw mill and the kiln preheater, which is used to drive off moisture from the materials used for making clinker. All of the materials handling activities are controlled by fabric filter baghouse control systems, except for the Clinker Receiving/Handling System and the coal yard activities. For the Clinker Receiving/Handling System, the fugitive particulate matter emissions generated from the transfer of clinker from the receiving hopper to the belt conveyor are controlled using a Johnson-Marsh Dust Suppressant system, which uses a non-ionic wetting agent to enhance the wettability of the clinker. Water sprays or chemical wetting agents and stabilizers will be used at the coal receiving area, the coal storage area, and the coal transfer system to control fugitive particulate matter emissions and minimize visible emission. All fly ash handling systems (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters.

Brooksville Cement Plant I:

The following emissions units are regulated under Rule 62-297.620(4), F.A.C., Exceptions and Approval of Alternate Procedures and Requirements; Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; 40 CFR 60, Subpart F, Standards of Performance for Portland Cement Plants, adopted in Rule 62-204.800, F.A.C.; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.

Filter Dust Bin with Baghouse. This emissions unit is a storage bin for fines (dust). The particulate matter (PM) emissions from the materials being transferred are controlled by a low temperature baghouse fabric filter system. The stack height is 125 feet, with an exit diameter of 2.0 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 6,800 acfm; and, the maximum dry standard flow rate is 6,686 dscfm.

Fly Ash/Equilibrium Catalyst Bin with Baghouse. This emissions unit is a storage bin for fly ash/equilibrium catalyst. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 125 feet, with an exit diameter of 2.0 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 4,200 acfm; and, the maximum dry standard flow rate is 4,130 dscfm.

Raw Meal Transfer with Baghouse. This emissions unit is an activity of raw meal being transferred from the storage bins to the raw mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 70 feet, with an exit diameter of 1.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 1,200 acfm; and, the maximum dry standard flow rate is 970 dscfm.

Brooksville Cement, Lime and Power Plants Two Blend Storage Silos with Baghouse. This emissions unit is two storage silos for the raw meal being transferred from the raw mill. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 240 feet, with an exit diameter of 3.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 17,000 acfm; and, the maximum dry standard flow rate is 13,745 dscfm.

Kiln Feed Surge Bin with Baghouse. This emissions unit is an activity of materials being pre-heated in the pre-heater and transferred to the kiln. The PM emissions are controlled by a medium temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 2.0 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 6,000 acfm; and, the maximum dry standard flow rate is 4,704 dscfm.

Clinker Storage Silo and Finish Mill Storage Silo with Baghouse. This emissions unit is an activity of clinker being transferred to the finish mill. The PM emissions are controlled by a single medium temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 1.5 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 2,600 acfm; and, the maximum dry standard flow rate is 2,038 dscfm.

Gypsum and Limestone Bins with Baghouse. This emissions unit is an activity of gypsum and limestone being stored and transferred. The PM emissions are controlled by a single medium temperature baghouse fabric filter system. The stack height is 135 feet, with an exit diameter of 1.5 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 5,000 acfm; and, the maximum dry standard flow rate is 3,920 dscfm.

Silo Discharge with Baghouse. This emissions unit is an activity of clinker, gypsum or limestone being transferred from their silos. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 135 feet, with an exit diameter of 2.5 feet and an exit temperature of 100 °F. The actual volumetric flow rate is 9,000 acfm; and, the maximum dry standard flow rate is 8,316 dscfm.

Finish Mill with Baghouse. This emissions unit combines clinker and gypsum to form cement. The PM emissions are controlled by a medium temperature baghouse fabric filter system. The stack height is 70 feet, with an exit diameter of 5.0 feet and an exit temperature of 210 °F. The actual volumetric flow rate is 40,000 acfm; and, the maximum dry standard flow rate is 30,892 dscfm.

Cement Storage Silos #1 & #2 Discharge System with Baghouse. This emissions unit activity is the unloading of cement from the two storage silos. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 1.5 feet and an exit temperature of 160 °F. The actual volumetric flow rate is 3,200 acfm; and, the maximum dry standard flow rate is 2,671 dscfm.

Cement Storage Silos #1 & #2 with Baghouse. These emissions units are an activity of cement being pneumatically transferred to two storage silos from the finish mill. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 2.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 7,400 acfm; and, the maximum dry standard flow rate is 5,983 dscfm.

Iron Ore Bin with Baghouse. This emissions unit is an activity of iron ore being stored in a bin. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 51 feet, with an exit diameter of 1.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 3,600 acfm; and, the maximum dry standard flow rate is 2,911 dscfm.

Finish Mill Feed Belt with Baghouse. This emissions unit is an activity of transferring clinker, gypsum or limestone to the finish mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 29 feet, with an exit diameter of 2.0 feet and an exit temperature of 85 °F. The actual volumetric flow rate is 9,000 acfm; and, the maximum dry standard flow rate is 8,820 dscfm.

Cement Storage Silo #3 Discharge System with Baghouse. This emissions unit was used for the unloading of lime. Now, this emissions unit is used for the unloading of cement from a storage silo. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 1.5 feet and an exit temperature of 160 °F. The actual volumetric flow rate is 10,000 acfm.

Cement Storage Silo #3 with Baghouse. This emissions unit was used for the storage of lime. Now, this emissions unit is an activity of cement being pneumatically transferred to a silo from the finish mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 2.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 5,300 acfm.

Cement Storage Silo #4 and Truck Loadout System with Baghouse. This emissions unit is an activity of cement being pneumatically transferred to the silo from the finish mill and cement loaded into trucks. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 75 feet, with an exit diameter of 0.8 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 860 acfm; and, the maximum dry standard flow rate is 829 dscfm.

Cement Storage Silo and Railcar Loadout System with Baghouses. This emissions unit is an activity of cement being pneumatically transferred to the railcar silo from cement storage silos #1, #2, and #3. The PM emissions are controlled by two low temperature baghouse fabric filter systems. One stack height is 80 feet, with an exit diameter of 1.5 feet and an exit temperature of 77 °F, actual volumetric flow rate is 6,000 acfm and, the maximum dry standard flow rate is 5,899 dscfm; and, the other (Z-18) stack height is 10 feet, with an exit diameter of 0.5 feet and an exit temperature of 77 °F, actual volumetric flow rate is 500 acfm and, the maximum dry standard flow rate is 490 dscfm.

Brooksville Cement Plant I: (cont.)

Clinker Receiving/Handling System. This emissions unit is an integrated system for handling clinker that includes a below-grade truck unloading hopper, a belt conveyor, and a deep-bucket conveyor. The fugitive particulate matter emissions generated from the transfer of clinker from the receiving hopper to the belt conveyor are controlled using a Johnson-Marsh Dust Suppressant system, which uses a non-ionic wetting agent to enhance the wettability of the clinker. This emissions unit is regulated under Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; 40 CFR 60, Subpart F, Standards of Performance for Portland Cement Plants, adopted in Rule 62-204.800, F.A.C.; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.

Cement Kiln I, In-Line Kiln/Raw Mill and Clinker Cooler I with Baghouse. The cement plant is designed for 1800 tons/day of cement clinker product. Electrical power and heat is supplied by a 150 MW power plant (Brooksville Power Plant: Central Power & Lime). The cement kiln I, clinker cooler I and raw mill share a common baghouse fabric filter system (for particulate matter emissions control) and stack with the power plant. Waste heat from the kiln is used to provide heat to the raw mill and the kiln preheater, which is used to drive off moisture from the materials used for making clinker. The movement of raw materials, recycled materials, and product will be through enclosed transfer systems. All gas streams from the various transfer systems will vent through a baghouse system into the ambient air. The existing site is zoned for mining, so limestone and clay used in the production of cement will be supplied on site. The kiln is allowed to fire bituminous coal, distillate and residual fuel oil, on-specification used oil, and shredded and whole tires. Continuous monitors are operated for opacity, NOx, SO_2, and O_2; in addition, a flow monitor is required in association with the NOx CEM. The stack height is 300 feet, with an exit diameter of 16.0 feet and an exit temperature of 220° F. The actual volumetric flow rate is 577,700 acfm; and, the maximum dry standard flow rate is 376,796 dscfm. This emissions unit activity is regulated under Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091, -091A, B, C & D) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; 40 CFR 60, Subpart F, Standards of

Performance for Portland Cement Plants, adopted in Rule 62-204.800, F.A.C.; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.

Brooksville Lime Plant/Chemical Lime, Inc.:

The following emissions units were permitted under Rule 62-210.300, F.A.C., Permits Required, and Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD-FL-090 & PSD-FL-091); and, Power Plant Siting: PA 82-17.

Lime Hydrator Operation. An atmospheric hydrator receives quicklime and hydrates it with water. Particulate matter emissions are controlled using a KVC Cyclone and an American Alloy Contact Scrubber.

Lime Bagging Operation. This emissions unit/operation is an integrated system for handling lime, including a transfer conveyor for lime storage, a screw conveyor, an elevator and a bagging station. Particulate matter emissions from the operation are controlled using a low temperature fabric filter (W. W. Sly Company Type 360 56-Bag Baghouse). The baghouse system is rated at 3,972 acfm.

Bulk Truck Loadout Operation. This emissions unit/operation is for loading tanker trucks from Loadout Bins No. 3 (cyclone kiln dust), No. 4 (pulverized quicklime), and No. 5 (hydrated lime). Particulate matter emissions are controlled using a low temperature fabric filter [Seneca 25 IM Baghouse (Loadout Baghouse #3)], which includes three (3) Superior XP "EZView" Loading Spouts. The baghouse system is rated at 960 acfm.

Quicklime Receiving and Storage Silo Operation. This emissions unit receives quicklime pneumatically from tanker trucks and stores the material prior to going to the lime hydrator. Particulate matter emissions from the operation are controlled using a low temperature fabric filter baghouse system. The stack height is 50 feet; diameter is 1.5 feet; exit temperature is 77 °F; actual flow rate is 23,000 acfm; and, dry standard volumetric flow rate is 22,200 dscfm.

Brooksville Power Plant/Central Power & Lime, Inc.:

The following emissions units are regulated under Rule 62-297.620(4), F.A.C., Exceptions and Approval of Alternate Procedures and Requirements; Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-090 and PSD-FL-091) and Best Available Control Technology (BACT), respectively; and, Power Plant Siting: PA 82-17.

Limestone Rock Bin with Baghouse. This emissions unit is a storage bin for limestone rock. The particulate matter (PM) emissions from the materials being stored are controlled by a low temperature baghouse fabric filter system. The stack height is 100 feet, with an exit diameter of 2.5 feet and an exit temperature of 70 °F. The actual volumetric flow rate is 10,500 acfm.

Contaminated Fly Ash & Filter Dust Bin with Baghouse. This emissions unit is a storage bin for contaminated fly ash and filtered dust. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 1.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 11,000 acfm.

Limestone Screening System with Baghouse. This emissions unit is the operation of the limestone screening system to size limestone. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 30 feet, with an exit diameter of 2.0 feet and an exit temperature of 150 °F. The actual volumetric flow rate is 3,000 acfm.

Limestone Fines Storage Bin with Baghouse. This emissions unit is the operation of a storage bin for dried limestone fines for the cement plant. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 150 feet, with an exit diameter of 3.5 feet and an exit temperature of 100 °F. The actual volumetric flow rate is 19,000 acfm.

Lime Dust Storage Bin with Baghouse. This emissions unit is a storage bin for lime dust. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 100 feet, with an exit diameter of 2.5 feet and an exit temperature of 120 °F. The actual volumetric flow rate is 6,300 acfm.

Brooksville Power Plant/Central Power & Lime, Inc.: (cont.)

Power Plant Boiler with Dry Limestone Injection Scrubbing followed with a Baghouse System: This emissions unit is a net delivered 150 MW fossil fuel fired boiler with a 320 foot stack. The primary fuel burned is coal, with new distillate No. 2 fuel oil used for startup. Control activity includes dry limestone injection scrubbing followed with a fabric filter baghouse system. The exit diameter is 16 feet and the exit temperature is 300 °F. The volumetric flow rate is 840,000 acfm. This emissions unit is regulated under Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD-FL-090 and PSD-FL-090D); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT); and, Power Plant Siting: PA 82-17 and PA 82-17E.

Brooksville Cement Plant I/Power Plant/Lime Plant/Central Power & Lime, Inc.:

The following emissions unit/activity is regulated under Rule 62-210.300, F.A.C., Permits Required; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD-FL-090); and, Power Plant Siting: PA 82-17 and PA 82-17E.

Coal Receiving, Handling and Transfer Activities (fugitives). This emissions unit is an activity of receiving, storage, and transferring/conveying 568,300 tons per year of coal to the Florida Crushed Stone Company's cement plant I/power plant/lime plant (C/P/L). The coal will be received in unit trains and will be bottom-dumped from moving rail cars through an open elevated trestle to a coal receiving area. From this area, the coal will be moved to a storage area by a bulldozer with the storage pile being shaped and compacted during the transfer. The resulting coal storage area will cover approximately 7.8 acres and will be approximately 10 feet high. The coal storage area will have a capacity of approximately 55,000 tons. The coal will be recovered from the coal storage pile by a rubber tired front-end loader and transferred to a receiving hopper. The maximum daily coal transfer rate from the storage pile to the C/P/L receiving system will be 1,740 tons per day. From the receiving hopper, the coal will be transferred by covered conveyor belt to a screening system and then to one of five coal bins that will supply the C/P/L/ plants. Water sprays or chemical wetting agents and stabilizers will be used at the coal receiving area, the coal storage area, and the coal transfer system to control fugitive particulate matter emissions and minimize visible emissions. All conveyors and conveyor transport points will be enclosed to preclude particulate matter emissions (except those directly associated with the coal stacker/reclaimer or emergency stockout stacker/reclaimer or emergency stockout). The inactive coal storage piles will be shaped, compacted and oriented to minimize wind erosion. Water sprays or chemical wetting agents and stabilizers will be applied to the storage piles, handling equipment, etc. during dry periods and as necessary to all coal handling facilities to minimize visible emissions.

Based on the Title V permit applications received June 13, 1996, this facility is a major source of hazardous air pollutants (HAPs).

PROPOSED PERMIT DETERMINATION

Florida Crushed Stone Company
Brooksville Cement, Lime and Power Plants
PROPOSED Permit No.: 0530021-002-AV

I. Public Notice.

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" to the Florida Crushed Stone Company's Brooksville Cement, Lime and Power Plants located off Cobb Road 2 miles Northwest of Brooksville, Brooksville, Hernando County was clerked on October 22, 1999. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was published in The Hernando Today on November 4, 1999. The DRAFT Title V Air Operation Permit was available for public inspection at the Department's Southwest District office in Tampa and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was received on May 22, 2000.

II. Public Comment(s).

Comments were received and the DRAFT Title V Operation Permit was changed. The comments were not considered significant enough to reissue the DRAFT Title V Permit and require another Public Notice. Comments were received from two respondents during the 30 (thirty) day public comment period. Listed below is each comment letter in the chronological order of receipt and a response to each comment in the order that the comment was received. The comment(s) will not be restated. Where duplicative comments exist, the original response is referenced.

A. Letter from Ms. Pat Novy dated November 10, 1999, and received on November 19, 1999; and, a facsimile received from Mr. Jake Varn on July 6, 2000.

1. The comment from Ms. Novy regarded the requirement of ambient monitoring for total suspended particulate required in the PSD and Power Plant Siting permits, but was removed in the DRAFT Title V permit due to a Departmental correspondence. However, a resolution of the issue has been achieved per the facsimile, referenced above, and the following "new" condition will be established in the "Facility-wide Conditions" as follows:

"new"

13. PM-10 Ambient Monitoring. The permittee shall install and operate four (4) ambient monitoring devices for particulate matter (PM-10) in accordance with EPA quality assurance procedures and reference methods in 40 CFR 53. The monitoring devices shall be operated at three locations (one location will have two monitors for quality assurance purposes) approved by Hernando County. The frequency of operation of the monitors shall be every six (6) days. The ambient monitoring program shall begin December 31, 2000.
[Applicant requested July 6, 2000, via facsimile]

B. Letter from Mr. Steve Cullen dated February 15, 2000, and received February 15, 2000, via facsimile.

1. General
   a. All correspondence will be addressed to:
      Mr. Mike McHugh, Vice President and General Manager

2. Section I. Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s). Assign an emission unit ID No. for the "Quicklime Receiving and Storage Silo with Baghouse." The new emission unit ID No. is: -043.

3. Section III. Subsection A.
   a. Specific Condition A.2. The request is acceptable and the following is changed:

FROM:

E.U. ID No.	Brief Description	Maximum Rate
-010	Clinker Storage Silo & Finish Mill Storage Silo with Baghouse	75 TPH

TO:

E.U. ID No.	Brief Description	Maximum Rate
-010	Clinker Storage Silo & Finish Mill Storage Silo with Baghouse	83 TPH

b. Specific Condition A.6. The request is acceptable and the following is changed:

FROM:

E.U. ID No.	Brief Description	Maximum Allowable Limits
-015	Cement Storage Silos #! & #2 with Baghouse	0.015 gr/acfm; 1.0 lb/hr; 4.38 TPY

TO:

E.U. ID No.	Brief Description	Maximum Allowable Limits
-015	Cement Storage Silos #1 & #2 with Baghouse	0.015 gr/acfm; 1.0 lb/hr; 4.38 TPY

4. Section III. Subsection B.
   a. Specific Condition B.3. The request is acceptable and the following is changed:

FROM:

E.U. ID No.	Brief Description	Maximum Rate
-010	Clinker Storage Silo & Finish Mill Storage Silo with Baghouse	75 TPH

TO:

E.U. ID No.	Brief Description	Maximum Rate
-010	Clinker Storage Silo & Finish Mill Storage Silo with Baghouse	83 TPH

b. Specific Condition B.24. Since continuous emissions monitoring is not required, the request is acceptable and the following is changed:

FROM:

B.24. Notification requirements.
(a) The notification provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a notice that contains all of the information required in a notification listed in 40 CFR 63.1353, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of 40 CFR 63.1353 for that notification.
(b) Each owner or operator subject to the requirements of 40 CFR 63, Subpart LLL shall comply with the notification requirements in 40 CFR 63.9 as follows:
(1) Initial notifications as required by 40 CFR 63.9(b) through (d). For the purposes of 40 CFR 63, Subpart LLL, a Title V or 40 CFR Part 70 permit application may be used in lieu of the initial notification required under 40 CFR 63.9(b), provided the same information is contained in the permit application as required by 40 CFR 63.9(b), and the State to which the permit application has been submitted has an approved operating permit program under 40 CFR Part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notification.
(2) Notification of performance tests, as required by 40 CFR 63.7 and 63.9(e).
(3) Notification of opacity and visible emission observations required by 40 CFR 63.1349 in accordance with 40 CFR 63.6(h)(5) and 63.9(f).
(4) Notification, as required by 40 CFR 63.9(g), of the date that the continuous emission monitor performance evaluation required by 40 CFR 63.8(e) of this part is scheduled to begin.
(5) Notification of compliance status, as required by 40 CFR 63.9(h).
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1353]

TO:

B.24. Notification requirements.
(a) The notification provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a notice that contains all of the information required in a notification listed in 40 CFR 63.1353, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of 40 CFR 63.1353 for that notification.
(b) Each owner or operator subject to the requirements of 40 CFR 63, Subpart LLL shall comply with the notification requirements in 40 CFR 63.9 as follows:
(1) Initial notifications as required by 40 CFR 63.9(b) through (d). For the purposes of 40 CFR 63, Subpart LLL, a Title V or 40 CFR Part 70 permit application may be used in lieu of the initial notification required under 40 CFR 63.9(b), provided the same information is contained in the permit application as required by 40 CFR 63.9(b), and the State to which the permit application has been submitted has an approved operating permit program under 40 CFR Part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notification.
(2) Notification of performance tests, as required by 40 CFR 63.7 and 63.9(e).
(3) Notification of opacity and visible emission observations required by 40 CFR 63.1349 in accordance with 40 CFR 63.6(h)(5) and 63.9(f).
(4) Reserved.
(5) Notification of compliance status, as required by 40 CFR 63.9(h).
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1353(a) and (b)(1), (2), (3) & (5)]

5. Section III. Subsection C.
a. Specific Condition C.11. The change in the performance test frequency was not pursued through Rule 62-297.620, F.A.C.; therefore, the request is not acceptable and no change will be made.

6. Section III. Subsection D.
   a. Specific Condition D.12. The change in the performance test frequency was not pursued through Rule 62-297.620, F.A.C.; therefore, the request is not acceptable and no change will be made.
   b. Specific Condition D.24. See response II.B.4.b.

7. Section III. Subsection E.
   a. Specific Condition E.1. The request is acceptable and the following is changed:

   FROM:
   E.1. Permitted Capacity.
   c. For the raw mill, the maximum processing rate is 138 tons/hour.

   TO:
   E.1. Permitted Capacity.
   c. For the raw mill, the maximum processing rate is 138 tons/hour (dry basis).

   b. Specific Condition E.8. The request is acceptable and "Greg" will be changed to "Gregg".

   c.1. Specific Condition E.12.a.(1). Until the ASP request has been completed and determined to be acceptable or denied, no change will be made.
   c.2. Specific Condition E.12.a.(2). The operational rate (heat input) of the power plant, when operating alone and conducting annual performance tests, is specified here. It is also contained in Specific Conditions I.1. and I.3. Therefore, the request is acceptable and the Specific Condition part will be deleted. The subsequent parts of the Specific Condition will be renumbered.
   c.3. Specific Condition E.12.b. The request is acceptable and the Specific Condition part will be deleted.

   FROM:
   E.12. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:
   a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:
      (1) during normal operations when the power plant and cement plant I are operating in combination;
      (2) at or near 1,850 MMBtu/hr heat input when the power plant is operating alone; and,
      (3) at or near maximum production when the cement plant I is operating alone.
   b. Visible emissions tests on all baghouses.
   [PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

   TO:
   E.12. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:
   a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:
      (1) during normal operations when the power plant and cement plant I are operating in combination; and,
      (2) at or near maximum production when the cement plant I is operating alone.
   [PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

   d. The request is acceptable and the following is changed:

   FROM:
   E.13. Particulate Matter. Performance tests for PM shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. The emissions rate, E, of PM shall be computed for each run using the following equation (Equation 1; also, see Specific Conditions **E.5.** & **E.11.**):

TO:

E.13. Particulate Matter. Performance tests for PM shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. The emissions rate, E, of PM shall be computed for each run using the following equation (Equation 1; also, see Specific Conditions **E.5. & E.12.**):

e. The text references a specific event that must occur to make the rest of the text valid. Removing the qualifier is considered inappropriate. Therefore, no change will be made.

8. Section III. Subsection F.

a. Specific Condition F.3. The request is acceptable and the following is changed:

FROM:

F.3. Permitted Capacity.

c. For the in-line kiln/raw mill, the maximum processing rate is 138 tons/hour.

TO:

F.3. Permitted Capacity.

c. For the in-line kiln/raw mill, the maximum processing rate is 138 tons/hour (dry basis).

b. Specific Condition F.11. The request is acceptable and "Greg" will be changed to "Gregg".

c.1. Specific Condition F.15.a.(1). Until the ASP request has been completed and determined to be acceptable or denied, no change will be made.

c.2. Specific Condition F.15.a.(2). The operational rate (heat input) of the power plant, when operating alone and conducting annual performance tests, is specified here. It is also contained in Specific Conditions I.1. and I.3. Therefore, the request is acceptable and the Specific Condition part will be deleted. The subsequent parts of the Specific Condition will be renumbered.

c.3. Specific Condition F.15.b. The request is acceptable and the Specific Condition part will be deleted.

FROM:

F.15. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:

a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:

(1) during normal operations when the power plant and cement plant I are operating in combination;

(2) at or near 1,850 MMBtu/hr heat input when the power plant is operating alone; and,

(3) at or near maximum production when the cement plant I is operating alone.

b. Visible emissions tests on all baghouses.

[PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

TO:

F.15. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:

a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:

(1) during normal operations when the power plant and cement plant I are operating in combination; and,

(2) at or near maximum production when the cement plant I is operating alone.

[PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

d.1. Specific Condition F.16.(a). The request regarding cross-referencing is acceptable and the following is changed:

FROM:
F.16. Initial and Subsequent Performance Testing.
(a) The owner or operator of an affected emissions unit subject to 40 CFR 63, Subpart LLL, shall demonstrate initial compliance with the emission limits of 40 CFR 63.1343 and 63 CFR 63.1345 (See Specific Conditions F.7. and F.9.) using .....

TO:
F.16. Initial and Subsequent Performance Testing.
(a) The owner or operator of an affected emissions unit subject to 40 CFR 63, Subpart LLL, shall demonstrate initial compliance with the emission limits of 40 CFR 63.1343 and 63 CFR 63.1345 (See Specific Conditions **F.7., F.8.** and **F.10.**) using .....

d.2. Specific Condition F.16.(b)(2). The request regarding 40 CFR 63.1349(b)(2) is acceptable and the text and the reference to the rule in the justification are deleted.

d.3. Specific Condition F.16.(c). The request to the performance testing frequency is acceptable and the "annual" testing requirement will be changed to "repeated every five years", because 40 CFR 63, Subpart LLL has been adopted in Rule 62-204.800, F.A.C., and the issue conforms to Rule 62-297.310(7)(a)4., F.A.C.

e. Specific Condition F.18. The request is acceptable and the text cross-reference to Specific Condition F.7. will be bolded as "**F.7.**"

f. Specific Condition F.19. The request is acceptable and the text cross-reference to Specific Condition F.7. will be bolded as "**F.7.**"

g. Specific Condition F.28. The request is acceptable and the following is changed:

FROM:
F.28.(a). The owner or operator of each Portland cement plant shall prepare for each affected emissions unit subject to the provisions of 40 CFR 63, Subpart LLL, a written operations and maintenance plan. The plan shall be submitted to the Administrator for review and approval as part of the application for a 40 CFR Part 70 permit and shall include the following information:
(1) Procedures for proper operation and maintenance of the affected emissions unit and air pollution control devices in order to meet the emission limits and operating limits of 40 CFR 63.1343 through 40 CFR 63.1348;
(2) Corrective actions to be taken when required by paragraph 40 CFR 63.1350(e);
(3) Procedures to be used during an inspection of the components of the combustion system of each kiln and each in-line kiln raw mill located at the facility at least once per year; and

TO:
F.28. Monitoring Requirements.
(a) The owner or operator of each Portland cement plant shall prepare for each affected emissions unit subject to the provisions of 40 CFR 63, Subpart LLL, a written operations and maintenance plan. The plan shall be submitted to the Administrator for review and approval as part of the application for a 40 CFR Part 70 permit and shall include the following information:
(1) Procedures for proper operation and maintenance of the affected emissions unit and air pollution control devices in order to meet the emission limits and operating limits of 40 CFR 63.1343 through 40 CFR 63.1348;
(2) Corrective actions to be taken when required by paragraph 40 CFR 63.1350(e);
(3) Procedures to be used during an inspection of the components of the combustion system of each kiln and each in-line kiln raw mill located at the facility at least once per year.

h. Specific Condition F.31. See response II.B.7.e.

9. Section III. Subsection G.
   a. General.
      (1). The emission unit ID will be specified as "-043" for the "Quicklime Receiving and Storage Silo with Baghouse".

   b. Specific Condition G.2. The request is acceptable and the following is changed:

   FROM:
   G.2. Hours of Operation.
   a. These emissions units are allowed to operate continuously, i.e., 8,760 hours/year, except for the Bulk Truck Loadout Operation.
   b. The Bulk Truck Loadout Operation is allowed to operate 6 hrs/day, 7 days/wk, and 52 wks/yr, for a total of 2184 hrs/yr.
   c. The Quicklime Receiving and Storage Silo Operation is allowed to operate 6 hrs/day, 7 days/wk, and 52 wks/yr, for a total of 2184 hrs/yr.
   [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; AC27-82796; AO27-87210; AO27-25269; 0530005-004-AC; and, Application received June 13, 1996.]

   TO:
   G.2. Hours of Operation.
   a. These emissions units are allowed to operate continuously, i.e., 8,760 hours/year, except for the Bulk Truck Loadout Operation and the Quicklime Receiving and Storage Silo Operation.
   b. The Bulk Truck Loadout Operation and the Quicklime Receiving and Storage Silo Operation are each allowed to operate 6 hrs/day, 7 days/wk, and 52 wks/yr, for a total of 2184 hrs/yr.
   [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; AC27-82796; AO27-87210; AO27-25269; 0530005-004-AC; and, Application received June 13, 1996.]

   c. Specific Condition G.14. The request is acceptable, except that the rule language of Rule 62-297.310(4)(a)2.a., F.A.C., will be added to respond to the request appropriately and to avoid paraphrasing the rule. Therefore, the following new text will be added after the text in "2.":

   TO: (**new**)
   ..... 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.

   d. Specific Condition G.16. For the Hydrator, it is a minor source for particulate matter; therefore, it is only required to demonstrate compliance once every five years for permit renewal. As for the Truck Loadout Operation, an annual visible emissions test is required pursuant to rule and can be changed in accordance to Rule 62-297.620, F.A.C. {Note: changes made to operation permits are not acceptable means to change the testing frequency pursuant to Rule 62-297.310(7)4.a., F.A.C.}.

10. Section III. Subsection I.

a.1. and a.2. Specific Condition I.16.a.(1) and (2). Until the ASP request has been completed and determined to be acceptable or denied, no change will be made.

a.3. Specific Condition I.16.a.(3). The operational rate of the cement plant, when operating alone and conducting annual performance tests, is specified here. It is also contained in Specific Conditions F.3.a. and F.5. Therefore, the request is acceptable and the Specific Condition part will be deleted.

a.4. Specific Condition I.16.b. The request is acceptable and the Specific Condition part will be deleted.

FROM:

I.16. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:

a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:
   (1) during normal operations when the power plant and cement plant I are operating in combination;
   (2) at or near 1,850 MMBtu/hr heat input when the power plant is operating alone; and,
   (3) at or near maximum production when the cement plant I is operating alone.

b. Visible emissions tests on all baghouses.

[PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

TO:

I.16. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:

a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:
   (1) during normal operations when the power plant and cement plant I are operating in combination; and,
   (2) at or near 1,850 MMBtu/hr heat input when the power plant is operating alone.

[PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

b. Specific Condition I.20. The request regarding cross-referencing is acceptable and the following is changed:

FROM:

Nitrogen Oxide. Compliance with the NOx emissions limits in Specific Condition **I.10.** shall be demonstrated in accordance with EPA Method 7 or 7E pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

TO:

Nitrogen Oxide. Compliance with the NOx emissions limits in Specific Condition **I.9.** shall be demonstrated in accordance with EPA Method 7 or 7E pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

c. Specific Condition I.21. The request regarding cross-referencing is acceptable and the following is changed:

FROM:

Total Fluorides. Compliance with the fluoride emissions limit in Specific Condition **I.11.** shall be demonstrated, if required by EPA, in accordance with EPA Method 13A or 13B, and 40 CFR 60.8.

TO:

Total Fluorides. Compliance with the fluoride emissions limit in Specific Condition **I.10.** shall be demonstrated, if required by EPA, in accordance with EPA Method 13A or 13B, and 40 CFR 60.8.

d. Specific Condition I.22. The request regarding cross-referencing is acceptable and the following is changed:

FROM:

Sulfuric Acid Mist. Compliance with the sulfuric acid mist emissions limit in Specific Condition **I.12.** shall be demonstrated, if required by EPA, in accordance with EPA Method 8, and 40 CFR 60.8.

TO:
Sulfuric Acid Mist. Compliance with the sulfuric acid mist emissions limit in Specific Condition **I.11.** shall be demonstrated, if required by EPA, in accordance with EPA Method 8, and 40 CFR 60.8.

e. Specific Condition I.23. The request regarding cross-referencing is acceptable and the following is changed:

FROM:
Beryllium. Compliance with the beryllium emissions limit in Specific Condition **I.13.** shall be demonstrated, if required by EPA, in accordance with EPA Method 104, and 40 CFR 60.8.

TO:
Beryllium. Compliance with the beryllium emissions limit in Specific Condition **I.12.** shall be demonstrated, if required by EPA, in accordance with EPA Method 104, and 40 CFR 60.8.

f. Specific Condition I.24. The request regarding cross-referencing is acceptable and the following is changed:

FROM:
Mercury. Compliance with the mercury emissions limit in Specific Condition **I.14.** shall be demonstrated, if required by EPA, in accordance with EPA Method 101A, and 40 CFR 60.8.

TO:
Mercury. Compliance with the mercury emissions limit in Specific Condition **I.13.** shall be demonstrated, if required by EPA, in accordance with EPA Method 101A, and 40 CFR 60.8.

g. Specific Condition I.25. The request regarding cross-referencing is acceptable and the following is changed:

FROM:
EPA Methods 1 and 2 shall be used for determining stack gas velocity when required in Specific Conditions I.19. through I.25.

TO:
EPA Methods 1 and 2 shall be used for determining stack gas velocity when required in Specific Conditions **I.18.** through **I.24.**

h. Specific Condition I.28. The words "working tests" should have been "working days"; therefore, the change is made as follows:

FROM:
The permittee shall provide 30 days notice of the performance tests or 10 working tests for stack tests in order to afford the Department the opportunity to have an observer present.

TO:
The permittee shall provide 30 days notice of the performance tests or 10 working days for stack tests in order to afford the Department the opportunity to have an observer present.

i. Specific Condition I.37. The instrumentation imposed here is also contained in Specific Condition F.29. Therefore, the request is acceptable and the Specific Condition part will be deleted as follows:

FROM:
Instruments shall be installed, calibrated and maintained to continuously measure the amounts of coal and limestone used in the power boiler, material fed to cement kiln 1, and clinker produced by cement kiln I.

TO:
Instruments shall be installed, calibrated and maintained to continuously measure the amounts of coal and limestone used in the power boiler.

j. Specific Condition I.44. The recordkeeping and reporting requirements imposed here are also contained in Specific Condition F.36. Therefore, the request is acceptable and the Specific Condition part will be deleted as follows:

FROM:
The records of coal and limestone used in the power boiler, fuel analyses, daily cement kiln I feed, and clinker produced shall be reported quarterly to the Department's Southwest District office.

TO:
The records of coal and limestone used in the power boiler and fuel analyses shall be reported quarterly to the Department's Southwest District office.

11. Section III. Subsection J.
    a. General.
        (1). The emission unit ID in the table will be changed from "-042/-xxx" to "-042/" (the denominator is used to depict the facility's ID number).

    b. Specific Condition J.2. The double period will be deleted from the end of the text.

III. Conclusion.
The permitting authority will issue the PROPOSED Permit No.: 0530021-002-AV, with any changes noted above.

Florida Crushed Stone Company
Brooksville Cement, Lime and Power Plants
Facility ID No.: 0530021
Hernando County

Title V PROPOSED Permit No.: 0530021-002-AV

Permitting Authority:
State of Florida
Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 850/488-1344
Fax: 850/922-6979

Compliance Authority:
State of Florida
Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6084

Florida Crushed Stone Company
Brooksville Cement, Lime and Power Plants
Title V PROPOSED Permit No.: 0530021-002-AV

Table of Contents

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

Permittee:
Florida Crushed Stone Company
Post Office Box 1508
Brooksville, Florida 34605-1508

Title V PROPOSED Permit No.: 0530021-002-AV
Facility ID No.: 0530021
SIC Nos.: 32; 3241
Project: Initial Title V Air Operation Permit

This permit is for the operation of Florida Crushed Stone Company's Brooksville Cement, Lime and Power Plants. This facility is located off Cobb Road 2 miles Northwest of Brooksville, Brooksville, Hernando County. UTM Coordinates are: Zone 17; 360.00 km East; and, 3162.50 km North; Latitude: 28° 35' 00" North; and, Longitude: 82° 25' 53" West.

The Title V 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, 62-212 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 I-1, List of Insignificant Emissions Units and/or Activities
APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99)
APPENDIX SS-1, STACK SAMPLING FACILITIES (dated 10/07/96)
TABLE 297.310-1, CALIBRATION SCHEDULE (dated 10/07/96)
Attachment "40 CFR 60, Subpart A"
Attachment "40 CFR 63, Subpart A"
FIGURE 1 - SUMMARY REPORT - GASEOUS AND OPACITY EXCESS EMISSIONS AND MONITORING SYSTEMS PERFORMANCE REPORT (40 CFR 60, July 1996)
Alternate Sampling Procedure: ASP Number 97-B-01

Title V Permit Effective Date:*
Title V Permit Renewal Application Due Date:*
Title V Permit Expiration Date:*
* to be established at the time of issuance

Howard L. Rhodes, Director
Division of Air Resources Management

HLR/sms/bm

Section I. Facility Information.

Subsection A. Facility Description.

The facility is an integrated facility that includes a Portland cement manufacturing plant, a power plant, a lime manufacturing plant, and a coal yard. The power boiler is a coal fired unit that is allowed to generate a net delivered 150 MW. The cement kiln I, in-line kiln/raw mill and clinker cooler I share a common baghouse fabric filter system (for particulate matter emissions control) and stack with the power plant; and, dry limestone injection is used to control SO_2 emissions from the power boiler, which is then collected in the common baghouse fabric filter system. Waste heat from the kiln is used to provide heat to the raw mill and the kiln preheater, which is used to drive off moisture from the materials used for making clinker. All of the materials handling activities are controlled by fabric filter baghouse control systems, except for the Clinker Receiving/Handling System and the coal yard activities. For the Clinker Receiving/Handling System, the fugitive particulate matter emissions generated from the transfer of clinker from the receiving hopper to the belt conveyor are controlled using a Johnson-Marsh Dust Suppressant system, which uses a non-ionic wetting agent to enhance the wettability of the clinker. Water sprays or chemical wetting agents and stabilizers will be used at the coal receiving area, the coal storage area, and the coal transfer system to control fugitive particulate matter emissions and minimize visible emission. All fly ash handling systems (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters.

Based on the Title V permit applications received June 13, 1996, this facility is a major source of hazardous air pollutants (HAPs).

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

E.U. ID No./Facility ID No.	Brief Description
Brooksville Cement Plant I	
-001/D-75	Filter Dust Bin (was Pre-Mix Bin) with Baghouse
-002/D-67	Fly Ash/Equilibrium Catalyst Storage Silo with Baghouse
-004/F-14	Raw Meal Transfer with Baghouse
-006/G-12 (A & B)	Two Blend Silos with Baghouse
-007/H-15	Kiln Feed Surge Bin (was Kiln Feed Bin) with Baghouse
-008/S-04	Clinker Handling System
-010/L-06 & L-07	Clinker Storage Silo and Finish Mill Storage Silo with Baghouse
-011/L-08	Gypsum and Limestone Bins (was Clinker Silo) with Baghouse
-012/M-08	Silo Discharge with Baghouse
-013/N-13	Finish Mill with Baghouse
-014/Q-17	Cement Storage Silos #1 & #2 Discharge System with Baghouse
-015/Q-15	Cement Storage Silos #1 & #2 with Baghouse
-017/D-63	Iron Ore Bin with Baghouse
-019/M-05	Finish Mill Feed Belt with Baghouse

-020/	Kiln, Raw Mill and Clinker Cooler with Baghouse
-021/Z-17	Cement Storage Silo #3 Discharge System with Baghouse
-022/Z-15	Cement Storage Silo #3 with Baghouse
-023/	Cement Storage Silo #4 and Truck Loadout Sys. with Baghouse
-024/Z-18	Cement Storage Silo and Railcar Loadout Sys. with Baghouses
Brooksville Lime Plant	
-032/	Lime Hydrator
-033/	Lime Bagging Operation
-034/	Bulk Truck Loadout
-043/	Quicklime Receiving and Storage Silo with Baghouse
Brooksville Power Plant	
-035/D-38	Limestone Rock Bin Baghouse
-036/D-31	Contaminated Fly Ash & Filter Dust Bin
-037/D-39	Limestone Screening System
-038/D-13	Limestone Fines Storage Bin
-039/Z-31	Lime Dust Storage Bin
-018	Power Plant
-042	Coal Receiving, Handling and Transfer System (fugitives)

Insignificant Emissions Units and/or Activities. For the Insignificant Emissions Units and/or Activities, see Appendix I-1 (attached).

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

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:
Appendix A-1: Abbreviations, Acronyms, Citations, and Identification Numbers.
Appendix H-1: Permit History/ID Number Changes.

These documents are on file with the permitting authority:
Mr. Dick Arbes letter dated October 13, 1997, regarding the intent to eliminate the requirement of ambient monitoring.
Application(s) received June 13, 1996.
Fax received from Mr. Steve Cullen on August 2, 1999.
Fax received from Mr. Steve Cullen on October 21, 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 a copy when requested or otherwise appropriate.}

2. 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.; and, AC27-199744]

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). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and,
b. certification forms and/or RMPs according to the promulgated rule schedule.
[40 CFR 68]

5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit. There are none listed at this time.
[Rule 62-213.440(1), F.A.C.]

6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6) and 62-4.040(1)(b), F.A.C.]

7. 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 or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.
{Permitting note: The Department has not required or deemed anything necessary to date.}
[Rule 62-296.320(1)(a), F.A.C.]

8. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility during operations include: chemical or water application of dust suppressants on roads and construction sites, landscaping and planting of vegetation.
[Rule 62-296.320(4)(c)2., F.A.C.; and, AC27-118672, -118673, -118675, -118677, -118678, -118683, -118685, -118686, -118687, -118688, -118689, -118690, -189081, -199744 & -228926]

9. 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.]

10. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office at the following address:

Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6084

11. 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 & EPCRA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9155
Fax: 404/562-9163

12. The facility ID of 0530021 is the consolidated ID of 0530021, 0530005 and 0530032, and will be used for all future permitting activities.
[Rule 62-4.070(3), F.A.C.]

13. PM-10 Ambient Monitoring. The permittee shall install and operate four (4) ambient monitoring devices for particulate matter (PM-10) in accordance with EPA quality assurance procedures and reference methods in 40 CFR 53. The monitoring devices shall be operated at three locations (one location will have two monitors for quality assurance purposes) approved by Hernando County. The frequency of operation of the monitors shall be every six (6) days. The ambient monitoring program shall begin December 31, 2000.
[Applicant requested July 6, 2000, via facsimile]

Subsection A. This section addresses the following emissions units.

Brooksville Cement Plant I	
E.U. ID No./Facility ID No.	**Brief Description**
-001/D-75	Filter Dust Bin with Baghouse
-002/D-67	Fly Ash/Equilibrium Catalyst Bin with Baghouse
-004/F-14	Raw Meal Transfer with Baghouse
-006/G-12A & B	Two Blend Silos with Baghouse
-007/H-15	Kiln Feed Surge Bin with Baghouse
-010/L-06 & L-07	Clinker Storage Silo and Finish Mill Storage Silo with Baghouse
-011/L-08	Gypsum and Limestone Bins with Baghouse
-012/M-08	Silo Discharge with Baghouse
-013/N-13	Finish Mill with Baghouse
-014/Q-17	Cement Storage Silos #1 & #2 Discharge System with Baghouse
-015/Q-15	Cement Storage Silos #1 & #2 with Baghouse
-017/D-63	Iron Ore Bin with Baghouse
-019/M-05	Finish Mill Feed Belt with Baghouse
-021/Z-17	Cement Storage Silo #3 Discharge System with Baghouse
-022/Z-15	Cement Storage Silo #3 with Baghouse
-023/	Cement Storage Silo #4 and Truck Loadout System with Baghouse
-024/Z-18	Cement Storage Silo and Railcar Loadout System with Baghouses

Filter Dust Bin with Baghouse. This emissions unit is a storage bin for fines (dust). The particulate matter (PM) emissions from the materials being transferred are controlled by a low temperature baghouse fabric filter system. The stack height is 125 feet, with an exit diameter of 2.0 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 6,800 acfm; and, the maximum dry standard flow rate is 6,686 dscfm.

Fly Ash/Equilibrium Catalyst Bin with Baghouse. This emissions unit is a storage bin for fly ash/equilibrium catalyst. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 125 feet, with an exit diameter of 2.0 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 4,200 acfm; and, the maximum dry standard flow rate is 4,130 dscfm.

Raw Meal Transfer with Baghouse. This emissions unit is an activity of raw meal being transferred from the storage bins to the raw mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 70 feet, with an exit diameter of 1.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 1,200 acfm; and, the maximum dry standard flow rate is 970 dscfm.

Two Blend Storage Silos with Baghouse. This emissions unit is two storage silos for the raw meal being transferred from the raw mill. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 240 feet, with an exit diameter of 3.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 17,000 acfm; and, the maximum dry standard flow rate is 13,745 dscfm.

Kiln Feed Surge Bin with Baghouse. This emissions unit is an activity of materials being pre-heated in the pre-heater and transferred to the kiln. The PM emissions are controlled by a medium temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 2.0 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 6,000 acfm; and, the maximum dry standard flow rate is 4,704 dscfm.

Clinker Storage Silo and Finish Mill Storage Silo with Baghouse. This emissions unit is an activity of clinker being transferred to the finish mill. The PM emissions are controlled by a single medium temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 1.5 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 2,600 acfm; and, the maximum dry standard flow rate is 2,038 dscfm.

Gypsum and Limestone Bins with Baghouse. This emissions unit is an activity of gypsum and limestone being stored and transferred. The PM emissions are controlled by a single medium temperature baghouse fabric filter system. The stack height is 135 feet, with an exit diameter of 1.5 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 5,000 acfm; and, the maximum dry standard flow rate is 3,920 dscfm.

Silo Discharge with Baghouse. This emissions unit is an activity of clinker, gypsum or limestone being transferred from their silos. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 135 feet, with an exit diameter of 2.5 feet and an exit temperature of 100 °F. The actual volumetric flow rate is 9,000 acfm; and, the maximum dry standard flow rate is 8,316 dscfm.

Finish Mill with Baghouse. This emissions unit combines clinker and gypsum to form cement. The PM emissions are controlled by a medium temperature baghouse fabric filter system. The stack height is 70 feet, with an exit diameter of 5.0 feet and an exit temperature of 210 °F. The actual volumetric flow rate is 40,000 acfm; and, the maximum dry standard flow rate is 30,892 dscfm.

Cement Storage Silos #1 & #2 Discharge System with Baghouse. This emissions unit activity is the unloading of cement from the two storage silos. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 1.5 feet and an exit temperature of 160 °F. The actual volumetric flow rate is 3,200 acfm; and, the maximum dry standard flow rate is 2,671 dscfm.

Cement Storage Silos #1 & #2 with Baghouse. These emissions units are an activity of cement being pneumatically transferred to two storage silos from the finish mill. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 2.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 7,400 acfm; and, the maximum dry standard flow rate is 5,983 dscfm.

Iron Ore Bin with Baghouse. This emissions unit is an activity of iron ore being stored in a bin. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 51 feet, with an exit diameter of 1.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 3,600 acfm; and, the maximum dry standard flow rate is 2,911 dscfm.

Finish Mill Feed Belt with Baghouse. This emissions unit is an activity of transferring clinker, gypsum or limestone to the finish mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 29 feet, with an exit diameter of 2.0 feet and an exit temperature of 85 °F. The actual volumetric flow rate is 9,000 acfm; and, the maximum dry standard flow rate is 8,820 dscfm.

Cement Storage Silo #3 Discharge System with Baghouse. This emissions unit was used for the unloading of lime. Now, this emissions unit is used for the unloading of cement from a storage silo. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 1.5 feet and an exit temperature of 160 °F. The actual volumetric flow rate is 10,000 acfm.

Cement Storage Silo #3 with Baghouse. This emissions unit was used for the storage of lime. Now, this emissions unit is an activity of cement being pneumatically transferred to a silo from the finish mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 2.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 5,300 acfm.

Cement Storage Silo #4 and Truck Loadout System with Baghouse. This emissions unit is an activity of cement being pneumatically transferred to the silo from the finish mill and cement loaded into trucks. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 75 feet, with an exit diameter of 0.8 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 860 acfm; and, the maximum dry standard flow rate is 829 dscfm.

Cement Storage Silo and Railcar Loadout System with Baghouses. This emissions unit is an activity of cement being pneumatically transferred to the railcar silo from cement storage silos #1, #2, and #3. The PM emissions are controlled by two low temperature baghouse fabric filter systems. One stack height is 80 feet, with an exit diameter of 1.5 feet and an exit temperature of 77 °F, actual volumetric flow rate is 6,000 acfm and, the maximum dry standard flow rate is 5,899 dscfm; and, the other (Z-18) stack height is 10 feet, with an exit diameter of 0.5 feet and an exit temperature of 77 °F, actual volumetric flow rate is 500 acfm and, the maximum dry standard flow rate is 490 dscfm.

{Permitting note: These emissions units are regulated under Rule 62-297.620(4), F.A.C., Exceptions and Approval of Alternate Procedures and Requirements; Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; 40 CFR 60, Subpart F,

Standards of Performance for Portland Cement Plants, adopted in Rule 62-204.800, F.A.C.; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.}

General

A.0. The following Specific Conditions are in effect until midnight of June 9, 2002.

A.1. **Attachment "40 CFR 60, Subpart A"** is incorporated by reference.

Essential Potential to Emit (PTE) Parameters

A.2. Permitted Capacity. The maximum process/transfer/throughput rates are:

E.U. ID No.	Brief Description	Maximum Rate
-001	Filter Dust Bin with Baghouse	450 tons/hour (TPH)
-002	Fly Ash/Equilibrium Catalyst Bin with Baghouse	25 TPH
-004	Raw Meal Transfer with Baghouse	125 TPH
-006	Blending Silo with Baghouse	125 TPH
-007	Kiln Feed Surge Bin with Baghouse	125 TPH
-010	Clinker Storage Silo & Finish Mill Storage Silo with Baghouse	83 TPH
-011	Gypsum and Limestone Bins with Baghouse	75 TPH
-012	Silo Discharge with Baghouse	122 TPH
-013	Finish Mill with Baghouse	125 TPH; 876,000 TPY
-014	Cement Storage Silos #1 & #2 Discharge Sys. with Baghouse	300 TPH
-015	Cement Storage Silos #1 & #2 with Baghouse	125 TPH each 876,000 TPY each
-017	Iron Ore Bin with Baghouse	100 TPH
-019	Finish Mill Feed Belt with Baghouse	120 TPH
-021	Cement Storage Silo #3 Discharge Sys. with Baghouse	300 TPH
-022	Cement Storage Silo #3 with Baghouse	125 TPH; 876,000 TPY
-023	Cement Storage Silo #4 & Truck Loadout Sys. with Baghouse	47 TPH: silo 390 TPH: trucks
-024	Cement Storage Silo and Railcar Loadout System with Baghouses	30 TPH: silo 100 TPH: railcars

{Permitting note: The maximum rates have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; PSD-FL-090 and PSD-FL-091; 0530021-003-AO; 0530021-004-AO; and, Application received June 13, 1996.]

A.3. Hours of Operation.
a. The emissions units listed in Specific Condition A.2. are allowed to operate continuously, i.e., 8,760 hours/year, except for the Cement Storage Silo #3 Discharge System, the Cement Storage Silo #3, and the Cement Storage Silo #4 and Truck Loadout System.
b. The Cement Storage Silo #3 Discharge System, the Cement Storage Silo #3, and the Cement Storage Silo #4 and Truck Loadout System are allowed to operate 7,884 hours/year.
[AC27-091432, -091433, -118672, -118673, -118675, -118677, -118678, -118683, -118685, -118686, -118687, -118688, -118689, -118690, -189081, -199744 & -228926]

A.4. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **A.13.**
[Rule 62-297.310(2), F.A.C.]

A.5. Method of Operation. The emissions units either process or transfer materials used in the production of Portland cement. The fly ash handling system (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters.
[Rule 62-213.410, F.A.C.; PA 82-17 and PA 82-17E; and, PSD-FL-090 and PSD-FL-091]

Emission Limitations

A.6. Particulate Matter. The maximum allowable particulate matter emissions are:

E.U. ID No.	Brief Description	Maximum Allowable Limits
-001	Filter Dust Bin with Baghouse	0.015 gr/acfm; 0.7 lb/hr; 3.07 TPY
-002	Fly Ash/Equilibrium Catalyst Bin with Baghouse	0.015 gr/acfm; 0.4 lb/hr; 1.75 TPY
-004	Raw Meal Transfer with Baghouse	0.015 gr/acfm; 0.2 lb/hr; 0.88 TPY
-006	Blending Silo with Baghouse	0.015 gr/acfm; 2.2 lbs/hr; 9.64 TPY
-007	Kiln Feed Surge Bin with Baghouse	0.015 gr/acfm; 0.8 lb/hr; 3.50 TPY
-010	Clinker Storage Silo and Finish Mill Storage Silo with Baghouse	0.015 gr/acfm; 0.3 lb/hr; 1.31 TPY
-011	Gypsum and Limestone Bins with Baghouse	0.015 gr/acfm; 0.6 lb/hr; 2.63 TPY
-012	Silo Discharge with Baghouse	0.015 gr/acfm; 1.2 lbs/hr; 5.26 TPY
-013	Finish Mill with Baghouse	0.015 gr/acfm; 5.1 lbs/hr; 22.34 TPY
-014	Cement Storage Silos #1 & #2 Discharge Sys. with Baghouse	0.015 gr/acfm; 0.4 lb/hr; 1.75 TPY
-015	Cement Storage Silos #1 & #2 with Baghouse	0.015 gr/acfm; 1.0 lb/hr; 4.38 TPY
-017	Iron Ore Bin with Baghouse	0.015 gr/acfm; 0.5 lb/hr; 2.19 TPY
-019	Finish Mill Feed Belt with Baghouse	1.16 lbs/hr; 5.08 tons/rolling 12-months
-021	Cement Storage Silo #3 Discharge Sys. with Baghouse	0.015 gr/acfm; 1.29 lbs/hr; 5.1 TPY
-022	Cement Storage Silo #3 with Baghouse	0.015 gr/acfm; 0.68 lb/hr; 2.7 TPY
-023	Cement Storage Silo #4 and Truck Loadout Sys. with Baghouse	0.015 gr/acfm; 0.11 lb/hr; 0.44 TPY
-024	Cement StorageSilo and Railcar Loadout Sys. with Baghouses	0.02 gr/acfm

[PSD-FL-090 & PSD-FL-091 and BACT; PA 82-17; and, AC27-091432, -091433, -118672, -118673, -118675, -118677, -118678, -118683, -118685, -118686, -118687, -118688, -118689, -118690, -189081, -199744 & -228926]

A.7. Visible Emissions. Visible emissions shall not exceed 5 percent opacity, since each emissions unit's potential particulate matter emissions are less than 100 TPY and is equipped with a baghouse control system. As long as the visible emissions do not exceed 5 percent opacity, compliance is assumed for the particulate matter limitations established in Specific Condition **A.6**. See Specific Condition **A.11**.

If the Department has reason to believe that the particulate matter weight emissions standard in Specific Condition **A.6.** is not being met, it shall require that compliance be demonstrated by the test method specified in Specific Condition **A.10**.
[Rule 62-297.620(4), F.A.C.; and, AC27-091432, -091433, -118672, -118673, -118675, -118677, -118678, -118683, -118685, -118686, -118687, -118688, -118689, -118690, -189081, -199744 & -228926]

Excess Emissions

A.8. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

A.9. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

A.10. Particulate Matter. Particulate matter emissions compliance testing shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions A.6. and A.7.
[Rules 62-204.800 and 62-297.401, F.A.C.]

A.11. Visible Emissions. Visible emissions compliance testing shall be demonstrated annually using EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions A.7. and A.17.
[Rules 62-204.800 and 62-297.401, F.A.C.; and, 40 CFR 60.60.64(b)(4)]

A.12. 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.]

A.13. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

A.14. 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.]

A.15. 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 point 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:

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

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

A.16. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

A.17. 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.

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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or, 100 tons per year or more of any other regulated air pollutant; and,

c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.
(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.]

Monitoring of Operations

A.18. 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.]

Recordkeeping and Reporting Requirements

A.19. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

A.20. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

Subsection B. This section addresses the following emissions units.

Brooksville Cement Plant I	
E.U. ID No./Facility ID No.	**Brief Description**
-001/D-75	Filter Dust Bin with Baghouse
-002/D-67	Fly Ash/Equilibrium Catalyst Bin with Baghouse
-004/F-14	Raw Meal Transfer with Baghouse
-006/G-12A & B	Two Blend Silos with Baghouse
-007/H-15	Kiln Feed Surge Bin with Baghouse
-010/L-06 & L-07	Clinker Storage Silo and Finish Mill Storage Silo with Baghouse
-011/L-08	Gypsum and Limestone Bins with Baghouse
-012/M-08	Silo Discharge with Baghouse
-013/N-13	Finish Mill with Baghouse
-014/Q-17	Cement Storage Silos #1 & #2 Discharge System with Baghouse
-015/Q-15	Cement Storage Silos #1 & #2 with Baghouse
-017/D-63	Iron Ore Bin with Baghouse
-019/M-05	Finish Mill Feed Belt with Baghouse
-021/Z-17	Cement Storage Silo #3 Discharge System with Baghouse
-022/Z-15	Cement Storage Silo #3 with Baghouse
-023/	Cement Storage Silo #4 and Truck Loadout System with Baghouse
-024/Z-18	Cement Storage Silo and Railcar Loadout System with Baghouses

Filter Dust Bin with Baghouse. This emissions unit is a storage bin for fines (dust). The particulate matter (PM) emissions from the materials being transferred are controlled by a low temperature baghouse fabric filter system. The stack height is 125 feet, with an exit diameter of 2.0 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 6,800 acfm; and, the maximum dry standard flow rate is 6,686 dscfm.

Fly Ash/Equilibrium Catalyst Bin with Baghouse. This emissions unit is a storage bin for fly ash/equilibrium catalyst. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 125 feet, with an exit diameter of 2.0 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 4,200 acfm; and, the maximum dry standard flow rate is 4,130 dscfm.

Raw Meal Transfer with Baghouse. This emissions unit is an activity of raw meal being transferred from the storage bins to the raw mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 70 feet, with an exit diameter of 1.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 1,200 acfm; and, the maximum dry standard flow rate is 970 dscfm.

Two Blend Storage Silos with Baghouse. This emissions unit is two storage silos for the raw meal being transferred from the raw mill. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 240 feet, with an exit diameter of 3.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 17,000 acfm; and, the maximum dry standard flow rate is 13,745 dscfm.

Kiln Feed Surge Bin with Baghouse. This emissions unit is an activity of materials being pre-heated in the pre-heater and transferred to the kiln. The PM emissions are controlled by a medium temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 2.0 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 6,000 acfm; and, the maximum dry standard flow rate is 4,704 dscfm.

Clinker Storage Silo and Finish Mill Storage Silo with Baghouse. This emissions unit is an activity of clinker being transferred to the finish mill. The PM emissions are controlled by a single medium temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 1.5 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 2,600 acfm; and, the maximum dry standard flow rate is 2,038 dscfm.

Gypsum and Limestone Bins with Baghouse. This emissions unit is an activity of gypsum and limestone being stored and transferred. The PM emissions are controlled by a single medium temperature baghouse fabric filter system. The stack height is 135 feet, with an exit diameter of 1.5 feet and an exit temperature of 200 °F. The actual volumetric flow rate is 5,000 acfm; and, the maximum dry standard flow rate is 3,920 dscfm.

Silo Discharge with Baghouse. This emissions unit is an activity of clinker, gypsum or limestone being transferred from their silos. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 135 feet, with an exit diameter of 2.5 feet and an exit temperature of 100 °F. The actual volumetric flow rate is 9,000 acfm; and, the maximum dry standard flow rate is 8,316 dscfm.

Finish Mill with Baghouse. This emissions unit combines clinker and gypsum to form cement. The PM emissions are controlled by a medium temperature baghouse fabric filter system. The stack height is 70 feet, with an exit diameter of 5.0 feet and an exit temperature of 210 °F. The actual volumetric flow rate is 40,000 acfm; and, the maximum dry standard flow rate is 30,892 dscfm.

Cement Storage Silos #1 & #2 Discharge System with Baghouse. This emissions unit activity is the unloading of cement from the three storage silos. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 1.5 feet and an exit temperature of 160 °F. The actual volumetric flow rate is 3,200 acfm; and, the maximum dry standard flow rate is 2,671 dscfm.

Cement Storage Silos #1 & #2 with Baghouse. This emissions unit is an activity of cement being pneumatically transferred to two storage silos from the finish mill. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 2.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 7,400 acfm; and, the maximum dry standard flow rate is 5,983 dscfm.

Iron Ore Bin with Baghouse. This emissions unit is an activity of iron ore being stored in a bin. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 51 feet, with an exit diameter of 1.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 3,600 acfm; and, the maximum dry standard flow rate is 2,911 dscfm.

Finish Mill Feed Belt with Baghouse. This emissions unit is an activity of transferring clinker, gypsum or limestone to the finish mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 29 feet, with an exit diameter of 2.0 feet and an exit temperature of 85 °F. The actual volumetric flow rate is 9,000 acfm; and, the maximum dry standard flow rate is 8,820 dscfm.

Cement Storage Silo #3 Discharge System with Baghouse. This emissions unit was used for the unloading of lime. Now, this emissions unit is used for the unloading of cement from a storage silo. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 50 feet, with an exit diameter of 1.5 feet and an exit temperature of 160 °F. The actual volumetric flow rate is 10,000 acfm.

Cement Storage Silo #3 with Baghouse. This emissions unit was used for the storage of lime. Now, this emissions unit is an activity of cement being pneumatically transferred to a silo from the finish mill. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 2.0 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 5,300 acfm.

Cement Storage Silo #4 and Truck Loadout System with Baghouse. This emissions unit is an activity of cement being pneumatically transferred to the silo from the finish mill and cement loaded into trucks. The PM emissions are controlled by a single low temperature baghouse fabric filter system. The stack height is 75 feet, with an exit diameter of 0.8 feet and an exit temperature of 77 °F. The actual volumetric flow rate is 860 acfm; and, the maximum dry standard flow rate is 829 dscfm.

Cement Storage Silo and Railcar Loadout System with Baghouse. This emissions unit is an activity of cement being pneumatically transferred to the railcar silo from the cement storage silos #1, #2, and #3. The PM emissions are controlled by two low temperature baghouse fabric filter systems. One stack height is 80 feet, with an exit diameter of 1.5 feet and an exit temperature of 77 °F, actual volumetric flow rate is 6,000 acfm and, the maximum dry standard flow rate is 5,899 dscfm; and, the other (Z-18) stack height is 10 feet, with an exit diameter of 0.5 feet and an exit temperature of 77 °F, actual volumetric flow rate is 500 acfm and, the maximum dry standard flow rate is 490 dscfm.

{Permitting note: These emissions units are regulated under Rule 62-297.620(4), F.A.C., Exceptions and Approval of Alternate Procedures and Requirements; Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.}

General

B.0. The following Specific Conditions are in effect beginning at 12:01 a.m. of June 10, 2002. [Rule 62-204.800, F.A.C.; and, 40 CFR 63.1351]

B.1. Exemption From New Source Performance Standards. Except as provided in paragraphs 40 CFR 63.1356(a)(1) and (a)(2), any affected source subject to the provisions of 40 CFR 63, Subpart LLL is exempted from any otherwise applicable new source performance standard contained in 40 CFR Part 60, Subpart F.
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1356]

B.2. Attachment "40 CFR 63, Subpart A" is incorporated by reference.

Essential Potential to Emit (PTE) Parameters

B.3. Permitted Capacity. The maximum process/transfer/throughput rates are:

E.U. ID No.	Brief Description	Maximum Rate
-001	Filter Dust Bin with Baghouse	450 tons/hour (TPH)
-002	Fly Ash/Equilibrium Catalyst Bin with Baghouse	25 TPH
-004	Raw Meal Transfer with Baghouse	125 TPH
-006	Blending Silo with Baghouse	125 TPH
-007	Kiln Feed Surge Bin with Baghouse	125 TPH
-010	Clinker Storage Silo and Finish Mill Storage Silo with Baghouse	83 TPH
-011	Gypsum and Limestone Bins with Baghouse	75 TPH
-012	Silo Discharge with Baghouse	122 TPH
-013	Finish Mill with Baghouse	125 TPH; 876,000 TPY
-014	Cement Storage Silos #1 & #2 Discharge System with Baghouse	300 TPH
-015	Cement Storage Silos #1 & #2 with Baghouse	125 TPH each 876,000 TPY each
-017	Iron Ore Bin with Baghouse	100 TPH
-019	Finish Mill Feed Belt with Baghouse	120 TPH
-021	Cement Storage Silo #3 Discharge System with Baghouse	300 TPH
-022	Cement Storage Silo #3 with Baghouse	125 TPH; 876,000 TPY
-023	Cement Storage Silo #4 and Truck Loadout System with Baghouse	47 TPH: silo 390 TPH: trucks
-024	Cement Storage Silo and Railcar Loadout System with Baghouses	30 TPH: silo 100 TPH: railcars

{Permitting note: The maximum rates have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; 0530021-003-AO; 0530021-004-AO; and, Application received June 13, 1996.]

B.4. Hours of Operation.
a. The emissions units listed in Specific Condition B.3. are allowed to operate continuously, i.e., 8,760 hours/year, except for the Cement Storage Silo #3 Discharge System, the Cement Storage Silo #3, and the Cement Storage Silo #4 and Truck Loadout System.
b. The Cement Storage Silo #3 Discharge System, the Cement Storage Silo #3, and the Cement Storage Silo #4 and Truck Loadout System are allowed to operate 7,884 hours/year.
[AC27-091432, -091433, -118672, -118673, -118675, -118677, -118678, -118683, -118685, -118686, -118687, -118688, -118689, -118690, -189081, -199744 & -228926]

B.5. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **B.14.**
[Rule 62-297.310(2), F.A.C.]

B.6. Method of Operation. The emissions units either process or transfer materials used in the production of Portland cement. The fly ash handling system (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters.
[Rule 62-213.410, F.A.C.; PA 82-17 and PA 82-17E; and, PSD-FL-090 and 091]

Emission Limitations

B.7. Particulate Matter. The maximum allowable particulate matter emissions are:

E.U. ID No.	Brief Description	Maximum Allowable Limits
-001	Filter Dust Bin with Baghouse	0.015 gr/acfm; 0.7 lb/hr; 3.07 TPY
-002	Fly Ash/Equilibrium Catalyst Bin with Baghouse	0.015 gr/acfm; 0.4 lb/hr; 1.75 TPY
-004	Raw Meal Transfer with Baghouse	0.015 gr/acfm; 0.2 lb/hr; 0.88 TPY
-006	Blending Silo with Baghouse	0.015 gr/acfm; 2.2 lbs/hr; 9.64 TPY
-007	Kiln Feed Surge Bin with Baghouse	0.015 gr/acfm; 0.8 lb/hr; 3.50 TPY
-010	Clinker Storage Silo & Finish Mill Storage Silo with Baghouse	0.015 gr/acfm; 0.3 lb/hr; 1.31 TPY
-011	Gypsum and Limestone Bins with Baghouse	0.015 gr/acfm; 0.6 lb/hr; 2.63 TPY
-012	Silo Discharge with Baghouse	0.015 gr/acfm; 1.2 lbs/hr; 5.26 TPY
-013	Finish Mill with Baghouse	0.015 gr/acfm; 5.1 lbs/hr; 22.34 TPY
-014	Cement Storage Silos #1 & #2 Discharge Sys. with Baghouse	0.015 gr/acfm; 0.4 lb/hr; 1.75 TPY
-015	Cement Storage Silos #1 & #2 with Baghouse	0.015 gr/acfm; 1.0 lb/hr; 4.38 TPY
-017	Iron Ore Bin with Baghouse	0.015 gr/acfm; 0.5 lb/hr; 2.19 TPY
-019	Finish Mill Feed Belt with Baghouse	1.16 lbs/hr; 5.08 tons/rolling 12-months
-021	Cement Storage Silo #3 Discharge System with Baghouse	0.015 gr/acfm; 1.29 lbs/hr; 5.1 TPY
-022	Cement Storage Silo #3 with Baghouse	0.015 gr/acfm; 0.68 lb/hr; 2.7 TPY
-023	Cement Storage Silo #4 and Truck Loadout Sys. with Baghouse	0.015 gr/acfm; 0.11 lb/hr; 0.44 TPY
-024	Cement Storage Silo and Railcar Loadout Sys. with Baghouses	0.02 gr/acfm

[PSD-FL-090 & PSD-FL-091 and BACT; PA 82-17; and, AC27-091432, -091433, -118672, -118673, -118675, -118677, -118678, -118683, -118685, -118686, -118687, -118688, -118689, -118690, -189081, -199744 & -228926]

B.8. Visible Emissions. Visible emissions shall not exceed 5 percent opacity, since each emissions unit's potential particulate matter emissions are less than 100 TPY and is equipped with a baghouse control system. As long as the visible emissions do not exceed 5 percent opacity, compliance is assumed for the particulate matter limitations established in Specific Condition **B.7**. See Specific Condition **B.12**.

If the Department has reason to believe that the particulate matter weight emissions standard in Specific Condition **B.7**. is not being met, it shall require that compliance be demonstrated by the test method specified in Specific Condition **B.11**.
[PSD-FL-090 & PSD-FL-091 and BACT; PA 82-17; AC27-091432, -091433, -118672, -118673, -118675, -118677, -118678, -118683, -118685, -118686, -118687, -118688, -118689, -118690, -189081, -199744 & -228926; and, Rule 62-297.620(4), F.A.C.]

Excess Emissions

B.9. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

B.10. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

B.11. Particulate Matter. Particulate matter emissions compliance testing shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **B.7.** and **B.8.**
[Rules 62-204.800 and 62-297.401, F.A.C.]

B.12. Visible Emissions. Visible emissions compliance testing shall be demonstrated annually using EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **B.8.** and **B.18.**
[Rules 62-204.800 and 62-297.401, F.A.C.; and, 40 CFR 63.1349(b)(2)]

B.13. 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.]

B.14. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

B.15. 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.]

B.16. 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 point 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:

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

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

B.17. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

B.18. 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.

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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or, 100 tons per year or more of any other regulated air pollutant; and,

c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.
(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.; and, 40 CFR 63.1349(c)]

B.19. The owner or operator of an affected emissions unit subject to 40 CFR 63, Subpart LLL, shall demonstrate initial compliance with the emission limits of 40 CFR 63.1347 and 40 CFR 63.1348 (See Specific Condition B.8.) using the test methods and procedures in paragraph 40 CFR 63.1349(b) and 40 CFR 63.7. Performance test results shall be documented in complete test reports that contain the information required by paragraphs 40 CFR 63.1349(a)(1) through (a)(10), as well as all other relevant information. The plan to be followed during testing shall be made available to the Administrator prior to testing, if requested.

(1) A brief description of the process and the air pollution control system;
(2) Sampling location description(s);
(3) A description of sampling and analytical procedures and any modifications to standard procedures;
(4) Test results;
(5) Quality assurance procedures and results;
(6) Records of operating conditions during the test, preparation of standards, and calibration procedures;
(7) Raw data sheets for field sampling and field and laboratory analyses;
(8) Documentation of calculations;
(9) All data recorded and used to establish parameters for compliance monitoring; and
(10) Any other information required by the test method.

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1349(a)]

Monitoring of Operations

B.20. 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.]

B.21.(a) The owner or operator of each Portland cement plant shall prepare for each affected emissions unit subject to the provisions of this subpart, a written operations and maintenance plan. The plan shall be submitted to the Administrator for review and approval as part of the application for a 40 CFR Part 70 permit and shall include the following information:

(1) Procedures for proper operation and maintenance of the affected emissions unit and air pollution control devices in order to meet the emission limits and operating limits of 40 CFR 63.1347 and 40 CFR 63.1348 (See Specific Condition **B.8.**);

(2) Corrective actions to be taken when required by paragraph 40 CFR 63.1350(e); and

(4) Procedures to be used to periodically monitor affected emissions units subject to opacity standards under 40 CFR 63.1348 (See Specific Condition **B.8.**). Such procedures must include the provisions of paragraphs 40 CFR 63.1350(a)(4)(i) through (a)(4)(iv).

(i) The owner or operator must conduct a monthly 1-minute visible emissions test of each affected emissions unit in accordance with Method 22 of Appendix A, 40 CFR Part 60. The test must be conducted while the affected emissions unit is in operation.

(ii) If no visible emissions are observed in six consecutive monthly tests for any affected emissions unit, the owner or operator may decrease the frequency of testing from monthly to semi-annually for that affected emissions unit. If visible emissions are observed during any semi-annual test, the owner or operator must resume testing of that affected emissions unit on a monthly basis and maintain that schedule until no visible emissions are observed in six consecutive monthly tests.

(iii) If no visible emissions are observed during the semi-annual test for any affected emissions unit, the owner or operator may decrease the frequency of testing from semi-annually to annually for that affected emissions unit. If visible emissions are observed during any annual test, the owner or operator must resume testing of that affected emissions unit on a monthly basis and maintain that schedule until no visible emissions are observed in six consecutive monthly tests.

(iv) If visible emissions are observed during any Method 22 test, the owner or operator must conduct a 6-minute test of opacity in accordance with Method 9 of Appendix A, 40 CFR Part 60. The Method 9 test must begin within one hour of any observation of visible emissions.

(b) Failure to comply with any provision of the operations and maintenance plan developed in accordance with paragraph 40 CFR 63.1350(a) shall be a violation of the standard.
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1350(a)(1), (2) & (4) and (b)]

B.22. The owner or operator of a finish mill shall monitor opacity by conducting daily visual emissions observations of the mill sweep and air separator PMCDs (PM control devices) of this affected source, in accordance with the procedures of Method 22 of Appendix A, 40 CFR Part 60. The Method 22 test shall be conducted while the affected source is operating at the highest load or capacity level reasonably expected to occur within the day. The duration of the Method 22 test shall be six minutes. If visible emissions are observed during any Method 22 visible emissions test, the owner or operator must:

(1) Initiate, within one-hour, the corrective actions specified in the site specific operating and maintenance plan developed in accordance with paragraphs 40 CFR 63.1350(a)(1) and (a)(2); and

(2) Within 24 hours of the end of the Method 22 test in which visible emissions were observed, conduct a visual opacity test of each stack from which visible emissions were observed in accordance with Method 9 of Appendix A, 40 CFR Part 60. The duration of the Method 9 test shall be thirty minutes.

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1350(e)]

B.23. The owner or operator of an affected source subject to a limitation on opacity under 40 CFR 63.1348 (See Specific Condition **B.8.**) shall monitor opacity in accordance with the operation and maintenance plan developed in accordance with paragraph 40 CFR 63.1350(a). See Specific Condition B.21.
[Rule 62-206.800, F.A.C.; and, 40 CFR 63.1350(j)]

Notification, Recordkeeping and Reporting Requirements

B.24. Notification requirements.
(a) The notification provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a notice that contains all of the information required in a notification listed in 40 CFR 63.1353, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of 40 CFR 63.1353 for that notification.
(b) Each owner or operator subject to the requirements of 40 CFR 63, Subpart LLL shall comply with the notification requirements in 40 CFR 63.9 as follows:

(1) Initial notifications as required by 40 CFR 63.9(b) through (d). For the purposes of 40 CFR 63, Subpart LLL, a Title V or 40 CFR Part 70 permit application may be used in lieu of the initial notification required under 40 CFR 63.9(b), provided the same information is contained in the permit application as required by 40 CFR 63.9(b), and the State to which the permit application has been submitted has an approved operating permit program under 40 CFR Part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notification.

(2) Notification of performance tests, as required by 40 CFR 63.7 and 63.9(e).

(3) Notification of opacity and visible emission observations required by 40 CFR 63.1349 in accordance with 40 CFR 63.6(h)(5) and 63.9(f).

(4) Reserved.

(5) Notification of compliance status, as required by 40 CFR 63.9(h).

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1353(a) and (b)(1), (2), (3) & (5)]

B.25. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

B.26. Reporting requirements.
(a) The reporting provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a report that contains all of the information required in a report listed in 40 CFR 63.1354, the owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of 40 CFR 63.1354 for that report.
(b) The owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 of the general provisions of 40 CFR Part 63, Subpart A as follows:

(1) As required by 40 CFR 63.10(d)(2), the owner or operator shall report the results of performance tests as part of the notification of compliance status.

(2) As required by 40 CFR 63.10(d)(3), the owner or operator of an affected source shall report the opacity results from tests required by 40 CFR 63.1349.

(3) As required by 40 CFR 63.10(d)(4), the owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under 40 CFR 63.6(i) shall submit such reports by the dates specified in the written extension of compliance.

(4) As required by 40 CFR 63.10(d)(5), if actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan specified in 40 CFR 63.6(e)(3), the owner or operator shall state such information in a semiannual report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report may be submitted simultaneously with the excess emissions and continuous monitoring system performance reports; and

(5) Any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the owner or operator shall make an immediate report of the actions taken for that event within 2 working days, by telephone call or facsimile (FAX) transmission. The immediate report shall be followed by a letter, certified by the owner or operator or other responsible official, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred.

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1354(a) and (b)(1) thru (5)]

B.27. Recordkeeping requirements.
(a) The owner or operator shall maintain files of all information (including all reports and notifications) required by 40 CFR 63.1355 recorded in a form suitable and readily available for inspection and review as required by 40 CFR 63.10(b)(1). The files shall be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent **five** years of data shall be retained on site. The files may be maintained on microfilm, on a computer, on floppy disks, on magnetic tape, or on microfiche.
(b) The owner or operator shall maintain records for each affected source as required by 40 CFR 63.10(b)(2) and (b)(3); and

(1) All documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9;
(2) All records of applicability determination, including supporting analyses; and
(3) If the owner or operator has been granted a waiver under 40 CFR 63.8(f)(6), any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements.

[Rules 62-204.800 and 62-213.440, F.A.C.; and, 40 CFR 63.1355(a) and (b)]

B.28. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

Miscellaneous

B.29. Delegation of Authority.
(a) In delegating implementation and enforcement authority to a State under Subpart E of 40 CFR Part 63, the authorities contained in paragraph 40 CFR 63.1358(b) shall be retained by the Administrator and not transferred to a State.
(b) Authority which will not be delegated to States:
(1) Approval of alternative non-opacity emission standards under 40 CFR 63.6(g).
(2) Approval of alternative opacity standards under 40 CFR 63.6(h)(9).
(3) Approval of major changes to test methods under 40 CFR 63.7(e)(2)(ii) and 63.7(f). A major change to a test method is a modification to a federally enforceable test method that uses unproven technology or procedures or is an entirely new method (sometimes necessary when the required test method is unsuitable).
(4) Approval of major changes to monitoring under 40 CFR 63.8(f). A major change to monitoring is a modification to federally enforceable monitoring that uses unproven technology or procedures, is an entirely new method (sometimes necessary when the required monitoring is unsuitable), or is a change in the averaging period.
(5) Waiver of recordkeeping under 40 CFR 63.10(f)

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1358]

Subsection C. This section addresses the following emissions unit.

Brooksville Cement Plant I	
E.U. ID No./Facility ID No.	**Brief Description**
-008/S-04	Clinker Receiving/Handling System

This emissions unit is an integrated system for handling clinker that includes a below-grade truck unloading hopper, a belt conveyor, and a deep-bucket conveyor. The fugitive particulate matter emissions generated from the transfer of clinker from the receiving hopper to the belt conveyor are controlled using a Johnson-Marsh Dust Suppressant system, which uses a non-ionic wetting agent to enhance the wettability of the clinker.

{Permitting note: This emissions unit is regulated under Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; 40 CFR 60, Subpart F, Standards of Performance for Portland Cement Plants, adopted in Rule 62-204.800, F.A.C.; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.}

General

C.0. The following Specific Conditions are in effect until midnight of June 9, 2002.

C.1. **Attachment "40 CFR 60, Subpart A"** is incorporated by reference.

Essential Potential to Emit (PTE) Parameters

C.2. Permitted Capacity. The maximum process/transfer/throughput rate of clinker is 100 tons/hour.

{Permitting note: The maximum rate has been placed in the permit to identify the capacity of the emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, Application received June 13, 1996.]

C.3. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.
[AC27-118680]

C.4. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **C.14.**
[Rule 62-297.310(2), F.A.C.]

C.5. Method of Operation. The emissions unit receives clinker from railcars and trucks from a below-grade receiving hopper and transfers the clinker using a belt conveyor and a deep-bucket conveyor system.
[Rule 62-213.410, F.A.C.; and, AC27-118680]

Emission Limitations

C.6. Particulate Matter. The allowable particulate matter emissions from the clinker handling system shall not exceed 0.7 lb/hr.
[AC27-118680]

C.7. Visible Emissions. Visible emissions shall not exceed 10 percent opacity. Compliance with the particulate matter emissions limit in Specific Condition **C.6.** shall be assumed if the visible emissions limit in this condition is met.

However, if visible emissions exceed 10 percent opacity, then the owner or operator shall install hoods, ducts, and air pollution control equipment that will reduce the particulate matter emissions to the standard listed in Specific Condition **C.6.**
[AC27-118680; and, 40 CFR 60.62(c)]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of an NSPS or NESHAP provision.}

C.8. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

C.9. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

C.10. Particulate Matter. Particulate matter emissions shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **C.6.** and **C.7.**
[Rules 62-204.800 and 62-297.401, F.A.C.]

C.11. Visible Emissions. Visible emissions shall be demonstrated annually using DER Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions C.12. and C.18.
[AC27-118680; and, Rules 62-204.800 and 62-297.401, F.A.C.]

C.12. DER Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.
2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
    a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
    b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.
[Rule 62-297.401, F.A.C.]

C.13. 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.]

C.14. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

C.15. 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.]

C.16. 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 point 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:

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

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

C.17. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

C.18. 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.

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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or, 100 tons per year or more of any other regulated air pollutant; and,

c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.

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

Monitoring of Operations

C.19. 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.]

Recordkeeping and Reporting Requirements

C.20. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]

C.21. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

Miscellaneous

C.22. A water spray system shall be installed and used as necessary to control fugitive dust emissions during clinker unloading operations from train cars or trucks to the receiving hopper. [AC27-118680]

Subsection D. This section addresses the following emissions unit.

Brooksville Cement Plant I	
E.U. ID No./Facility ID No.	**Brief Description**
-008/S-04	Clinker Receiving/Handling System

This emissions unit is an integrated system for handling clinker that includes a below-grade truck unloading hopper, a belt conveyor, and a deep-bucket conveyor. The fugitive particulate matter emissions generated from the transfer of clinker from the receiving hopper to the belt conveyor are controlled using a Johnson-Marsh Dust Suppressant system, which uses a non-ionic wetting agent to enhance the wettability of the clinker.

{Permitting note: This emissions unit is regulated under Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.}

General

D.0. The following Specific Conditions are in effect beginning at 12:01 a.m. of June 10, 2002.
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1351]

D.1. Exemption From New Source Performance Standards. Except as provided in paragraphs 40 CFR 63.1356(a)(1) and (a)(2), any affected source subject to the provisions of 40 CFR 63, Subpart LLL is exempted from any otherwise applicable new source performance standard contained in 40 CFR Part 60, Subpart F.
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1356]

D.2. **Attachment "40 CFR 63, Subpart A"** is incorporated by reference.

Essential Potential to Emit (PTE) Parameters

D.3. Permitted Capacity. The maximum process/transfer/throughput rate of clinker is 100 tons/hour.

{Permitting note: The maximum rate has been placed in the permit to identify the capacity of the emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, Application received June 13, 1996.]

D.4. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.
[AC27-118680]

D.5. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **D.15.**
[Rule 62-297.310(2), F.A.C.]

D.6. Method of Operation. The emissions unit receives clinker from railcars and trucks from a below-grade receiving hopper and transfers the clinker using a belt conveyor and a deep-bucket conveyor system.
[Rule 62-213.410, F.A.C.; and, AC27-118680]

Emission Limitations

D.7. Particulate Matter. The allowable particulate matter emissions from the clinker handling system shall not exceed 0.7 lb/hr.
[AC27-118680]

D.8. Visible Emissions. Visible emissions shall not exceed 10 percent opacity. Compliance with the particulate matter emissions limit in Specific Condition **D.7.** shall be assumed if the visible emissions limit in this condition is met.

However, if visible emissions exceed 10 percent opacity, then the owner or operator shall install hoods, ducts, and air pollution control equipment that will reduce the particulate matter emissions to the standard listed in Specific Condition **D.7.**
[AC27-118680; and, 40 CFR 63.1348]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of an NSPS or NESHAP provision.}

D.9. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

D.10. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

D.11. Particulate Matter. Particulate matter emissions shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **D.7.** and **D.8.**
[Rules 62-204.800 and 62-297.401, F.A.C.]

D.12. Visible Emissions. Visible emissions shall be demonstrated annually using DER Method 9 pursuant to Chapter 62-297, F.A.C. See Specific Conditions **D.8.**, **D.13.** and **D.19.**
[AC27-118680; Rule 62-297.401, F.A.C.; and, 40 CFR 63.1349(b)(2)]

D.13. DER Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.
2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
    a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
    b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.
[Rule 62-297.401, F.A.C.]

D.14. 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.]

D.15. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

D.16. 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.]

D.17. 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 point 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:

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

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).
(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 62-297.310(4), F.A.C.]

D.18. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.
[Rule 62-297.310(6), F.A.C.]

D.19. 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.
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;
    b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or, 100 tons per year or more of any other regulated air pollutant; and,
    c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.
(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.; and, 40 CFR 63.1349(c)]

D.20. The owner or operator of an affected emissions unit subject to 40 CFR 63, Subpart LLL, shall demonstrate initial compliance with the emission limits of 40 CFR 63.1348 (See Specific Condition **D.8.**) using the test methods and procedures in paragraph 40 CFR 63.1349(b) and 40 CFR 63.7. Performance test results shall be documented in complete test reports that contain the information required by paragraphs 40 CFR 63.1349(a)(1) through (a)(10), as well as all other relevant information. The plan to be followed during testing shall be made available to the Administrator prior to testing, if requested.

(1) A brief description of the process and the air pollution control system;
(2) Sampling location description(s);
(3) A description of sampling and analytical procedures and any modifications to standard procedures;
(4) Test results;
(5) Quality assurance procedures and results;
(6) Records of operating conditions during the test, preparation of standards, and calibration procedures;
(7) Raw data sheets for field sampling and field and laboratory analyses;
(8) Documentation of calculations;
(9) All data recorded and used to establish parameters for compliance monitoring; and
(10) Any other information required by the test method.

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1349(a)]

Monitoring of Operations

D.21. 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.]

D.22.(a) The owner or operator of each Portland cement plant shall prepare for each affected emissions unit subject to the provisions of 40 CFR 63, Subpart LLL, a written operations and maintenance plan. The plan shall be submitted to the Administrator for review and approval as part of the application for a 40 CFR Part 70 permit and shall include the following information:

(1) Procedures for proper operation and maintenance of the affected emissions unit and air pollution control devices in order to meet the emission limits and operating limits of 40 CFR 63.1348 (See Specific Condition **D.8.**); and

(4) Procedures to be used to periodically monitor affected emissions units subject to opacity standards under 40 CFR 63.1348 (See Specific Condition **D.8.**). Such procedures must include the provisions of paragraphs 40 CFR 63.1350(a)(4)(i) through (a)(4)(iv).

(i) The owner or operator must conduct a monthly 1-minute visible emissions test of each affected emissions unit in accordance with Method 22 of Appendix A, 40 CFR Part 60. The test must be conducted while the affected emissions unit is in operation.

(ii) If no visible emissions are observed in six consecutive monthly tests for any affected emissions unit, the owner or operator may decrease the frequency of testing from monthly to semi-annually for that affected emissions unit. If visible emissions are observed during any semi-annual test, the owner or operator must resume testing of that affected emissions unit on a monthly basis and maintain that schedule until no visible emissions are observed in six consecutive monthly tests.

(iii) If no visible emissions are observed during the semi-annual test for any affected emissions unit, the owner or operator may decrease the frequency of testing from semi-annually to annually for that affected emissions unit. If visible emissions are observed during any annual test, the owner or operator must resume testing of that affected emissions unit on a monthly basis and maintain that schedule until no visible emissions are observed in six consecutive monthly tests.

(iv) If visible emissions are observed during any Method 22 test, the owner or operator must conduct a 6-minute test of opacity in accordance with Method 9 of Appendix A, 40 CFR Part 60. The Method 9 test must begin within one hour of any observation of visible emissions.

(b) Failure to comply with any provision of the operations and maintenance plan developed in accordance with paragraph 40 CFR 63.1350(a) shall be a violation of the standard.
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1350(a)(1) & (4) and (b)]

D.23. The owner or operator of an affected emissions unit subject to a limitation on opacity under 40 CFR 63.1348 (See Specific Condition **D.8.**) shall monitor opacity in accordance with the operation and maintenance plan developed in accordance with paragraph 40 CFR 63.1350(a). See Specific Condition **D.22**.
[Rule 62-206.800, F.A.C.; and, 40 CFR 63.1350(j)]

Notification, Recordkeeping and Reporting Requirements

D.24. Notification requirements.
(a) The notification provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a notice that contains all of the information required in a notification listed in 40 CFR 63.1353, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of 40 CFR 63.1353 for that notification.
(b) Each owner or operator subject to the requirements of 40 CFR 63, Subpart LLL shall comply with the notification requirements in 40 CFR 63.9 as follows:

(1) Initial notifications as required by 40 CFR 63.9(b) through (d). For the purposes of 40 CFR 63, Subpart LLL, a Title V or 40 CFR Part 70 permit application may be used in lieu of the initial notification required under 40 CFR 63.9(b), provided the same information is contained in the permit application as required by 40 CFR 63.9(b), and the State to which the permit application has been submitted has an approved operating permit program under 40 CFR Part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notification.
(2) Notification of performance tests, as required by 40 CFR 63.7 and 63.9(e).
(3) Notification of opacity and visible emission observations required by 40 CFR 63.1349 in accordance with 40 CFR 63.6(h)(5) and 63.9(f).
(4) Reserved.
(5) Notification of compliance status, as required by 40 CFR 63.9(h).

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1353(a) and (b)(1), (2), (3) & (5)]

D.25. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

D.26. Reporting requirements.

(a) The reporting provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a report that contains all of the information required in a report listed in 40 CFR 63.1354, the owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of 40 CFR 63.1354 for that report.

(b) The owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 of the general provisions of 40 CFR Part 63, Subpart A, as follows:

(1) As required by 40 CFR 63.10(d)(2), the owner or operator shall report the results of performance tests as part of the notification of compliance status.

(2) As required by 40 CFR 63.10(d)(3), the owner or operator of an affected source shall report the opacity results from tests required by 40 CFR 63.1349.

(3) As required by 40 CFR 63.10(d)(4), the owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under 40 CFR 63.6(i) shall submit such reports by the dates specified in the written extension of compliance.

(4) As required by 40 CFR 63.10(d)(5), if actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan specified in 40 CFR 63.6(e)(3), the owner or operator shall state such information in a semiannual report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report may be submitted simultaneously with the excess emissions and continuous monitoring system performance reports; and

(5) Any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the owner or operator shall make an immediate report of the actions taken for that event within 2 working days, by telephone call or facsimile (FAX) transmission. The immediate report shall be followed by a letter, certified by the owner or operator or other responsible official, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred.

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1354(a) and (b)(1) thru (5)]

D.27. Recordkeeping Requirements.

(a) The owner or operator shall maintain files of all information (including all reports and notifications) required by 40 CFR 63.1355 recorded in a form suitable and readily available for inspection and review as required by 40 CFR 63.10(b)(1). The files shall be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent **five** years of data shall be retained on site. The files may be maintained on microfilm, on a computer, on floppy disks, on magnetic tape, or on microfiche.

(b) The owner or operator shall maintain records for each affected source as required by 40 CFR 63.10(b)(2) and (b)(3); and

(1) All documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9;

(2) All records of applicability determination, including supporting analyses; and

(3) If the owner or operator has been granted a waiver under 40 CFR 63.8(f)(6), any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements.

[Rules 62-204.800 and 62-213.440, F.A.C.; and, 40 CFR 63.1355(a) and (b)]

D.28. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

Miscellaneous

D.29. Delegation of Authority.
(a) In delegating implementation and enforcement authority to a State under Subpart E of 40 CFR Part 63, the authorities contained in paragraph 40 CFR 63.1358(b) shall be retained by the Administrator and not transferred to a State.
(b) Authority which will not be delegated to States:
(1) Approval of alternative non-opacity emission standards under 40 CFR 63.6(g).
(2) Approval of alternative opacity standards under 40 CFR 63.6(h)(9).
(3) Approval of major changes to test methods under 40 CFR 63.7(e)(2)(ii) and 63.7(f). A major change to a test method is a modification to a federally enforceable test method that uses unproven technology or procedures or is an entirely new method (sometimes necessary when the required test method is unsuitable).
(4) Approval of major changes to monitoring under 40 CFR 63.8(f). A major change to monitoring is a modification to federally enforceable monitoring that uses unproven technology or procedures, is an entirely new method (sometimes necessary when the required monitoring is unsuitable), or is a change in the averaging period.
(5) Waiver of recordkeeping under 40 CFR 63.10(f)

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1358(a) and (b)]

D.30. A water spray system shall be installed and used as necessary to control fugitive dust emissions during clinker unloading operations from train cars or trucks to the receiving hopper. [AC27-118680]

Subsection E. This section addresses the following emissions unit.

Brooksville Cement Plant I	
E.U. ID No./Facility ID No.	**Brief Description**
-020/	Cement Kiln I, In-Line Kiln/Raw Mill and Clinker Cooler I with Baghouse

The cement plant is designed for 1800 tons/day of cement clinker product. Electrical power and heat is supplied by a 150 MW power plant (Brooksville Power Plant: Central Power & Lime). The cement kiln I, clinker cooler I and raw mill share a common baghouse fabric filter system (for particulate matter emissions control) and stack with the power plant. Waste heat from the kiln is used to provide heat to the raw mill and the kiln preheater, which is used to drive off moisture from the materials used for making clinker. The movement of raw materials, recycled materials, and product will be through enclosed transfer systems. All gas streams from the various transfer systems will vent through a baghouse system into the ambient air. The existing site is zoned for mining, so limestone and clay used in the production of cement will be supplied on site. The kiln is allowed to fire bituminous coal, distillate and residual fuel oil, on-specification used oil, and shredded and whole tires. Continuous monitors are operated for opacity, NOx, SO_2, and O_2; in addition, a flow monitor is required in association with the NOx CEM. The stack height is 300 feet, with an exit diameter of 16.0 feet and an exit temperature of 220° F. The actual volumetric flow rate is 577,700 acfm; and, the maximum dry standard flow rate is 376,796 dscfm.

{Permitting note: This emissions unit activity is regulated under Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091, -091A, B, C & D) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; 40 CFR 60, Subpart F, Standards of Performance for Portland Cement Plants, adopted in Rule 62-204.800, F.A.C.; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.}

General

E.0. The following Specific Conditions are in effect until midnight of June 9, 2002.

Essential Potential to Emit (PTE) Parameters

E.1. Permitted Capacity.
a. For the cement kiln I, the maximum dry feed rate to the kiln is 127.0 tons/hour (138.0 tons/hour feed rate to the preheater).
b. For the clinker cooler I, the maximum clinker production rate is 83.0 tons/hour.
c. For the raw mill, the maximum processing rate is 138 tons/hour (dry basis).
[AC27-61016/PSD-FL-091; Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, Application received June 13, 1996.]

E.2. Hours of Operation.
a. The emissions units are allowed to operate continuously, i.e., 8,760 hours/year.
b. Shredded and whole tire (TDF) utilization shall not exceed 8,300 hours/year.
[AC27-61016/PSD-FL-091; AC27-118674/PSD-FL-091A & B; and, AC27-222095/PSD-FL-091C]

E.3. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **E.19.**
[Rule 62-297.310(2), F.A.C.]

E.4. Methods of Operation - Fuels.
a. The only fuels allowed to be fired are coal, No. 2 distillate fuel oil, residual fuel oil, "on-specification" used oil, and TDF.
b. The maximum coal consumption in the cement kiln is 10.3 tons/hour.
c. The new No. 2 fuel oil shall be used for the cement kiln's startup/preheating operation.
d. "On-specification" used oil is allowed to be fired as a blend with purchased fuel oil as a startup fuel only. The maximum on-specification used oil in the final storage tank blend of on-specification used oil and purchased oil shall not exceed 15%, by volume.
e. The cement kiln I's maximum utilization/firing rate of TDF shall not exceed 15.0 percent of the total Btu heat input, or 1.33 tons/hour. The TDF may be introduced at the base of the preheater (i.e., kiln's inlet). The firing of the TDF shall not commence or be conducted unless the kiln has reached an operating temperature, which shall be measured at the cement kiln's inlet, of at least 1400° F for one hour and the oxygen level in the kiln, as measured at the cement plant's induced draft fan, is at least 3 percent (1-hour average).
[Rule 62-213.410, F.A.C.; AC27-61016/PSD-FL-091; AC27-118674/PSD-FL-091A & B; and, AC27-222095/PSD-FL-091C & D]

Emission Limitations

E.5. Particulate Matter (PM), Sulfur Dioxide (SO_2) and Nitrogen Oxides (NOx). Based on a maximum preheater feed rate of 123.8 tons/hr and when only the cement plant I is in operation, the allowable pollutant emissions from the cement kiln I and/or clinker cooler I (from the main baghouse stack) shall not exceed the following:

	Maximum Emission Limits	Maximum Allowable Emission Limits	
Pollutant	lb/ton of kiln feed	lbs/hr	tons/yr
PM (kiln I)	0.30	37.1	162
PM (clinker cooler I)	0.10	12.4	54
PM (combined total: kiln I and clinker cooler I)	0.40	49.5	216
SO_2	0.6	50.0	219
NOx	2.9	359.0	1572

[AC27-61016/PSD-FL-091 and BACT; AC27-118674; 40 CFR 60.62(a)(1); and, 40 CFR 60.62(b)(1)]

E.6. Visible Emissions. Visible emissions from the cement kiln I, clinker cooler I, or raw mill shall not exceed 10 percent opacity.
[AC27-61016/PSD-FL-091; AC27-118674; and, 40 CFR 60.62(b)(2)]

E.7. Sulfur Dioxide - Sulfur Content. The maximum sulfur content of virgin fuel oil and/or the blend of on-specification used oil and purchased fuel oil is 1.5%, by weight, for the purpose of preheating the cement kiln.
[AC27-222095/PSD-FL-091D]

E.8. "On-Specification" Used Oil. The burning of "on-specification" used oil is allowed at this facility in accordance with all other conditions of this permit and the following additional conditions:
a. Only "on-specification" used oil generated at the Florida Crushed Stone Company's Gregg Mine and the Central Power and Lime Plant can be blended with the purchased fuel oil, which is to be used only as a startup fuel for preheating the cement kiln. "On-specification" used oil is defined as each used oil delivery that meets the 40 CFR 279 (Standards for the Management of Used Oil) specifications listed below. Used oil that does not meet all of the following specifications is considered "off-specification" oil and shall not be fired.

Constituent/Property*	Allowable Level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum
Flash Point	140 °F minimum

* As determined by approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods).

b. Permittee agrees that the used oil to be blended and burned at this facility shall not be a hazardous waste as defined in Rule 62-210.200, F.A.C., or 40 CFR Part 261, and will not include fuels or blended fuels consisting in whole or part of hazardous waste or which include mixtures of any solid waste generated from the treatment, storage, or disposal of hazardous waste, and such burning shall be in compliance with Section 403.769(3), F.S.
[AC27-222095/PSD-FL-091D; and, 40 CFR 279.11]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of an NSPS, NESHAP, or Acid Rain program provision.}

E.9. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

E.10. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

E.11. Opacity Excess Emissions. For the purpose of reports under 40 CFR 60.65, periods of excess emissions that shall be reported are defined as all 6-minute periods during which the average opacity exceeds 10% opacity. See Specific Conditions **E.6.** and **E.37.**
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.63(d)]

Test Methods and Procedures

E.12. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:
a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:
(1) during normal operations when the power plant and cement plant I are operating in combination; and,
(2) at or near maximum production when the cement plant I is operating alone.
[PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

E.13. Particulate Matter. Performance tests for PM shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. The emissions rate, E, of PM shall be computed for each run using the following equation (Equation 1; also, see Specific Conditions **E.5.** & **E.12.**):

$$E = (c_s \times Q_{sd})/P \times K) \qquad \text{(Equation1)}$$

Where: E = emissions rate of PM, kg/metric ton (lb/ton) of kiln feed.
c_s = concentration of PM, g/dscm (g/dscf), as determined by Method 5.
Q_{sd} = volumetric flow rate of effluent gas, dscm/hr (dscf/hr), as determined by Method 5.
P = total kiln feed (dry basis) rate, metric ton/hr (ton/hr), as confirmed by material balance over the production system.
K = conversion factor 1000g/kg (453.6 g/lb).

The sampling time and sampling volume for each run shall be at least 60 minutes and 0.85 dscm (30.0 dscf) for the kiln and at least 60 minutes and 1.15 dscm (40.6 dscf) for the clinker cooler.

[Rules 62-204.800 & 62-297.401, F.A.C.; 40 CFR 60.64(b)(1) thru (3); AC27-61016/PSD-FL-091; and, AC27-118674]

E.14. Visible Emissions.
a. Visible emissions shall be demonstrated using EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **E.6.** & **E.12.**
[Rules 62-204.800 & 62-297.401, F.A.C.; and, 40 CFR 60.64(4)]

E.15. Sulfur Dioxide. Compliance with the sulfur dioxide emission limits in Specific Condition E.5. shall be demonstrated using EPA Method 6 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.
[Rule 62-297.401, F.A.C.; AC27-61016/PSD-FL-091; and, AC27-118674]

E.16. Nitrogen Oxide. Compliance with the nitrogen oxide emission limits in Specific Condition E.5. shall be demonstrated using EPA Method 7 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.
[Rule 62-297.401, F.A.C.; AC27-61016/PSD-FL-091; and, AC27-118674]

E.17. On-specification Used Oil. Fuel analysis shall be in accordance with 40 CFR 266.43(b)(1) & (6). A sample shall be taken from the outlet of the blend tank on the first working day (i.e., Monday - Friday; exceptions: holidays) of each month, if any used oil was placed in the blend tank the previous month; or, the sample can be taken directly from the used oil mobile collection tank after final collection and prior to the time of initial transfer; but, that sampling frequency shall be no less than quarterly and the sampling methodology shall have been established with the Department and Hernando County prior to sampling. Upon taking a sample, the sample shall be analyzed for the following constituent/property and associated unit and using the following test methods (or their latest version):

Constituent/Property	Unit	Test Method
Arsenic	ppm	EPA SW-846 (3040-7130)
Cadmium	ppm	EPA SW-846 (3040-7130)
Chromium	ppm	EPA SW-846 (3040-7130)
Lead	ppm	EPA SW-846 (3040-7130)
Total Halogens	ppm	ASTM E442
Sulfur	%	ASTM D2622-92, ASTM D4294-90, or both ASTM D4057-88 & ASTM D129-91
Flash Point	°F	ASTM D93
Heat of Combustion	Btu/gal	ASTM D240-76
Density	lbs/gal	ASTM D1298-80

Note: Other test methods may be used only after receiving written approval from the Department.
[AC27-222095 and PSD-FL-091D]

E.18. 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.]

E.19. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

E.20. 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.]

E.21. 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 point 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:

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

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

E.22. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

E.23. 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 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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or 100 tons per year or more of any other regulated air pollutant; and,

c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.; and, AC27-118674]

Monitoring of Operations

E.24. 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.]

E.25. Instruments shall be installed, calibrated, and maintained to continuously measure the amounts of coal used in the kiln, materials fed to the kiln, and clinker produced.
[AC27-61016/PSD-FL-091; and, AC27-118674]

E.26. The utilization/firing rate of TDF shall be quantified (weighed) continuously and recorded.
[AC27-222095 and PSD-FL-091C]

E.27. Nitrogen Oxide. The owner or operator shall continuously monitor NOx concentrations in the stack gases in the CPL (cement, power, and lime) main plant stack, and convert the same to a mass emission rate (lb/hr on a 1-hour average) using a FDEP approved conversion factor. Within 6 months following EPA promulgation of final regulations on continuous emission monitoring (40 CFR Part 75), a flow monitor and NOx emission monitor (EPA-approved or equivalent) shall be installed in the CPL main plant stack to continuously measure the stack gas flow rate and NOx concentration. The monitors shall be maintained and calibrated periodically to insure adequate data. The data shall be recorded on an hourly basis and used in the determination of NOx stack emissions.
[AC27-222095 and PSD-FL-091C; and, 40 CFR 60, Appendix B]

E.28. The owner or operator shall install, calibrate, maintain, and operate in accordance with 40 CFR 60.13 a continuous opacity monitoring system to measure the opacity of emissions from the cement kiln and clinker cooler control device stack. The calibration of the continuous monitoring system shall be in accordance with 40 CFR 60, Appendix B, Performance Specification 1.
[Rule 62-296.800, F.A.C.; 40 CFR 60, Appendix B; and, 40 CFR 60.63(b)]

E.29. The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitoring system to measure SO_2 emissions from the cement kiln and clinker cooler control device stack. The calibration of the continuous monitoring system shall be in accordance with 40 CFR 60, Appendix B, Performance Specification 2.
[Rule 6204.070(3), F.A.C.; 40 CFR 60, Appendix B; and, AO27-231888A]

E.30. The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitoring system to measure O_2 emissions in the cement kiln and clinker cooler control device stack. The calibration of the continuous monitoring system shall be in accordance with 40 CFR 60, Appendix B, Performance Specification 3.
[Rule 62-4.070(3), F.A.C.; 40 CFR 60, Appendix B; and, AC27-222095]

Recordkeeping and Reporting Requirements

E.31. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

E.32. The records of fuel usage with the fuel analysis and the daily production rates (including clinker production rate) and kiln feed rates shall be recorded and reported quarterly to the Department's Southwest District office.
[AC27-61016/PSD-FL-091; AC27-118674; and, 40 CFR 60.63(a)]

E.33. The quantity of all deliveries of TDF shall be documented and kept on record/file.
[AC27-222095 and PSD-FL-091C]

E.34. On-specification Used Oil.
a. The results of each sample analysis shall be submitted to the Department's Southwest District and the Hernando County Planning offices within 30-days after the sample is taken.
b. The dates and quantities of both on-specification used oil and purchased fuel oil transferred to the cement kiln's storage tank shall be reported quarterly (i.e., Jan.-Mar., April-June, July-Sept., and Oct.-Dec.) to the Department's Southwest District and the Hernando County Planning offices and due during the month following the ending quarter.
[AC27-222095 and PSD-FL-091D]

E.35. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

E.36. An Annual Operation Report (AOR) shall be submitted to the Department's Southwest District office by March 1 reporting the kiln's averaged process input rate and clinker production of each month of the previous year. The AOR shall also contain the total amount, separately and by weight, of shredded and whole tires utilized/fired during the previous year.
[AC27-222095 and PSD-FL-091C]

E.37. Each owner or operator required to install a continuous opacity monitoring system under 40 CFR 60.63(b) shall submit reports of excess emissions as defined in 40 CFR 60.63(d). The content of these reports must comply with the requirements in 40 CFR 60.7(c). Notwithstanding the provisions of 40 CFR 60.7(c), such reports shall be submitted semiannually.
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.65(a)]

Miscellaneous

E.38. For PSD tracking purposes only, the potential total hydrocarbon emissions are 22.8 tons/year.
[AC27-222095 and PSD-FL-091C]

Subsection F. This section addresses the following emissions units.

Brooksville Cement Plant I	
E.U. ID No./Facility ID No.	**Brief Description**
-020/	Cement Kiln I, In-Line Kiln/Raw Mill and Clinker Cooler I with Baghouse

The cement plant is designed for 1800 tons/day of cement clinker product. Electrical power and heat is supplied by a 150 MW power plant (Brooksville Power Plant: Central Power & Lime, Inc.). The cement kiln I, in-line kiln/raw mill and clinker cooler I share a common baghouse fabric filter system (for particulate matter emissions control) and stack with the power plant. Waste heat from the kiln is used to provide heat to the raw mill and the kiln preheater, which is used to drive off moisture from the materials used for making clinker. The movement of raw materials, recycled materials, and product will be through enclosed transfer systems. All gas streams from the various transfer systems will vent through a single baghouse system into the ambient air. The existing site is zoned for mining, so limestone and clay used in the production of cement will be supplied on site. The kiln is allowed to fire bituminous coal, distillate and residual fuel oil, on-specification used oil, and shredded and whole tires. Continuous monitors are operated for opacity, NOx, SO_2, and O_2. The stack height is 300 feet, with an exit diameter of 16.0 feet and an exit temperature of 220 °F. The actual volumetric flow rate is 577,700 acfm; and, the maximum dry standard flow rate is 376,796 dscfm.

{Permitting note: This emissions unit activity is regulated under Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-091, -091A, B, C & D) and Best Available Control Technology, respectively; Power Plant Siting: PA 82-17; and, 40 CFR 63, Subpart LLL, National Emissions Standards for Hazardous Air Pollutants from Portland Cement Manufacturing Industry, adopted in Rule 62-204.800, F.A.C., by June 10, 2002.}

General

F.0. The following Specific Conditions are in effect beginning at 12:01 a.m. of June 10, 2002. [Rule 62-204.800, F.A.C.; and, 40 CFR 63.1351]

F.1. Exemption From New Source Performance Standards. Except as provided in paragraphs 40 CFR 63.1356(a)(1) and (a)(2), any affected source subject to the provisions of 40 CFR 63, Subpart LLL is exempted from any otherwise applicable new source performance standard contained in 40 CFR Part 60, Subpart F.
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1356]

F.2. **Attachment "40 CFR 63, Subpart A"** is incorporated by reference.

Essential Potential to Emit (PTE) Parameters

F.3. Permitted Capacity.
a. For the cement kiln I, the maximum dry feed rate to the kiln is 127.0 tons/hour (138.0 tons/hour feed rate to the preheater).
b. For the clinker cooler I, the maximum clinker production rate is 83.0 tons/hour.
c. For the in-line kiln/raw mill, the maximum processing rate is 138 tons/hour (dry basis).
[AC27-61016/PSD-FL-091; Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, Application received June 13, 1996.]

F.4. Hours of Operation.
a. The emissions units are allowed to operate continuously, i.e., 8,760 hours/year.
b. Shredded and whole tire (TDF) utilization shall not exceed 8,300 hours/year.
[AC27-61016/PSD-FL-091; AC27-118674/PSD-FL-091A & B; and, AC27-222095/PSD-FL-091C]

F.5. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **F.22**.
[Rule 62-297.310(2), F.A.C.]

F.6. Methods of Operation - Fuels.
a. The only fuels allowed to be fired are coal, No. 2 distillate fuel oil, residual fuel oil, "on-specification" used oil, and TDF.
b. The maximum coal consumption in the cement kiln is 10.3 tons/hour.
c. The new No. 2 fuel oil shall be used for the cement kiln's startup/preheating operation.
d. "On-specification" used oil is allowed to be fired as a blend with purchased fuel oil as a startup fuel only. The maximum on-specification used oil in the final storage tank blend of on-specification used oil and purchased oil shall not exceed 15%, by volume.
e. The cement kiln I's maximum utilization/firing rate of TDF shall not exceed 15.0 percent of the total Btu heat input, or 1.33 tons/hour. The TDF may be introduced at the base of the preheater (i.e., kiln's inlet). The firing of the TDF shall not commence or be conducted unless the kiln has reached an operating temperature, which shall be measured at the cement kiln's inlet, of at least 1400° F for one hour and the oxygen level in the kiln, as measured at the cement plant's induced draft fan, is at least 3 percent (1-hour average).
[Rule 62-213.410, F.A.C.; AC27-61016/PSD-FL-091; AC27-118674/PSD-FL-091A & B; and, AC27-222095/PSD-FL-091C & D]

Emission Standards and Operating Limitations

F.7. Cement Plant: Particulate Matter (PM), Sulfur Dioxide (SO_2) and Nitrogen Oxides (NOx). Based on a maximum dry feed rate of 127.0 tons/hr to the kiln and when only the cement plant is in operation, the allowable pollutant emissions from the cement kiln I and/or clinker cooler I (from the main baghouse stack) shall not exceed the following:

	Maximum Emission Limits	Maximum Allowable Emission Limits	
Pollutant	lb/ton of kiln feed	lbs/hr	tons/yr
PM (kiln I or in-line kiln/ raw mill)	0.30	37.1	162
PM (clinker cooler I)	0.10	12.4	54
PM (combined total: kiln I or in-line kiln/raw mill and clinker cooler I)	0.40	49.5	216
SO_2	0.6	50.0	219
NOx	2.9	359.0	1572

[AC27-61016/PSD-FL-091 and BACT; AC27-118674; 40 CFR 63.1343(a) and (b)(1); and, 40 CFR 63.1345(a)(1)]

F.8. Visible Emissions. Visible emissions from the cement kiln I, clinker cooler I, or in-line kiln/raw mill shall not exceed 10 percent opacity.
[AC27-61016/PSD-FL-091 and BACT; AC27-118674; 40 CFR 63.1343(b)(2); and, 40 CFR 63.1345(a)(2)]

F.9. Sulfur Dioxide - Sulfur Content. The maximum sulfur content of virgin fuel oil and/or the blend of on-specification used oil and purchased fuel oil is 1.5%, by weight, for the purpose of preheating the cement kiln.
[AC27-222095/PSD-FL-091D]

F.10. Dioxins/Furans. No owner or operator of an existing in-line kiln/raw mill shall cause to be discharged into the atmosphere from these affected emissions units, any gases which contain dioxins/furans in excess of 0.40 ng/dscm (1.7×10^{-10} gr/dscf) (TEQ) corrected to seven percent oxygen, when the average of the performance test run average temperatures at the inlet to the particulate control device is 204° C (400° F) or less.
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1343(a) and (b)(3)(ii)]

F.11. "On-Specification" Used Oil. The burning of "on-specification" used oil is allowed at this facility in accordance with all other conditions of this permit and the following additional conditions:
a. Only "on-specification" used oil generated at the Florida Crushed Stone Company's Gregg Mine and the Central Power and Lime Plant can be blended with the purchased fuel oil, which is

to be used only as a startup fuel for preheating the cement kiln 1. "On-specification" used oil is defined as each used oil delivery that meets the 40 CFR 279 (Standards for the Management of Used Oil) specifications listed below. Used oil that does not meet all of the following specifications is considered "off-specification" oil and shall not be fired.

Constituent/Property*	Allowable Level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum
Flash Point	140 °F minimum

* As determined by approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods).

b. Permittee agrees that the used oil to be blended and burned at this facility shall not be a hazardous waste as defined in Rule 62-210.200, F.A.C., or 40 CFR Part 261, and will not include fuels or blended fuels consisting in whole or part of hazardous waste or which include mixtures of any solid waste generated from the treatment, storage, or disposal of hazardous waste, and such burning shall be in compliance with Section 403.769(3), F.S.
[AC27-222095/PSD-FL-091D; and, 40 CFR 279.11]

F.12. Operating Limits for Kilns and In-line Kiln/Raw Mills.
(a) The owner or operator of a kiln subject to a D/F emission limitation under 40 CFR 63.1343 must operate the kiln such that the temperature of the gas at the inlet to the kiln particulate matter control device (PMCD) does not exceed the applicable temperature limit specified in paragraph 40 CFR 63.1344(b). The owner or operator of an in-line kiln/raw mill subject to a D/F emission limitation under 40 CFR 63.1343 must operate the in-line kiln/raw mill, such that,

(1) When the raw mill of the in-line kiln/raw mill is operating, the applicable temperature limit for the main in-line kiln/raw mill exhaust, specified in paragraph 40 CFR 63.1344(b) and established during the performance test when the raw mill was operating is not exceeded.

(2) When the raw mill of the in-line kiln/raw mill is not operating, the applicable temperature limit for the main in-line kiln/raw mill exhaust, specified in paragraph 40 CFR 63.1344(b) and established during the performance test when the raw mill was not operating, is not exceeded.

(b) The temperature limit for affected sources meeting the limits of paragraph 40 CFR 63.1344(a) or paragraphs 40 CFR 63.1344(a)(1) and (a)(2) is determined in accordance with 40 CFR 63.1349(b)(3)(iv).
[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1344(a)(1) & (2) and (b)]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of an NSPS, NESHAP, or Acid Rain program provision.}

F.13. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

F.14. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

{Permitting Note: The attached 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.15. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct:
a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:
(1) during normal operations when the power plant and cement plant I are operating in combination; and,
(2) at or near maximum production when the cement plant I is operating alone.
[PSD-FL-090 and PSD-FL-091; PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

F.16. Initial and Subsequent Performance Testing.
(a) The owner or operator of an affected emissions unit subject to 40 CFR 63, Subpart LLL, shall demonstrate initial compliance with the emission limits of 40 CFR 63.1343 and 63 CFR 63.1345 (See Specific Conditions **F.7., F.8.** and **F.10.**) using the test methods and procedures in paragraph 40 CFR 63.1349(b) and 40 CFR 63.7. Performance test results shall be documented in complete test reports that contain the information required by paragraphs 40 CFR 63.1349(a)(1) through (a)(10), as well as all other relevant information. The plan to be followed during testing shall be made available to the Administrator prior to testing, if requested.
(1) A brief description of the process and the air pollution control system;
(2) Sampling location description(s);
(3) A description of sampling and analytical procedures and any modifications to standard procedures;
(4) Test results;

(5) Quality assurance procedures and results;
(6) Records of operating conditions during the test, preparation of standards, and calibration procedures;
(7) Raw data sheets for field sampling and field and laboratory analyses;
(8) Documentation of calculations;
(9) All data recorded and used to establish parameters for compliance monitoring; and
(10) Any other information required by the test method.

(b) Performance tests to demonstrate initial compliance with 40 CFR 63, Subpart LLL, shall be conducted as specified in paragraphs 40 CFR 63.1349(b)(1) through (b)(3).

(1) The owner or operator of a kiln subject to limitations on particulate matter emissions shall demonstrate initial compliance by conducting a performance test as specified in paragraphs 40 CFR 63.1349(b)(1)(i) through (b)(1)(iii). The owner or operator of an in-line kiln/raw mill subject to limitations on particulate matter emissions shall demonstrate initial compliance by conducting separate performance tests as specified in paragraphs 40 CFR 63.1349(b)(1)(i) through (b)(1)(iii) while the raw mill of the in-line kiln/raw mill is under normal operating conditions and while the raw mill of the in-line kiln/raw mill is not operating. The owner or operator of a clinker cooler subject to limitations on particulate matter emissions shall demonstrate initial compliance by conducting a performance test as specified in paragraphs 40 CFR 63.1349(b)(1)(i) through (b)(1)(iii). The opacity exhibited during the period of the Method 5 of Appendix A, 40 CFR Part 60 performance tests required by paragraph 40 CFR 63.1349(b)(1)(i) shall be determined as required in paragraph 40 CFR 63.1349(b)(1)(v).

(i) EPA Method 5 of Appendix A, 40 CFR Part 60, shall be used to determine PM emissions. Each performance test shall consist of three separate runs under the conditions that exist when the affected source is operating at the highest load or capacity level reasonably expected to occur (See Specific Condition F.24.). Each run shall be conducted for at least one hour, and the minimum sample volume shall be 0.85 dscm (30 dscf). The average of the three runs shall be used to determine compliance. A determination of the particulate matter collected in the impingers ("back half") of the Method 5 particulate sampling train is not required to demonstrate initial compliance with the PM standards of 40 CFR 63, Subpart LLL. However this shall not preclude the permitting authority from requiring a determination of the "back half" for other purposes.

(ii) Suitable methods shall be used to determine the kiln or in-line kiln/raw mill feed rate, except for fuels, for each run.

(iii) The emission rate, E, of PM shall be computed for each run using Equation 1:

$$E = (c_s Q_{sd}) / P \qquad \textbf{(Equation 1)}$$

Where: E = emission rate of particulate matter, kg/Mg (lb/ton) of kiln feed.
c_s = concentration of PM, kg/dscm (g/dscf), as determined by Method 5.
Q_{sd} = volumetric flow rate of effluent gas, dscm/hr (dscf/hr), as determined by Method 5.
P = total kiln feed (dry basis), Mg/hr (ton/hr), as confirmed by material balance over the production system.

(v) Except as provided in paragraph 40 CFR 63.1349(b)(1)(vi) the opacity exhibited during the period of the Method 5 performance tests required by paragraph 40 CFR 63.1349(b)(1)(i) shall be determined through the use of a continuous opacity monitor (COM). The maximum six-minute average opacity during the three Method 5 test runs shall be determined during each Method 5 test run, and used to demonstrate initial compliance with the applicable opacity limits of 40 CFR 63.1343(b)(2) or 40 CFR 63.1345(a)(2). See Specific Conditions **F.8.** and **F.15.**

(3) The owner or operator of an affected source subject to limitations on D/F emissions shall demonstrate initial compliance with the D/F emission limit by conducting a performance test using Method 23 of Appendix A, 40 CFR Part 60. The owner or operator of an in-line kiln/raw mill shall demonstrate initial compliance by conducting separate performance tests while the raw mill of the in-line kiln/raw mill is under normal operating conditions and while the raw mill of the in-line kiln/raw mill is not operating (See Specific Condition **F.22.**).

(i) Each performance test shall consist of three separate runs; each run shall be conducted under the conditions that exist when the affected source is operating at the highest load or capacity level reasonably expected to occur (See Specific Condition **F.24.**). The duration of each run shall be at least three hours and the sample volume for each run shall be at least 2.5 dscm (90 dscf). The concentration shall be determined for each run and the arithmetic average of the concentrations measured for the three runs shall be calculated and used to determine compliance.

(ii) The temperature at the inlet to the kiln or in-line kiln/raw mill 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.

(iii) One-minute average temperatures must be calculated for each minute of each run of the test.

(iv) The run average temperature must be calculated for each run, and the average of the run average temperatures must be determined and included in the performance test report and will determine the applicable temperature limit in accordance with 40 CFR 63.1344(b).

(c) Except as provided in paragraph 40 CFR 63.1349(e), performance tests required under paragraphs 40 CFR 63.1349(b)(1) shall be repeated every five years. See Specific Conditions **F.15.** and **F.26.**

(d) Performance tests required under paragraph 40 CFR 63.1349(b)(3) shall be repeated every 30 months.

(e) The owner or operator is required to repeat the performance tests for kilns or in-line kiln/raw mills as specified in paragraphs 40 CFR 63.1349(b)(1) and (b)(3) within 90 days of initiating any significant change in the feed or fuel from that used in the previous performance test.

[Rules 62-204.800 and 62-297.310(7)(a)4., F.A.C.; and, 40 CFR 63.1349(a); (b)(1)(i), (ii), (iii) & (v); (b)(3)(i), (ii), (iii) & (iv); (c); (d); and, (e)]

F.17. Visible Emissions.
a. Visible emissions performance testing shall be demonstrated using EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **F.8.**, **F.15.** and **F.26.**
[Rules 62-204.800, 62-297.310(7) & 62-297.401, F.A.C.]

F.18. Sulfur Dioxide. Compliance with the sulfur dioxide emission limits in Specific Condition **F.7.** shall be demonstrated using EPA Method 6 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **F.15.** and **F.26.**
[Rules 62-297.310(7) & 62-297.401, F.A.C.; AC27-61016/PSD-FL-091; and, AC27-118674]

F.19. Nitrogen Oxide. Compliance with the nitrogen oxide emission limits in Specific Condition **F.7.** shall be demonstrated using EPA Method 7 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **F.15.** and **F.26.**
[Rules 62-297.310(7) & 62-297.401, F.A.C.; AC27-61016/PSD-FL-091; and, AC27-118674]

F.20. On-specification Used Oil. Fuel analysis shall be in accordance with 40 CFR 266.43(b)(1) & (6). A sample shall be taken from the outlet of the blend tank on the first working day (i.e., Monday - Friday; exceptions: holidays) of each month, if any used oil was placed in the blend tank the previous month; or, the sample can be taken directly from the used oil mobile collection tank after final collection and prior to the time of initial transfer; but, that sampling frequency shall be no less than quarterly and the sampling methodology shall have been established with the Department and Hernando County prior to sampling. Upon taking a sample, the sample shall be analyzed for the following constituent/property and associated unit and using the following test methods (or their latest version):

Constituent/Property*	Unit	Test Method
Arsenic	ppm	EPA SW-846 (3040-7130)
Cadmium	ppm	EPA SW-846 (3040-7130)
Chromium	ppm	EPA SW-846 (3040-7130)
Lead	ppm	EPA SW-846 (3040-7130)
Total Halogens	ppm	ASTM E442
Sulfur	%	ASTM D2622-92, ASTM D4294-90, or both ASTM D4057-88 & ASTM D129-91
Flash Point	°F	ASTM D93
Heat of Combustion	Btu/gal	ASTM D240-76
Density	lbs/gal	ASTM D1298-80

Note: Other test methods may be used only after receiving written approval from the Department.
[AC27-222095 and PSD-FL-091D]

F.21. 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.]

F.22. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

F.23. 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.]

F.24. 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 point 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:

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

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

F.25. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

F.26. 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 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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or 100 tons per year or more of any other regulated air pollutant; and,

c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.

[Rule 62-297.310(7), F.A.C.; 40 CFR 63.1349(c); and, AC27-118674]

Monitoring of Operations

F.27. 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.]

F.28. Monitoring Requirements.

(a) The owner or operator of each Portland cement plant shall prepare for each affected emissions unit subject to the provisions of 40 CFR 63, Subpart LLL, a written operations and maintenance plan. The plan shall be submitted to the Administrator for review and approval as part of the application for a 40 CFR Part 70 permit and shall include the following information:

(1) Procedures for proper operation and maintenance of the affected emissions unit and air pollution control devices in order to meet the emission limits and operating limits of 40 CFR 63.1343 through 40 CFR 63.1348;

(2) Corrective actions to be taken when required by paragraph 40 CFR 63.1350(e);

(3) Procedures to be used during an inspection of the components of the combustion system of each kiln and each in-line kiln raw mill located at the facility at least once per year.

(b) Failure to comply with any provision of the operations and maintenance plan developed in accordance with paragraph 40 CFR 63.1350(a) shall be a violation of the standard.

(c) The owner or operator of a kiln or in-line kiln/raw mill shall monitor opacity at each point where emissions are vented from these affected sources in accordance with paragraphs 40 CFR 63.1350(c)(1) and (c)(3).

(1) The owner or operator shall install, calibrate, maintain, and continuously operate a continuous opacity monitor (COM) located at the outlet of the PM control device to continuously monitor the opacity. The COM shall be installed, maintained, calibrated, and operated as required by Subpart A, general provisions of this 40 CFR Part 63, and according to PS-1 of Appendix B, 40 CFR Part 60.

(3) To remain in compliance, the opacity must be maintained such that the 6-minute average opacity for any 6-minute block period does not exceed 20 percent. If the average opacity for any 6-minute block period exceeds 20 percent, this shall constitute a violation of the standard.

(d) The owner or operator of a clinker cooler shall monitor opacity at each point where emissions are vented from the clinker cooler in accordance with paragraphs 40 CFR 63.1350(d)(1) and (d)(3).

(1) The owner or operator shall install, calibrate, maintain, and continuously operate a COM located at the outlet of the clinker cooler PM control device to continuously monitor the opacity. The COM shall be installed, maintained, calibrated, and operated as required by Subpart A, general provisions of 40 CFR Part 63, and according to PS-1 of Appendix B, 40 CFR Part 60.

(3) To remain in compliance, the opacity must be maintained such that the 6-minute average opacity for any 6-minute block period does not exceed 10 percent. If the average opacity for any 6-minute block period exceeds 10 percent, this shall constitute a violation of the standard.

(f) The owner or operator of an affected source subject to a limitation on D/F emissions shall monitor D/F emissions in accordance with paragraphs 40 CFR 63.1350(f)(1) through (f)(6).

(1) The owner or operator shall install, calibrate, maintain, and continuously operate a continuous monitor to record the temperature of the exhaust gases from the kiln and in-line kiln/raw mill at the inlet to, or upstream of, the kiln and/or in-line kiln/raw mill PM control devices.

(i) The recorder response range must include zero and 1.5 times either of the average temperatures established according to the requirements in 40 CFR 63.1349(b)(3)(iv).

(ii) The reference method must be a National Institute of Standards and Technology calibrated reference thermocouple-potentiometer system or alternate reference, subject to approval by the Administrator.

(2) The owner or operator shall monitor and continuously record the temperature of the exhaust gases from the kiln and in-line kiln/raw mill at the inlet to the kiln and/or in-line kiln/raw mill PMCD.

(3) The three-hour rolling average temperature shall be calculated as the average of 180 successive one-minute average temperatures.

(4) Periods of time when one-minute averages are not available shall be ignored when calculating three-hour rolling averages. When one-minute averages become available, the first one-minute average is added to the previous 179 values to calculate the three-hour rolling average.

(5) When the operating status of the raw mill of the in-line kiln/raw mill is changed from off to on, or from on to off the calculation of the three-hour rolling average temperature must begin anew, without considering previous recordings.

(6) The calibration of all thermocouples and other temperature sensors shall be verified at least once every three months.

(i) The owner or operator of any kiln or in-line kiln/raw mill subject to a D/F emission limit under this subpart shall conduct an inspection of the components of the combustion system of each kiln or in-line kiln raw mill at least once per year.

(k) The owner or operator of an affected source subject to a particulate matter standard under 40 CFR 63.1343 shall install, calibrate, maintain and operate a particulate matter continuous emission monitoring system (PM CEMS) to measure the particulate matter discharged to the atmosphere. The compliance deadline for installing the PM CEMS and all requirements relating to performance of the PM CEMS and implementation of the PM CEMS requirement is deferred pending further rulemaking.

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1350(a)(1), (2) & (3); (b); (c)(1) & (3); (d)(1) & (3); (f); (i); and, (k)]

F.29. Instruments shall be installed, calibrated, and maintained to continuously measure the amounts of coal used in the kiln, materials fed to the kiln, and clinker.
[AC27-61016/PSD-FL-091; and, AC27-118674]

F.30. The utilization/firing rate of TDF shall be quantified (weighed) continuously and recorded.
[AC27-222095 and PSD-FL-091C]

F.31. Nitrogen Oxide. The owner or operator shall continuously monitor NOx concentrations in the stack gases in the CPL (cement, power, and lime) main plant stack, and convert the same to a mass emission rate (lb/hr on a 1-hour average) using a FDEP approved conversion factor. Within 6 months following EPA promulgation of final regulations on continuous emission monitoring (40 CFR Part 75), a flow monitor and NOx emission monitor (EPA-approved or equivalent) shall be installed in the CPL main plant stack to continuously measure the stack gas flow rate and NOx concentration. The monitors shall be maintained and calibrated periodically to insure adequate data. The data shall be recorded on an hourly basis and used in the determination of NOx stack emissions. The calibration of the continuous monitoring system for NOx shall be in accordance with 40 CFR 60, Appendix B, Performance Specification 2.
[AC27-222095 and PSD-FL-091C; and, 40 CFR 60, Appendix B]

F.32. The owner or operator shall install, calibrate, maintain, and operate in accordance with 40 CFR 60.13 a continuous opacity monitoring system to measure the opacity of emissions from the cement kiln and clinker cooler control device stack. The calibration of the continuous monitoring system shall be in accordance with 40 CFR 60, Appendix B, Performance Specification 1.
[Rule 62-204.800, F.A.C.; 40 CFR 60, Appendix B; and, 40 CFR 63.1350(c)(1)]

F.33. The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitoring system to measure SO_2 emissions from the cement kiln and clinker cooler control device stack. The calibration of the continuous monitoring system shall be in accordance with 40 CFR 60, Appendix B, Performance Specification 2.
[Rule 62-4.070(3), F.A.C.; 40 CFR 60, Appendix B; and, AO27-231888A]

F.34. The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitoring system to measure O_2 emissions in the cement kiln and clinker cooler control device stack. The calibration of the continuous monitoring system shall be in accordance with 40 CFR 60, Appendix B, Performance Specification 3.
[Rule 62-4.070(3), F.A.C.; 40 CFR 60, Appendix B; and, AC27-222095]

Notification, Recordkeeping and Reporting Requirements

F.35. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

F.36. The records of fuel usage with the fuel analysis and the daily production rates (including clinker production rate) and kiln feed rates shall be recorded and reported quarterly to the Department's Southwest District office.
[AC27-61016/PSD-FL-091; AC27-118674]

F.37. The quantity of all deliveries of TDF shall be documented and kept on record/file.
[AC27-222095 and PSD-FL-091C]

F.38. On-specification Used Oil.
a. The results of each sample analysis shall be submitted to the Department's Southwest District and the Hernando County Planning offices within 30-days after the sample is taken.
b. The dates and quantities of both on-specification used oil and purchased fuel oil transferred to the cement kiln's storage tank shall be reported quarterly (i.e., Jan.-Mar., April-June, July-Sept., and Oct.-Dec.) to the Department's Southwest District and the Hernando County Planning offices and due during the month following the ending quarter.
[AC27-222095 and PSD-FL-091D]

F.39. Notification requirements.
(a) The notification provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a notice that contains all of the information required in a notification listed in 40 CFR 63.1353, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of 40 CFR 63.1353 for that notification.
(b) Each owner or operator subject to the requirements of 40 CFR 63, Subpart LLL shall comply with the notification requirements in 40 CFR 63.9 as follows:

(1) Initial notifications as required by 40 CFR 63.9(b) through (d). For the purposes of 40 CFR 63, Subpart LLL, a Title V or 40 CFR Part 70 permit application may be used in lieu of the initial notification required under 40 CFR 63.9(b), provided the same information is contained in the permit application as required by 40 CFR 63.9(b), and the State to which the permit application has been submitted has an approved operating permit program under 40 CFR Part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notification.

(2) Notification of performance tests, as required by 40 CFR 63.7 and 63.9(e).

(3) Notification of opacity and visible emission observations required by 40 CFR 63.1349 in accordance with 40 CFR 63.6(h)(5) and 63.9(f).

(4) Notification, as required by 40 CFR 63.9(g), of the date that the continuous emission monitor performance evaluation required by 40 CFR 63.8(e) of this part is scheduled to begin.

(5) Notification of compliance status, as required by 40 CFR 63.9(h).

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1353]

F.40. Reporting requirements.
(a) The reporting provisions of 40 CFR 63, Subpart A, are contained in Appendix 40 CFR 63, Subpart A, and are applicable. If any State requires a report that contains all of the information required in a report listed in 40 CFR 63.1354, the owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of 40 CFR 63.1354 for that report.
(b) The owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 of the general provisions of 40 CFR Part 63, Subpart A, as follows:

(1) As required by 40 CFR 63.10(d)(2), the owner or operator shall report the results of performance tests as part of the notification of compliance status.

(2) As required by 40 CFR 63.10(d)(3), the owner or operator of an affected source shall report the opacity results from tests required by 40 CFR 63.1349.

(3) As required by 40 CFR 63.10(d)(4), the owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under 40 CFR 63.6(i) shall submit such reports by the dates specified in the written extension of compliance.

(4) As required by 40 CFR 63.10(d)(5), if actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan specified in 40 CFR 63.6(e)(3), the owner or operator shall state such information in a semiannual report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report may be submitted simultaneously with the excess emissions and continuous monitoring system performance reports; and

(5) Any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the owner or operator shall make an immediate report of the actions taken for that event within 2 working days, by telephone call or facsimile (FAX) transmission. The immediate report shall be followed by a letter, certified by the owner or operator or other responsible official, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred.

(6) As required by 40 CFR 63.10(e)(2), the owner or operator shall submit a written report of the results of the performance evaluation for the continuous monitoring system required by 40 CFR 63.8(e). The owner or operator shall submit the report simultaneously with the results of the performance test.

(7) As required by 40 CFR 63.10(e)(2), the owner or operator of an affected source using a continuous opacity monitoring system to determine opacity compliance during any performance test required under 40 CFR 63.7 and described in 40 CFR 63.6(d)(6) shall report the results of the continuous opacity monitoring system performance evaluation conducted under 40 CFR 63.8(e).

(8) As required by 40 CFR 63.10(e)(3), the owner or operator of an affected source equipped with a continuous emission monitor shall submit an excess emissions and continuous monitoring system performance report for any event when the continuous monitoring system data indicate the source is not in compliance with the applicable emission limitation or operating parameter limit.

(9) The owner or operator shall submit a summary report semiannually which contains the information specified in 40 CFR 63.10(e)(3)(vi). In addition, the summary report shall include:

(i) All exceedances of maximum control device inlet gas temperature limits specified in 40 CFR 63.1344(a) and (b);

(ii) All failures to calibrate thermocouples and other temperature sensors as required under 40 CFR 63.1350(f)(7) of 40 CFR 63, Subpart LLL; and

(iii) All failures to maintain the activated carbon injection rate, and the activated carbon injection carrier gas flow rate or pressure drop, as applicable, as required under 40 CFR 63.1344(c).

(iv) The results of any combustion system component inspections conducted within the reporting period as required under 40 CFR 63.1350(i).

(v) All failures to comply with any provision of the operation and maintenance plan developed in accordance with 40 CFR 63.1350(a).

(10) If the total continuous monitoring system downtime for any CEM or any continuous monitoring system (CMS) for the reporting period is ten percent or greater of the total operating time for the reporting period, the owner or operator shall submit an excess emissions and continuous monitoring system performance report along with the summary report.

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1354(a) and (b)(1) thru (10)]

F.41. Recordkeeping Requirements.

(a) The owner or operator shall maintain files of all information (including all reports and notifications) required by 40 CFR 63.1355 recorded in a form suitable and readily available for inspection and review as required by 40 CFR 63.10(b)(1). The files shall be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent **five** years of data shall be retained on site. The files may be maintained on microfilm, on a computer, on floppy disks, on magnetic tape, or on microfiche.

(b) The owner or operator shall maintain records for each affected source as required by 40 CFR 63.10(b)(2) and (b)(3); and

(1) All documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9;

(2) All records of applicability determination, including supporting analyses; and

(3) If the owner or operator has been granted a waiver under 40 CFR 63.8(f)(6), any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements.

[Rules 62-204.800 and 62-213.440, F.A.C.; and, 40 CFR 63.1355(a) and (b)]

F.42. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

F.43. An Annual Operation Report (AOR) shall be submitted to the Department's Southwest District office by March 1 reporting the kiln's averaged process input rate and clinker production of each month of the previous year. The AOR shall also contain the total amount, separately and by weight, of shredded and whole tires utilized/fired during the previous year.
[AC27-222095 and PSD-FL-091C]

Miscellaneous

F.44. Delegation of Authority.
(a) In delegating implementation and enforcement authority to a State under Subpart E of 40 CFR Part 63, the authorities contained in paragraph 40 CFR 63.1358(b) shall be retained by the Administrator and not transferred to a State.

(b) Authority which will not be delegated to States:

(1) Approval of alternative non-opacity emission standards under 40 CFR 63.6(g).

(2) Approval of alternative opacity standards under 40 CFR 63.6(h)(9).

(3) Approval of major changes to test methods under 40 CFR 63.7(e)(2)(ii) and 63.7(f). A major change to a test method is a modification to a federally enforceable test method that uses unproven technology or procedures or is an entirely new method (sometimes necessary when the required test method is unsuitable).

(4) Approval of major changes to monitoring under 40 CFR 63.8(f). A major change to monitoring is a modification to federally enforceable monitoring that uses unproven technology or procedures, is an entirely new method (sometimes necessary when the required monitoring is unsuitable), or is a change in the averaging period.

(5) Waiver of recordkeeping under 40 CFR 63.10(f)

[Rule 62-204.800, F.A.C.; and, 40 CFR 63.1358(a) and (b)]

F.45. For PSD tracking purposes only, the potential total hydrocarbon emissions are 22.8 tons/year.
[AC27-222095 and PSD-FL-091C]

Subsection G. This section addresses the following emissions units.

Brooksville Lime Plant/Chemical Lime, Inc.	
E.U. ID No.	**Brief Description**
-032	Lime Hydrator Operation with a Cyclone and a Contact Wet Scrubber
-033	Lime Bagging Operation with Baghouse
-034	Bulk Truck Loadout Operation with Baghouse and Loading Spouts (3)
-043	Quicklime Receiving and Storage Silo with Baghouse

Lime Hydrator Operation. An atmospheric hydrator receives quicklime and hydrates it with water. Particulate matter emissions are controlled using a KVC Cyclone and an American Alloy Contact Scrubber.

Lime Bagging Operation. This emissions unit/operation is an integrated system for handling lime, including a transfer conveyor for lime storage, a screw conveyor, an elevator and a bagging station. Particulate matter emissions from the operation are controlled using a low temperature fabric filter (W. W. Sly Company Type 360 56-Bag Baghouse). The baghouse system is rated at 3,972 acfm.

Bulk Truck Loadout Operation. This emissions unit/operation is for loading tanker trucks from Loadout Bins No. 3 (cyclone kiln dust), No. 4 (pulverized quicklime), and No. 5 (hydrated lime). Particulate matter emissions are controlled using a low temperature fabric filter [Seneca 25 IM Baghouse (Loadout Baghouse #3)], which includes three (3) Superior XP "EZView" Loading Spouts. The baghouse system is rated at 960 acfm.

Quicklime Receiving and Storage Silo Operation. This emissions unit receives quicklime pneumatically from tanker trucks and stores the material prior to going to the lime hydrator. Particulate matter emissions from the operation are controlled using a low temperature fabric filter baghouse system. The stack height is 50 feet; diameter is 1.5 feet; exit temperature is 77 °F; actual flow rate is 23,000 acfm; and, dry standard volumetric flow rate is 22,200 dscfm.

{Permitting note: These emissions units were permitted under Rule 62-210.300, F.A.C., Permits Required, and Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD-FL-090 & PSD-FL-091); and, Power Plant Siting: PA 82-17.}

Essential Potential to Emit (PTE) Parameters

G.1. Permitted Capacity.
a. The maximum input rate of quicklime to the lime hydrator is 9 tons/hour.
b. The maximum process rate of lime by the lime bagging operation is 7 tons/hour.
c. The maximum loadout rate to tanker trucks by the bulk truck loadout operation is 50 tons/hour.
d. The maximum process rate of quicklime is 50 tons/hour.

{Permitting note: The maximum rate has been placed in the permit to identify the capacity of the emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; 0530005-004-AC; and, Application received June 13, 1996.]

G.2. Hours of Operation.
a. These emissions units are allowed to operate continuously, i.e., 8,760 hours/year, except for the Bulk Truck Loadout Operation and the Quicklime Receiving and Storage Silo Operation.
b. The Bulk Truck Loadout Operation and the Quicklime Receiving and Storage Silo Operation are each allowed to operate 6 hrs/day, 7 days/wk, and 52 wks/yr, for a total of 2184 hrs/yr.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; AC27-82796; AO27-87210; AO27-25269; 0530005-004-AC; and, Application received June 13, 1996.]

G.3. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **G.12.**
[Rule 62-297.310(2), F.A.C.]

G.4. Method of Operation.
a. Lime Hydrator Operation. The lime hydrator receives quicklime and hydrates it with water. Particulate matter emissions are controlled using a cyclone and a wet contact scrubber.
b. Lime Bagging Operations. The operation bags lime for shipping. Particulate matter emissions are controlled using a low temperature fabric filter (baghouse).
c. Bulk Truck Loadout Operation. The operation includes the storage and the loadout of lime into trucks using three loadout spouts. Particulate matter emissions are controlled using a low temperature fabric filter (baghouse) and loading spouts.
d. Quicklime Receiving and Storage Silo Operation. The operation includes the receiving of quicklime from tanker trucks and the storage of the material prior to going to the lime hydrator. Particulate matter emissions are controlled using a low temperature fabric filter (baghouse).
[Rule 62-213.410, F.A.C.]

Emission Limitations

G.5. Particulate Matter. Particulate matter emissions shall not exceed:

a. Lime Hydrator Operation	12.5 lbs/hour
b. Lime Bagging Operation	5.0 lbs/hour
c. Bulk Truck Loadout Operation	1.8 lbs/hour
d. Quicklime Receiving and Storage Silo Operation	3.81 lbs/hour

[PSD-FL-090 and PSD-FL-091; PA 82-17; AC27-82796, and, 0530005-004-AC]

G.6. Visible Emissions.
a. Lime Hydrator Operation. Visible emissions from the cyclone and scrubber control system shall not be equal to or greater than 20% opacity.
b. Lime Bagging Operation. Visible emissions from the baghouse control system shall not exceed 5 percent opacity, since the emissions unit's potential particulate matter emissions are less than 100 TPY and it is equipped with a baghouse control system. As long as the visible emissions do not exceed 5 percent opacity, compliance is assumed for the particulate matter limitations established in Specific Condition **G.5**. See Specific Condition **G.10**.

If the Department has reason to believe that the particulate matter weight emissions standard in Specific Condition **G.5.** is not being met, it shall require that compliance be demonstrated by the test method specified in Specific Condition **G.9**.
c. Bulk Truck Loadout Operation. Visible emissions from the baghouse control system shall not exceed 5 percent opacity, since the emissions unit's potential particulate matter emissions are less than 100 TPY and it is equipped with a baghouse control system. As long as the visible emissions do not exceed 5 percent opacity, compliance is assumed for the particulate matter limitations established in Specific Condition **G.5**. See Specific Condition **G.10**.

If the Department has reason to believe that the particulate matter weight emissions standard in Specific Condition **G.5.** is not being met, it shall require that compliance be demonstrated by the test method specified in Specific Condition **G.9**.
d. Bulk Truck Loadout Operation. Visible emissions around the outlets of the loading spouts during tanker truck loading shall not exceed 10% opacity. See Specific Condition **G.10**.
e. Quicklime Receiving and Storage Silo Operation. Visible emissions from the baghouse control system shall not exceed 5 percent opacity, since the emissions unit's potential particulate matter emissions are less than 100 TPY and it is equipped with a baghouse control system. As long as the visible emissions do not exceed 5 percent opacity, compliance is assumed for the particulate matter limitations established in Specific Condition **G.5**. See Specific Condition **G.10**.
[Rules 62-296.320((4)(b)1. and 62-297.620(4), F.A.C.; AC27-82796; AO27-87210; AO27-25269;0530005-004-AC; and, Application received June 13, 1996.]

Excess Emissions

G.7. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

G.8. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

G.9. Particulate Matter. Particulate matter emissions shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.
[Rules 62-204.800 and 62-297.401, F.A.C.]

G.10. Visible Emissions. Visible emissions shall be demonstrated using EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.
[Rules 62-204.800 and 62-297.401, F.A.C.]

G.11. 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.]

G.12. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

G.13. 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.]

G.14. 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 point 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.

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

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

G.15. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

G.16. 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.

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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or, 100 tons per year or more of any other regulated air pollutant; and,

c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.]

Monitoring of Operations

G.17. 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.]

Recordkeeping and Reporting Requirements

G.18. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

G.19. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

Subsection H. This section addresses the following emissions units.

Brooksville Power Plant/Central Power & Lime, Inc.	
E.U. ID/Facility ID No.	**Brief Description**
-035/D-38	Limestone Rock Bin with Baghouse
-036/D-31	Contaminated Fly Ash & Filter Dust Bin with Baghouse
-037/D-39	Limestone Screening System with Baghouse
-038/D-13	Limestone Fines Storage Bin with Baghouse
-039/Z-31	Lime Dust Storage Bin with Baghouse

Limestone Rock Bin with Baghouse. This emissions unit is a storage bin for limestone rock. The particulate matter (PM) emissions from the materials being stored are controlled by a low temperature baghouse fabric filter system. The stack height is 100 feet, with an exit diameter of 2.5 feet and an exit temperature of 70 °F. The actual volumetric flow rate is 10,500 acfm.

Contaminated Fly Ash & Filter Dust Bin with Baghouse. This emissions unit is a storage bin for contaminated fly ash and filtered dust. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 200 feet, with an exit diameter of 1.5 feet and an exit temperature of 180 °F. The actual volumetric flow rate is 11,000 acfm.

Limestone Screening System with Baghouse. This emissions unit is the operation of the limestone screening system to size limestone. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 30 feet, with an exit diameter of 2.0 feet and an exit temperature of 150 °F. The actual volumetric flow rate is 3,000 acfm.

Limestone Fines Storage Bin with Baghouse. This emissions unit is the operation of a storage bin for dried limestone fines for the cement plant. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 150 feet, with an exit diameter of 3.5 feet and an exit temperature of 100 °F. The actual volumetric flow rate is 19,000 acfm.

Lime Dust Storage Bin with Baghouse. This emissions unit is a storage bin for lime dust. The PM emissions are controlled by a low temperature baghouse fabric filter system. The stack height is 100 feet, with an exit diameter of 2.5 feet and an exit temperature of 120 °F. The actual volumetric flow rate is 6,300 acfm.

{Permitting note: These emissions units are regulated under Rule 62-297.620(4), F.A.C., Exceptions and Approval of Alternate Procedures and Requirements; Rules 62-212.400 and 62-212.410, F.A.C., Prevention of Significant Deterioration (PSD-FL-090 and PSD-FL-091) and Best Available Control Technology (BACT), respectively; and, Power Plant Siting: PA 82-17.}

Essential Potential to Emit (PTE) Parameters

H.1. Permitted Capacity. The maximum process/transfer/throughput rates are:

E.U. ID No.	Brief Description	Maximum Rate
-035/D-38	Limestone Rock Bin with Baghouse	400 tons/hour
-036/D-31	Contaminated Fly Ash & Filter Dust Bin with Baghouse	100 tons/hour
-037/D-39	Limestone Screening System with Baghouse	160 tons/hour
-038/D-13	Limestone Fines Storage Bin with Baghouse	100 tons/hour
-039/Z-31	Lime Dust Storage Bin with Baghouse	30 tons/hour

{Permitting note: The maximum rates have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; PSD-FL-090 and PSD-FL-091; PA 82-17; and, Application received June 13, 1996.]

H.2. Hours of Operation.
a. The Limestone Rock Bin and Contaminated Fly Ash & Filter Dust Bin operations are allowed to operate continuously, i.e., 8,760 hours/year.
b. The Limestone Screening System, Limestone Fines Storage Bin and Lime Dust Storage Bin operations are allowed to operate 7,884 hours/year.
[AC27-118676, -118681, -091426, -091427, -091429, & -091430]

H.3. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **H.12.**
[Rule 62-297.310(2), F.A.C.]

H.4. Method of Operation. The emissions units either process or transfer materials used in the injection of limestone for SO_2 control for the power boiler. The fly ash handling system (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters.
[Rule 62-213.410, F.A.C.; PA 82-17 and PA 82-17E; and, PSD-FL-090]

Emission Limitations

H.5. Particulate Matter. The maximum allowable particulate matter emissions are:

E.U. ID No.	Brief Description	Maximum Allowable Limits
-035/D-38	Limestone Rock Bin with Baghouse	0.015 gr/acfm; 1.1 lbs/hr; 4.1 TPY
-036/D-31	Contaminated Fly Ash & Filter Dust Bin with Baghouse	0.02 gr/acfm; 1.41 lbs/hr; 5.4 TPY
-037/D-39	Limestone Screening System with Baghouse	0.015 gr/acfm; 0.77 lb/hr; 3.04 TPY
-038/D-13	Limestone Fines Storage Bin with Baghouse	0.015 gr/acfm; 0.77 lb/hr; 3.04 TPY
-039/Z-31	Lime Dust Storage Bin with Baghouse	0.015 gr/acfm; 1.16 lbs/hr; 4.56 TPY

[PSD-FL-090 & PSD-FL-091 and BACT; PA 82-17; and, AC27-118676, -118681, -091426, -091427, -091429, & -091430]

H.6. Visible Emissions. Visible emissions shall not exceed 5 percent opacity, since each emissions unit's potential particulate matter emissions are less than 100 TPY and is equipped with a baghouse control system. As long as the visible emissions do not exceed 5 percent opacity, compliance is assumed for the particulate matter limitations established in Specific Condition **H.5**. See Specific Condition **H.10**.

If the Department has reason to believe that the particulate matter weight emissions standard in Specific Condition **H.5.** is not being met, it shall require that compliance be demonstrated by the test method specified in Specific Condition **H.9**.
[Rule 62-297.620(4), F.A.C.; and, AC27-118676, -118681, -091426, -091427, -091429, & -091430]

Excess Emissions

H.7. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

H.8. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

H.9. Particulate Matter. Particulate matter emissions compliance testing shall be demonstrated using EPA Method 5 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **H.5.** and **H.6.**
[Rules 62-204.800 and 62-297.401, F.A.C.]

H.10. Visible Emissions. Visible emissions compliance testing shall be demonstrated annually using EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C. See Specific Conditions **H.6.** and **H.16.**
[Rules 62-204.800 and 62-297.401, F.A.C.]

H.11. 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.]

H.12. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

H.13. 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.]

H.14. 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 point 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:
c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.
(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.
(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached).
(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 62-297.310(4), F.A.C.]

H.15. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.
[Rule 62-297.310(6), F.A.C.]

H.16. 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.

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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or, 100 tons per year or more of any other regulated air pollutant; and,

c. Each NESHAP pollutant, if there is an applicable emission 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.

(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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.]

Monitoring of Operations

H.17. 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.]

Recordkeeping and Reporting Requirements

H.18. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

H.19. 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

Subsection I. This section addresses the following emissions unit.

Brooksville Power Plant/Central Power & Lime, Inc.	
E.U. ID/Facility ID No.	**Brief Description**
-018	Power Plant Boiler with Dry Limestone Injection Scrubbing followed with a Baghouse System

This emissions unit is a net delivered 150 MW fossil fuel fired boiler with a 320 foot stack. The primary fuel burned is coal, with new distillate No. 2 fuel oil used for startup. Control activity includes dry limestone injection scrubbing followed with a fabric filter baghouse system. The exit diameter is 16 feet and the exit temperature is 300 °F. The volumetric flow rate is 840,000 acfm.

{Permitting note: This emissions unit is regulated under Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD-FL-090 and PSD-FL-090D); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT); and, Power Plant Siting: PA 82-17 and PA 82-17E.}

Essential Potential to Emit (PTE) Parameters

I.1. Permitted Capacity. The heat input rate of the power plant boiler, with or without the cement kiln I operating, shall not exceed the maximum necessary to produce 150 MW (net delivered) of power and shall in no case exceed 1850 MMBtu/hr, maximum three-hour average.
[PA 82-17E; and, PSD-FL-090D]

I.2. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE); and, PA 82-17]

I.3. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **I.30.**
[Rule 62-297.310(2), F.A.C.]

I.4. Methods of Operation - Fuels.
a. The primary fuel allowed to be burned is coal.
b. New distillate No. 2 fuel oil is allowed for startup purposes. Any fuel oil to be fired in the unit shall be "new oil", which means an oil which has been refined from crude oil and not been used.
[Rule 62-213.410, F.A.C.; PSD-FL-090 and PSD-FL-090D; and, PA 82-17 and PA 82-17E]

Emission Limitations and Standards

I.5. Any fuel oil to be fired in the unit shall be "new oil", which means an oil which has been refined from crude oil and not been used. The quantity of fuel oil used by the boiler shall not cause the allowable emissions limits listed in the table below to be exceeded. Such emissions may be calculated in accordance with the latest edition of AP-42.

Allowable Emissions Limits	
Pollutant	lb/MMBtu
Particulate Matter	0.015
Sulfur Dioxide	0.31
Nitrogen Oxides	0.16
Visible Emissions	Maximum 20 % Opacity

{Permitting note.: This table applies when fuel oil is being fired.}

[PA 82-17]

I.6. Visible Emissions. Visible emissions from the power plant shall not exceed 10 % opacity, 6-minute average, except for one 6-minute period per hour of not more than 17 % opacity.
[PA 82-17 and PA 82-17E; PSD-FL-090 and PSD-FL-090D; and, BACT]

I.7. Particulate Matter (PM/PM10).
a. PM/PM10 emissions from the power plant boiler only or the power plant boiler and lime plant when burning coal shall not exceed 0.0135 pound per MMBtu heat input (25.0 pounds per hour at 1850 MMBtu/hr heat input), averaging time per 40 CFR 60.46.
b. PM/PM10 emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed 0.0135 pound per MMBtu heat input (25.0 pounds per hour at 1850 MMBtu/hr heat input) plus 0.3 pound from cement kiln I and 0.1 pound from clinker cooler I per ton of kiln I's feed (dry basis), averaging time per 40 CFR 60.46.
[PA 82-17 and PA 82-17E; PSD-FL-090 and PSD-FL-090D; and, BACT]

I.8. Sulfur Dioxide (SO_2).
a. SO_2 emissions from the power plant boiler or the power plant boiler and lime plant while burning coal shall not exceed 1.2 pounds per MMBtu heat input, maximum two hour average, and 770 pounds per hour, maximum three hour average.
b. SO_2 emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed 1.2 pounds per MMBtu heat input, maximum two hour average, and 781 pounds per hour, maximum three hour average.
[PA 82-17 and PA 82-17E; PSD-FL-090 and PSD-FL-090D; and, BACT]

I.9. Nitrogen Oxides (NOx).
a. NOx emissions from the power plant boiler or the power plant boiler and lime plant while burning coal shall not exceed 0.7 pound per MMBtu heat input, averaging time per Chapter 62-297, F.A.C., not to exceed 846 pounds per hour.
b. NOx emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed 0.7 pound per MMBtu heat input plus 2.9 pounds per ton of kiln I's feed (dry basis), averaging time per Chapter 62-297, F.A.C., not to exceed 1205 pounds per hour.
[PA 82-17 and PA 82-17E; PSD-FL-090 and PSD-FL-090D; and, BACT]

I.10. Total Fluorides. Total fluoride emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed 0.7 pound per hour.
[PSD-FL-090]

I.11. Sulfuric Acid Mist. Sulfuric acid mist emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed 1.7 pounds per hour.
[PSD-FL-090]

I.12. Beryllium. Beryllium emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed 0.0005 pound per hour.
[PSD-FL-090]

I.13. Mercury. Mercury emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed 0.03 pound per hour.
[PSD-FL-090]

Excess Emissions

I.14. Excess emissions resulting from startup, shutdown, or malfunction of any emissions unit shall be permitted provided (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

I.15. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

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.}

I.16. PM, NOx, SO_2, and Visible Emissions. The permittee shall annually conduct (See Specific Condition **I.30.**):

a. Performance tests on the main stack for PM, NOx, SO_2, and visible emissions:
(1) during normal operations when the power plant and cement plant I are operating in combination; and,
(2) at or near 1,850 MMBtu/hr heat input when the power plant is operating alone.

[PSD-FL-090 and PSD-FL-091; PA 82-17 and PA 82-17E; and, Rule 62-297.310(7), F.A.C.]

I.17. Visible Emissions.

a. Compliance with the visible emissions limits in Specific Condition **I.6.** shall be demonstrated in accordance with EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

[Rule 62-297.401, F.A.C.; PA 82-17 and PA 82-17E; PSD-FL-090; and, 40 CFR 60, Appendix A]

I.18. Particulate Matter (PM/PM10). Compliance with the PM/PM10 emissions limits in Specific Condition **I.7.** shall be demonstrated in accordance with EPA Method 5 or 17 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

[Rules 62-204.800 and 62-297.401, F.A.C.; 40 CFR 60.46; PA 82-17 and PA 82-17E; PSD-FL-090; and, 40 CFR 60, Appendix A]

I.19. Sulfur Dioxide. Compliance with the SO_2 emissions limits in Specific Condition **I.8.** shall be demonstrated in accordance with EPA Method 6 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

[Rule 62-297.401, F.A.C.; PA 82-17 and PA 82-17E; PSD-FL-090; and, 40 CFR 60, Appendix A]

I.20. Nitrogen Oxide. Compliance with the NOx emissions limits in Specific Condition **I.9.** shall be demonstrated in accordance with EPA Method 7 or 7E pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

[Rule 62-297.401, F.A.C.; PA 82-17 and PA 82-17E; PSD-FL-090; and, 40 CFR 60, Appendix A]

I.21. Total Fluorides. Compliance with the fluoride emissions limit in Specific Condition **I.10.** shall be demonstrated, if required by EPA, in accordance with EPA Method 13A or 13B, and 40 CFR 60.8.

[PSD-FL-090; and, 40 CFR 60, Appendix A]

I.22. Sulfuric Acid Mist. Compliance with the sulfuric acid mist emissions limit in Specific Condition **I.11.** shall be demonstrated, if required by EPA, in accordance with EPA Method 8, and 40 CFR 60.8.
[PSD-FL-090; and, 40 CFR 60, Appendix A]

I.23. Beryllium. Compliance with the beryllium emissions limit in Specific Condition **I.12.** shall be demonstrated, if required by EPA, in accordance with EPA Method 104, and 40 CFR 60.8.
[PSD-FL-090; and, 40 CFR 60, Appendix A]

I.24. Mercury. Compliance with the mercury emissions limit in Specific Condition **I.13.** shall be demonstrated, if required by EPA, in accordance with EPA Method 101A, and 40 CFR 60.8.
[PSD-FL-090; and, 40 CFR 60, Appendix A]

I.25. EPA Methods 1 and 2 shall be used for determining stack gas velocity when required in Specific Conditions **I.18.** through **I.24.**
[PSD-FL-090; and, 40 CFR 60, Appendix A]

I.26. Performance tests shall be conducted and data reduced in accordance with methods and procedures outlined in 40 CFR 60.46 and Chapter 62-297, F.A.C.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

I.27. Performance tests shall be conducted under such conditions as the Department shall specify based on representative performance of the facility (See Specific Condition **I.30.**). The permittee shall make available to the Department such records as may be necessary to determine the conditions of the performance tests.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

I.28. The permittee shall provide 30 days notice of the performance tests or 10 working days for stack tests in order to afford the Department the opportunity to have an observer present.
[PA 82-17]

I.29. 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.30. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

I.31. 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.]

I.32. 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 point 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:
c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.
(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.
(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube. [Rule 62-297.310(4), F.A.C.]

I.33. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.
[Rule 62-297.310(6), F.A.C.]

I.34. 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.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid fuel for more than 400 hours other than during startup.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid 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;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and

c. Each NESHAP pollutant, if there is an applicable emission standard.

5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid fuel, other than during startup, for a total of more than 400 hours.

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.

(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.
(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.; and, SIP approved]

Monitoring of Operations

I.35. Samples of each shipment received of all fuel oil and coal fired shall be taken and an ultimate analysis obtained including the heating value on a moisture free basis. Accordingly, samples shall be taken of each fuel shipment received. Coal sulfur content shall be determined and recorded on a daily basis.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

I.36. The permittee shall maintain a daily log of the amounts and types of fuel used and copies of the ultimate fuel analyses containing the heating value on a moisture free basis.
[PA 82-17 and PA 82-17E]

I.37. Instruments shall be installed, calibrated and maintained to continuously measure the amounts of coal and limestone used in the power boiler.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

I.38. 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.39. The permittee shall have available a written plan or procedure that will allow the permittee to monitor emission control equipment efficiency and enable the permittee to return malfunctioning equipment to proper operation as expeditiously as possible.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

Continuous Monitoring Requirements

I.40. A flue gas oxygen meter shall be operated and maintained to continuously monitor a representative sample of the flue gas. The oxygen monitor shall be used with automatic feedback or manual controls to continuously maintain air/fuel ratio parameters at an optimum.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

I.41. The permittee shall operate and maintain continuous monitoring devices for the power boiler/cement plant I main stack exhaust for sulfur dioxide and opacity to demonstrate compliance with the pound per hour SO_2 emissions limits and the visible emissions limits, respectively, in Specific Conditions **I.8.** and **I.6.**, respectively. The monitoring devices shall meet the applicable requirements of Rule 62-297.500, F.A.C., 40 CFR 60.45, and 40 CFR 60.13., including certification of each device. The permittee shall provide the Department with 30 days notice on each certification.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

Recordkeeping and Reporting Requirements

I.42. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

I.43. Submit to the Department a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.
[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

I.44. The records of coal and limestone used in the power boiler and fuel analyses shall be reported quarterly to the Department's Southwest District office.
[PA 87-17 and PA 82-17E; and, PSD-FL-090]

I.45. Stack monitoring, fuel usage, and fuel analyses data shall be reported to the Department's Southwest District office and to the Hernando County Health Department on a quarterly basis.
[PA 82-17 and PA 82-17E; and, PSD-FL-090]

I.46. Records of all fuel analyses and the daily log of the amounts and types of fuel used shall be kept for public inspection for a minimum of 5 (five) years after the data are recorded.
[PA 82-17 and PA 82-17E; PSD-FL-090; and, Rule 62-213.440, F.A.C.]

I.47. A written report of the results of all performance tests shall be furnished to the Department within 45 days of completion of the tests.
[PA 82-17 and PA 82-17E; PSD-FL-090; and, Rule 62-297.310(8), F.A.C.]

I.48. 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.]

Subsection J. This section addresses the following emissions unit/activity.

Brooksville Cement Plant I/Power Plant/Lime Plant/Central Power & Lime, Inc.	
E.U. ID/Facility ID No.	**Brief Description**
-042/	Coal Receiving, Handling and Transfer Activities (fugitives)

Coal Receiving, Handling and Transfer Activities (fugitives). This emissions unit is an activity of receiving, storage, and transferring/conveying 568,300 tons per year of coal to the Florida Crushed Stone Company's cement plant I/power plant/lime plant (C/P/L). The coal will be received in unit trains and will be bottom-dumped from moving rail cars through an open elevated trestle to a coal receiving area. From this area, the coal will be moved to a storage area by a bulldozer with the storage pile being shaped and compacted during the transfer. The resulting coal storage area will cover approximately 7.8 acres and will be approximately 10 feet high. The coal storage area will have a capacity of approximately 55,000 tons. The coal will be recovered from the coal storage pile by a rubber tired front-end loader and transferred to a receiving hopper. The maximum daily coal transfer rate from the storage pile to the C/P/L receiving system will be 1,740 tons per day. From the receiving hopper, the coal will be transferred by covered conveyor belt to a screening system and then to one of five coal bins that will supply the C/P/L/ plants. Water sprays or chemical wetting agents and stabilizers will be used at the coal receiving area, the coal storage area, and the coal transfer system to control fugitive particulate matter emissions and minimize visible emissions. All conveyors and conveyor transport points will be enclosed to preclude particulate matter emissions (except those directly associated with the coal stacker/reclaimer or emergency stockout stacker/reclaimer or emergency stockout). The inactive coal storage piles will be shaped, compacted and oriented to minimize wind erosion. Water sprays or chemical wetting agents and stabilizers will be applied to the storage piles, handling equipment, etc. during dry periods and as necessary to all coal handling facilities to minimize visible emissions.

{Permitting note: This emissions unit/activity is regulated under Rule 62-210.300, F.A.C., Permits Required; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD-FL-090); and, Power Plant Siting: PA 82-17 and PA 82-17E.}

Essential Potential to Emit (PTE) Parameters

J.1. Hours of Operation. The emissions unit/activity is allowed to operate continuously, i.e., 8,760 hours/year.
[AC27-117650]

J.2. Method of Operation. This emissions unit is an activity of receiving, storage, and transferring/conveying coal to the Florida Crushed Stone cement plant I/power plant/lime plant (C/P/L).
[Rule 62-213.410, F.A.C.]

Emission Limitations

J.3. Visible Emissions. Visible emissions shall not exceed 10 % opacity from the receiving, handling or transferring of coal.
[AC27-117650]

J.4. Water sprays or chemical wetting agents and stabilizers shall be applied to the storage piles, handling equipment, etc. during dry periods and as necessary to all coal handling facilities to minimize visible emissions.
[PSD-FL-090]

J.5. Unconfined Emissions of Particulate Matter.
a. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or, industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emissions.
b. The permittee shall take reasonable precautions and work practices to prevent fugitive particulate matter emissions at the site, such as the application of water, wetting agents and/or dust suppressants on roads and any construction activity, landscaping or the planting of vegetation, and enclosure or covering of conveyor systems.
[AC27-117650; PSD-FL-090; PA 82-17 and PA 82-17E; and, Rule 62-296.320(4)(c)1. & 3., F.A.C.]

J.6. Water sprays or chemical wetting agents and stabilizers will be used at the coal receiving area, the coal storage area, and the coal transfer system to control fugitive particulate matter emissions.
[PA 82-17 and PA 82-17E; PSD-FL-090; and, Rule 62-296.320(4)(c)3., F.A.C.]

J.7. All conveyors and conveyor transport points will be enclosed to preclude particulate matter emissions (except those directly associated with the coal stacker/reclaimer or emergency stockout stacker/reclaimer or emergency stockout).
[PA 82-17 and PA 82-17E; PSD-FL-090; and, Rule 62-296.320(4)(c)3., F.A.C.]

J.8. The inactive coal storage piles will be shaped, compacted and oriented to minimize wind erosion.
[PSD-FL-090; and, Rule 62-296.320(4)(c)3., F.A.C.]

J.9. A water spray system shall be installed and used as necessary to control fugitive dust emissions during coal unloading operation from train cars to the receiving area.
[AC27-117650; and, Rule 62-296.320(4)(c)3., F.A.C.]

J.10. The following table reflects the total projected/potential particulate matter emissions from the receiving, handling and transferring of coal. Compliance with these particulate matter emission projections will be presumed if the 10% visible emissions limit is met and the work practices are observed:

Activity	lbs/hr	TPY
"Receiving"	0.60	0.03
"Receiving and Storage"		
Transfer	<0.01	0.004
Traffic	0.75	0.81
"Storage to C/P/L/ System"		
Transfer	0.01	0.012
Traffic	1.10	2.413
"C/P/L/System"		
Four Transfers	0.01	0.017
Wind Erosion from Storage	0.26	0.056
Total	2.74	3.3

[AC27-117650]

Test Methods and Procedures

J.11. Visible Emissions. Visible emissions shall be demonstrated using DER Method 9 pursuant to Chapter 62-297, F.A.C. See Specific Conditions **J.3.** and **J.12.**
[AC27-117650; Rule 62-297.401, F.A.C.]

J.12. DER Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.
[Rule 62-297.401, F.A.C.]

J.13. 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.
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.
(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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.]

Reporting and Record Keeping

J.14. 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.

Appendix I-1, List of Insignificant Emissions Units and/or Activities.

Florida Crushed Stone Company **Title V PROPOSED Permit Revision No.:** 0530021-002-AV
Brooksville Cement, Lime and Power Plants **Facility ID No.:** 0530021

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities:

1. Facility-wide particulate matter fugitive emissions from miscellaneous activities, such as truck operations throughout the facility, wind erosion, etc.

Appendix H-1, Permit History/ID Number Changes

Florida Crushed Stone Company
Brooksville Cement, Lime and Power Plants

PROPOSED Permit No.: 0530021-002-AV
Facility ID No.: 0530021

Permit History (for tracking purposes):

E.U.ID No.	Description	Permit No.	Issue Date	Expiration Date	Extended Date[1,2]	Revised Date(s)
Brooksville Cement Plant I						
-001	Filter Dust Bin (was Pre-Mix Bin) with Baghouse	AC27-61012 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118672	08/27/86	06/30/87	12/31/87	
-002	Fly Ash/Equilibrium Catalyst Storage Silo (was Fly Ash Bin) with Baghouse	AC27-61013 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118673	08/27/86	06/30/87	12/31/87	
-004	Raw Meal Transfer with Baghouse	AC27-61017 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118675	08/27/86	06/30/87	12/31/87	
-006	Two Blend Silos with Baghouse	AC27-61020 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118677	08/27/86	06/30/87	12/31/87	
-007	Kiln Feed Surge Bin (was Kiln Feed Bin) with Baghouse	AC27-61021 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118678	08/27/86	06/30/87	12/31/87	
-008	Clinker Handling (was Raw Coal Handling) System	AC27-61026 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118680	08/27/86	06/30/87	12/31/87; 09/30/89; 09/30/91	
-010	Clinker Storage Silo and Finish Mill Storage Silo with Baghouse	AC27-61030 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118685	08/27/86	06/30/87	12/31/87	
-011	Gypsum and Limestone Bins (was Clinker Silo) with Baghouse	AC27-61032 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118686	08/27/86	06/30/87	12/31/87	

-012	Silo Discharge with Baghouse	AC27-61033 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118687	08/27/86	06/30/87	12/31/87	
-013	Finish Mill with Baghouse	AC27-61037 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118688	08/27/86	06/30/87	12/31/87	
-014	Cement Storage Silos #1 & #2 Discharge System with Baghouse	AC27-61038 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118689	08/27/86	06/30/87	12/31/87	
-015	Cement Storage Silos #1 & #2 with Baghouse	AC27-61040 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118690	08/27/86	06/30/87	12/31/87	
-017	Iron Ore Bin with Baghouse	AC27-61042 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85		
		AC27-118683	08/27/86	06/30/87	12/31/87	
-019	Finish Mill Feed Belt (was Conveyor Belt) with Baghouse	AC27-199744	12/11/91	05/31/92		
-020	Kiln, Raw Mill and Clinker Cooler with Baghouse	AC27-61016 PSD-FL-091 PA 82-17 PA-82-17 (revised)	11/10/83 03/27/84 02/20/85	12/31/85		
		AC27-118674	08/27/86	06/30/87	12/31/87; 09/30/89; 09/30/91	
		AC27-118674 PSD-FL-091A	11/18/92 11/18/92	NA		
		AC27-118674 PSD-FL-091B		NA		
		AC27-222095 PSD-FL-091C	12/22/92 12/22/92	12/31/94 12/31/94		
		AC27-222095 PSD-FL-091D	12/17/93 12/17/93	NA		

-021	Cement Storage Silo #3 Discharge System with Baghouse	AC27-091432	03/05/85	03/31/87	06/06/87; 12/31/87; 09/30/89; 09/30/91	12/03/86
-022	Cement Storage Silo #3 (was Cement Silo A) with Baghouse	AC27-091433	03/05/85	03/31/87	06/06/87; 12/31/87; 09/30/89; 09/30/91	12/03/86
-023	Cement Storage Silo #4 and Truck Loadout System with Baghouse	AC27-189081		11/30/91		
-024	Cement Storage Silo and Railcar Loadout System with Baghouses	AC27-228926	06/3093	06/01/94		
Brooksville Lime Plant/Chemical Lime, Inc.						
-032	Lime Hydrator	AC27-61016 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85	12/31/87; 09/30/89; 09/30/91	
		AO27-25269				
		AO27-177928	06/13/90	06/14/95		
-033	Lime Bagging Operation	AC27-61016 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85	12/31/87; 09/30/89; 09/30/91	
		AO27-17352				
		AO27-187370	04/10/91	04/08/96		
-034	Bulk Truck Loadout	AC27-82796				
		AO27-103546	07/26/85	07/25/90		
		AO27-187371	10/30/90	10/21/95		
-yyy	Quicklime Receiving and Storage Silo with Baghouse	0530005-004-AC	Not Issued			
Brooksville Power Plant/Central Power & Lime, Inc.						
-035	Limestone Rock Bin Baghouse	AC27-61019 PSD-FL-091 PA 82-17	11/10/83 03/27/84	12/31/85	12/31/87; 09/30/89; 09/30/91	
		AC27-118676			12/31/87	
-036	Contaminated Fly Ash & Filter Dust Bin	AC27-61041 PSD-FL-090/091 PA 82-17	11/10/83 03/27/84	12/31/85	12/31/87; 09/30/89; 09/30/91	
-037	Limestone Screening System	AC27-091426	03/05/85	03/31/87	06/06/87; 12/31/87; 09/30/89; 09/30/91	12/03/86

-038	Limestone Fines Storage Bin	AC27-091427	03/05/85	03/31/87	06/06/87; 12/31/87; 09/30/89; 09/30/91	12/03/86
-039	Lime Dust Storage Bin (was Limestone Storage Bin)	AC27-091429	03/05/85	03/31/87	06/06/87; 12/31/87; 09/30/89; 09/30/91	12/03/86
-018	Power Plant	PSD-FL-090	03/27/84			08/15/95
-042	Coal Receiving, Handling and Transfer System (fugitives)	AC27-117650	10/17/86	03/31/87	12/31/87; 09/30/89; 09/30/91	

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

From: **Facility ID No.:** 40TPA270005
40TPA270021
40TPA270032

To: **Facility ID No.:** 0530021

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}

Attachment "40 CFR 60, Subpart A"

General Provisions

40 CFR 60.1 Applicability.

(a) Except as provided in 40 CFR 60 subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced
after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution controlagency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (CAA) as amended November 15, 1990 (42 U.S.C. 7661).
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.1(a), (b) and (c)]

40 CFR 60.2 Definitions.

(a) *Administrator* means the Administrator of the Environmental Protection Agency or the Secretary or the Secretary's designee.
[Rule 62-204.800(7)(a), F.A.C.; and, 40 CFR 60.2]

40 CFR 60.7 Notification and record keeping.

(a) The owner or operator subject to the provisions of this part shall furnish the Administrator written notification as follows:

(1) A notification of the date construction (or reconstruction as defined under 40 CFR 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 40 CFR 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

(6) A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 40 CFR 60.8 in lieu of Method 9 observation data as allowed by 40 CFR 60.11(e)(5) of 40 CFR 60. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) The owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) The owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form (see 40 CFR 60.7(d) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary
to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format shown in Figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.

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

[See Attached Figure 1-Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance]

(e) The owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records.
(f) If notification substantially similar to that in 40 CFR 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR 60.7(a).
(g) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.7(a), (b), (c), (d), (e), (f) and (g)]

40 CFR 60.8 Performance tests.

(a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in 40 CFR 60.8 shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.
(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
(2) Safe sampling platform(s).
(3) Safe access to sampling platform(s).
(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.8(a), (b)(1), (4) & (5), (c), (e) and (f)]

40 CFR 60.10 State authority.

The provisions of 40 CFR 60 shall not be construed in any manner to preclude any State or political subdivision thereof from:
(a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.
(b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.10(a) and (b)].

40 CFR 60.11 Compliance with standards and maintenance requirements.

(a) Compliance with standards in this part, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Reference Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5). For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).
(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(e)(1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 unless one of the following conditions apply. If no performance test under 40 CFR 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 40 CFR 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 40 CFR 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Reference Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in 40 CFR 60.11(e)(5), the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of 40 CFR 60, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in 40 CFR 60.11(e)(3), the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with 40 CFR 60.11(b), shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under 40 CFR 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.
(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in 40 CFR 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of 40 CFR 60.7(e)(1) shall apply.
(4) The owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by 40 CFR 60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and 40 CFR 60.8 performance test results.
(5) The owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under 40 CFR 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 40 CFR 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 40 CFR 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 40 CFR 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 40 CFR 60.13(c), that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine opacity compliance.
(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by 40 CFR 60.8, the opacity observation results and observer certification required by 40 CFR 60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by 40 CFR 60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with 40 CFR 60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, the shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.
(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the Federal Register.

(f) Special provisions set forth under an applicable subpart of 40 CFR 60 shall supersede any conflicting provisions of 40 CFR 60.11.

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.11(a), (b), (c), (d), (e), (f) and (g)]

40 CFR 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.12]

40 CFR 60.13 Monitoring requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B of 40 CFR 60 and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to 40 CFR 60, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under 40 CFR 60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuos opacity monitoring system (COMS) data for compliance with the opacity standard as provided under 40 CFR 60.11(e)(5), he/she shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of 40 CFR 60 before the performance test required under 40 CFR 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 40 CFR 60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of 40 CFR 60. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under 40 CFR 60.8 and as described in 40 CFR 60.11(e)(5), shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in 40 CFR 60.13(c) at least 10 days before the performance test required under 40 CFR 60.8 is conducted.

(2) Except as provided in 40 CFR 60.13(c)(1), the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d)(1) Owners and operators of all continuous emission monitoring systems installed in accordance with the provisions of this part shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures shall be followed for continuous monitoring systems measuring opacity of emissions. Minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photo detector assembly.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of 40 CFR 60 shall be used.

(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in 40 CFR 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorder during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non reduced form (e.g., ppm pollutant and percent O2 or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances with the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities are released to the atmosphere through more than one point.

(j) An alternative to the relative accuracy test specified in Performance Specification 2 of appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining relative accuracy is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the relative accuracy test in section 7 of Performance Specification 2 and substitute the procedures in section 10 if the results of a performance test conducted according to the requirements in 40 CFR 60.8 of this subpart or other tests performed following the criteria in 40 CFR 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the relative accuracy test and substitute the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the relative accuracy test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS relative accuracy test will be reviewed and may be rescinded at such time following successful completion of the alternative RA procedure that the CEMS data indicate the source emissions approaching the level of the applicable standard. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., 40 CFR 60.45(g)(2) and 40 CFR 60.45(g)(3), 40 CFR 60.73(e), and 40 CFR 60.84(e)]. It is the

responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of relative accuracy testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.13(a) thru (j)].

40 CFR 60.14 Modification.

(a) Except as provided under 40 CFR 60.14(e) and 40 CFR 60.14(f), any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

(b) Emission rate shall be expressed as kg/hr (lbs/hour) of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors", EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrate that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in 40 CFR 60.14(b)(1) does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in 40 CFR 60.14(b)(1) . When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in 40 CFR 60 appendix C of 40 CFR 60 shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.

(d) [Reserved]

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of 40 CFR 60.14(c) and 40 CFR 60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by 40 CFR 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in 40 CFR 60.14(a), compliance with all applicable standards must be achieved.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.14(a) thru (g)].

40 CFR 60.15 Reconstruction.

(a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.

(b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and

(2) It is technologically and economically feasible to meet the applicable standards set forth in this part.

(c) "Fixed capital cost"' means the capital needed to provide all the depreciable components.

(d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

(1) Name and address of the owner or operator.

(2) The location of the existing facility.

(3) A brief description of the existing facility and the components which are to be replaced.

(4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.

(5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.

(6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

(e) The Administrator will determine, within 30 days of the receipt of the notice required by 40 CFR 60.15(d) and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.

(f) The Administrator's determination under 40 CFR 60.15(e) shall be based on:

(1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;

(2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;

(3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

(4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.15(a) thru (g)].

Appendix "40 CFR PART 63: Subpart A"

General Provisions for Subpart LLL

Portland Cement Plants

40 CFR 63.1 Applicability.

(a) *General.*

(1) Terms used throughout this part are defined in 40 CFR 63.2 or in the Clean Air Act (Act)as amended in 1990, except that individual subparts of this part may include specific definitions in addition to or that supersede definitions in 40 CFR 63.2.

(2) This part contains national emission standards for hazardous air pollutants (NESHAP) established pursuant to section 112 of the Act as amended November 15, 1990. These standards regulate specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in this part pursuant to section 112(b) of the Act. This section explains the applicability of such standards to sources affected by them. The standards in this part are independent of NESHAP contained in 40 CFR part 61. The NESHAP in part 61 promulgated by signature of the Administrator before November 15, 1990 (i.e., the date of enactment of the Clean Air Act Amendments of 1990) remain in effect until they are amended, if appropriate, and added to this part.

(3) No emission standard or other requirement established under this part shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement established by the Administrator pursuant to other authority of the Act (including those requirements in part 60 of this chapter), or a standard issued under State authority.

(4) The provisions of this subpart (i.e., subpart A of this part) apply to owners or operators who are subject to subsequent subparts of this part, except when otherwise specified in a particular subpart or in a relevant standard. The general provisions in subpart A eliminate the repetition of requirements applicable to all owners or operators affected by this part. The general provisions in subpart A do not apply to regulations developed pursuant to section 112(r) of the amended Act, unless otherwise specified in those regulations.

(5) [Reserved]

(6) To obtain the most current list of categories of sources to be regulated under section 112 of the Act, or to obtain the most recent regulation promulgation schedule established pursuant to section 112(e) of the Act, contact the Office of the Director, Emission Standards Division, Office of Air Quality Planning and Standards, U.S. EPA (MD–13), Research Triangle Park, North Carolina 27711.

(7) Subpart D of this part contains regulations that address procedures for an owner or operator to obtain an extension of compliance with a relevant standard through an early reduction of emissions of hazardous air pollutants pursuant to section 112(i)(5) of the Act.

(8) Subpart E of this part contains regulations that provide for the establishment of procedures consistent with section 112(l) of the Act for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.

(9) [Reserved]

(10) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word ''calendar'' is absent, unless otherwise specified in an applicable requirement.

(11) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

(12) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time

periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

(13) Special provisions set forth under an applicable subpart of this part or in a relevant standard established under this part shall supersede any conflicting provisions of this subpart.

(14) Any standards, limitations, prohibitions, or other federally enforceable requirements established pursuant to procedural regulations in this part [including, but not limited to, equivalent emission limitations established pursuant to section 112(g) of the Act] shall have the force and effect of requirements promulgated in this part and shall be subject to the provisions of this subpart, except when explicitly specified otherwise.

(b) *Initial applicability determination for this part.*

(1) **40 CFR 63.1340 specifies applicability.**

(2) In addition to complying with the provisions of this part, the owner or operator of any such source may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to title V of the Act (42 U.S.C. 7661). For more information about obtaining an operating permit, see part 70 of this chapter.

(3) An owner or operator of a stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants who determines that the source is not subject to a relevant standard or other requirement established under this part, shall keep a record of the applicability determination as specified in 40 CFR 63.10(b)(3) of this subpart.

(c) *Applicability of this part after a relevant standard has been set under this part.*

(1) If a relevant standard has been established under this part, the owner or operator of an affected source shall comply with the provisions of this subpart and the provisions of that standard, except as specified otherwise in this subpart or that standard.

(2) If a relevant standard has been established under this part, the owner or operator of an affected source may be required to obtain a title V permit from the permitting authority in the State in which the source is located. **{Area sources must obtain Title V permits.}** Emission standards promulgated in this part for area sources will specify whether -

(i) States will have the option to exclude area sources affected by that standard from the requirement to obtain a title V permit (i.e., the standard will exempt the category of area sources altogether from the permitting requirement);

(ii) States will have the option to defer permitting of area sources in that category until the Administrator takes rulemaking action to determine applicability of the permitting requirements; or

(iii) Area sources affected by that emission standard are immediately subject to the requirement to apply for and obtain a title V permit in all States. If a standard fails to specify what the permitting requirements will be for area sources affected by that standard, then area sources that are subject to the standard will be subject to the requirement to obtain a title V permit without deferral. If the owner or operator is required to obtain a title V permit, he or she shall apply for such permit in accordance with part 70 of this chapter and applicable State regulations, or in accordance with the regulations contained in this chapter to implement the Federal title V permit program (42 U.S.C. 7661), whichever regulations are applicable.

(3) [Reserved]

(4) If the owner or operator of an existing source obtains an extension of compliance for such source in accordance with the provisions of subpart D of this part, the owner or operator shall comply with all requirements of this subpart except those requirements that are specifically overridden in the extension of compliance for that source.

(5) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source also shall be subject to the notification requirements of this subpart.

(d) [Reserved]

(e) *Applicability of permit program before a relevant standard has been set under this part.* After the effective date of an approved permit program in the State in which a stationary source is (or would be) located, the owner or operator of such source may be required to obtain a title V permit from the permitting authority in that State (or revise such a permit if one has already been issued to the source) before a relevant standard is established under this part. If the owner or operator is required to obtain (or revise) a title V permit, he/she shall apply to obtain (or revise) such permit in

accordance with the regulations contained in part 70 of this chapter and applicable State regulations, or the regulations codified in this chapter to implement the Federal title V permit program (42 U.S.C. 7661), whichever regulations are applicable.

40 CFR 63.2. Definitions.

Additional definitions in 40 CFR 63.1341.
The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 et seq., as amended by Pub. L. 101–549, 104 Stat. 2399).

Actual emissions is defined in subpart D of this part for the purpose of granting a compliance extension for an early reduction of hazardous air pollutants.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Affected source, for the purposes of this part, means the stationary source, the group of stationary sources, or the portion of a stationary source that is regulated by a relevant standard or other requirement established pursuant to section 112 of the Act. Each relevant standard will define the ''affected source'' for the purposes of that standard. The term ''affected source,'' as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Sources regulated under part 60 or part 61 of this chapter are not affected sources for the purposes of part 63.

Alternative emission limitation means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an approved permit program.

Alternative emission standard means an alternative means of emission limitation that, after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator's satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

Alternative test method means any method of sampling and analyzing for an air pollutant that is not a test method in this chapter and that has been demonstrated to the Administrator's satisfaction, using Method 301 in Appendix A of this part, to produce results adequate for the Administrator's determination that it may be used in place of a test method specified in this part.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

Area source means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

Commenced means, with respect to construction or reconstruction of a stationary source, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

Compliance date means the date by which an affected source is required to be in compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established by the Administrator (or a State with an approved permit program) pursuant to section 112 of the Act.

Compliance plan means a plan that contains all of the following:

(1) A description of the compliance status of the affected source with respect to all applicable requirements established under this part;

(2) A description as follows:

(i) For applicable requirements for which the source is in compliance, a statement that the source will continue to comply with such requirements;

(ii) For applicable requirements that the source is required to comply with by a future date, a statement that the source will meet such requirements on a timely basis;

(iii) For applicable requirements for which the source is not in compliance, a narrative description of how the source will achieve compliance with such requirements on a timely basis;

(3) A compliance schedule, as defined in this section; and

(4) A schedule for the submission of certified progress reports no less frequently than every 6 months for affected sources required to have a schedule of compliance to remedy a violation.

Compliance schedule means:

(1) In the case of an affected source that is in compliance with all applicable requirements established under this part, a statement that the source will continue to comply with such requirements; or

(2) In the case of an affected source that is required to comply with applicable requirements by a future date, a statement that the source will meet such requirements on a timely basis and, if required by an applicable requirement, a detailed schedule of the dates by which each step toward compliance will be reached; or

(3) In the case of an affected source not in compliance with all applicable requirements established under this part, a schedule of remedial measures, including an enforceable sequence of actions or operations with milestones and a schedule for the submission of certified progress reports, where applicable, leading to compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established pursuant to section 112 of the Act for which the affected source is not in compliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction non-compliance with, the applicable requirements on which it is based.

Construction means the on-site fabrication, erection, or installation of an affected source.

Continuous emission monitoring system (CEMS) means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of emissions.

Continuous monitoring system (CMS) is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous opacity monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance with an applicable regulation on a continuous basis as defined by the regulation.

Continuous opacity monitoring system (COMS) means a continuous monitoring system that measures the opacity of emissions.

Continuous parameter monitoring system means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

Effective date means:

(1) With regard to an emission standard established under this part, the date of promulgation in the FEDERAL REGISTER of such standard; or

(2) With regard to an alternative emission limitation or equivalent emission limitation determined by the Administrator (or a State with an approved permit program), the date that the alternative emission limitation or equivalent emission limitation becomes effective according to the provisions of this part. The effective date of a permit program established under title V of the Act (42 U.S.C. 7661) is determined according to the regulations in this chapter establishing such programs.

Emission standard means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

Emissions averaging is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means the maximum achievable control technology emission limitation (MACT emission limitation) for hazardous air pollutants that the Administrator (or a State with an approved permit program) determines on a case-by-case basis, pursuant to section 112(g) or section 112(j) of the Act, to be equivalent to the emission standard that would apply to an affected source if such standard had been promulgated by the Administrator under this part pursuant to section 112(d) or section 112(h) of the Act.

Excess emissions and continuous monitoring system performance report is a report that must be submitted periodically by an affected source in order to provide data on its compliance with relevant emission limits, operating parameters, and the performance of its continuous parameter monitoring systems.

Existing source means any affected source that is not a new source.

Federally enforceable means all limitations and conditions that are enforceable by the Administrator and citizens under the Act or that are enforceable under other statutes administered by the Administrator. Examples of federally enforceable limitations and conditions include, but are not limited to:

(1) Emission standards, alternative emission standards, alternative emission limitations, and equivalent emission limitations established pursuant to section 112 of the Act as amended in 1990;

(2) New source performance standards established pursuant to section 111 of the Act, and emission standards established pursuant to section 112 of the Act before it was amended in 1990;
(3) All terms and conditions in a title V permit, including any provisions that limit a source's potential to emit, unless expressly designated as not federally enforceable;
(4) Limitations and conditions that are part of an approved State Implementation Plan (SIP) or a Federal Implementation Plan (FIP);
(5) Limitations and conditions that are part of a Federal construction permit issued under 40 CFR 52.21 or any construction permit issued under regulations approved by the EPA in accordance with 40 CFR part 51;
(6) Limitations and conditions that are part of an operating permit issued pursuant to a program approved by the EPA into a SIP as meeting the EPA's minimum criteria for Federal enforceability, including adequate notice and opportunity for EPA and public comment prior to issuance of the final permit and practicable enforceability;
(7) Limitations and conditions in a State rule or program that has been approved by the EPA under subpart E of this part for the purposes of implementing and enforcing section 112; and
(8) Individual consent agreements that the EPA has legal authority to create.

Fixed capital cost means the capital needed to provide all the depreciable components of an existing source.

Fugitive emissions means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

Lesser quantity means a quantity of a hazardous air pollutant that is or may be emitted by a stationary source that the Administrator establishes in order to define a major source under an applicable subpart of this part.

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

New source means any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part.

One-hour period, unless otherwise defined in an applicable subpart, means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background. For continuous opacity monitoring systems, opacity means the fraction of incident light that is attenuated by an optical medium.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Performance audit means a procedure to analyze blind samples, the content of which is known by the Administrator, simultaneously with the analysis of performance test samples in order to provide a measure of test data quality.

Performance evaluation means the conduct of relative accuracy testing, calibration error testing, and other measurements used in validating the continuous monitoring system data.

Performance test means the collection of data resulting from the execution of a test method (usually three emission test runs) used to demonstrate compliance with a relevant emission standard as specified in the performance test section of the relevant standard.

Permit modification means a change to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permit revision means any permit modification or administrative permit amendment to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permitting authority means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable.

Reconstruction means the replacement of components of an affected or a previously unaffected stationary source to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and

(2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act. Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Regulation promulgation schedule means the schedule for the promulgation of emission standards under this part, established by the Administrator pursuant to section 112(e) of the Act and published in the FEDERAL REGISTER.

Relevant standard means:

(1) An emission standard;

(2) An alternative emission standard;

(3) An alternative emission limitation; or

(4) An equivalent emission limitation established pursuant to section 112 of the Act that applies to the stationary source, the group of stationary sources, or the portion of a stationary source regulated by such standard or limitation. A relevant standard may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or existing sources to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

Responsible official means one of the following:

(1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars); or

(ii) The delegation of authority to such representative is approved in advance by the Administrator.

(2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

(3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA).

(4) For affected sources (as defined in this part) applying for or subject to a title V permit: ''responsible official'' shall have the same meaning as defined in part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever is applicable.

Run means one of a series of emission or other measurements needed to determine emissions for a representative operating period or cycle as specified in this part.

Shutdown means the cessation of operation of an affected source for any purpose.

Six-minute period means, with respect to opacity determinations, any one of the 10 equal parts of a 1-hour period.

Standard conditions means a temperature of 293 °K (68° F) and a pressure of 101.3 kilopascals (29.92 in. Hg).

Startup means the setting in operation of an affected source for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

(1) The provisions of this part and/or

(2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Test method means the validated procedure for sampling, preparing, and analyzing for an air pollutant specified in a relevant standard as the performance test procedure. The test method may include methods described in an appendix of this chapter, test methods incorporated by reference in this part, or methods validated for an application through procedures in Method 301 of appendix A of this part.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Visible emission means the observation of an emission of opacity or optical density above the threshold of vision.

40 CFR 63.3. Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) System International (SI) units of measure:

A = ampere
g = gram
Hz = hertz
J = joule
°K = degree Kelvin
kg = kilogram
l = liter
m = meter
m^3 = cubic meter
mg = milligram = 10^{-3} gram
ml = milliliter = 10^{-3} liter
mm = millimeter = 10^{-3} meter
Mg = megagram = 10^6 gram = metric ton
MJ = megajoule
mol = mole
N = newton
ng = nanogram = 10^{-9} gram
nm = nanometer = 10^{-9} meter
Pa = pascal
s = second
V = volt
W = watt
Ω = ohm
µg = microgram = 10^{-6} gram
µl = microliter = 10^{-6} liter

(b) Other units of measure:

Btu = British thermal unit
°C = degree Celsius (centigrade)
cal = calorie
cfm = cubic feet per minute
cc = cubic centimeter
cu ft = cubic feet
d = day
dcf = dry cubic feet
dcm = dry cubic meter
dscf = dry cubic feet at standard conditions
dscm = dry cubic meter at standard conditions
eq = equivalent
°F = degree Fahrenheit
ft = feet
ft^2 = square feet

ft^3 = cubic feet
gal = gallon
gr = grain
g-eq = gram equivalent
g-mole = gram mole
hr = hour
in. = inch
in. H_2O = inches of water
K = 1,000
kcal = kilocalorie
lb = pound
lpm = liter per minute
meq = milliequivalent
min = minute
MW = molecular weight
oz = ounces
ppb = parts per billion
ppbw = parts per billion by weight
ppbv = parts per billion by volume
ppm = parts per million
ppmw = parts per million by weight
ppmv = parts per million by volume
psia = pounds per square inch absolute
psig = pounds per square inch gage
°R = degree Rankine
scf = cubic feet at standard conditions
scfh = cubic feet at standard conditions per hour
scm = cubic meter at standard conditions
sec = second
sq ft = square feet
std = at standard conditions
v/v = volume per volume
yd^2 = square yards
yr = year

(c) Miscellaneous:
act = actual
avg = average
I.D. = inside diameter
M = molar
N = normal
O.D. = outside diameter
% = percent

40 CFR 63.4. Prohibited activities and circumvention.

(a) *Prohibited activities.*
(1) No owner or operator subject to the provisions of this part shall operate any affected source in violation of the requirements of this part except under-
(i) An extension of compliance granted by the Administrator under this part; or
(ii) An extension of compliance granted under this part by a State with an approved permit program; or
(iii) An exemption from compliance granted by the President under section 112(i)(4) of the Act.
(2) No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.

(3) After the effective date of an approved permit program in a State, no owner or operator of an affected source in that State who is required under this part to obtain a title V permit shall operate such source except in compliance with the provisions of this part and the applicable requirements of the permit program in that State.
(4) [Reserved]
(5) An owner or operator of an affected source who is subject to an emission standard promulgated under this part shall comply with the requirements of that standard by the date(s) established in the applicable subpart(s) of this part (including this subpart) regardless of whether -
(i) A title V permit has been issued to that source; or
(ii) If a title V permit has been issued to that source, whether such permit has been revised or modified to incorporate the emission standard.

(b) *Circumvention.* No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to
(1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;
(2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and
(3) The fragmentation of an operation such that the operation avoids regulation by a relevant standard.

(c) *Severability.* Notwithstanding any requirement incorporated into a title V permit obtained by an owner or operator subject to the provisions of this part, the provisions of this part are federally enforceable.

40 CFR 63.5. Construction and reconstruction.

(a) *Applicability.*
(1) This section implements the preconstruction review requirements of section 112(i)(1) for sources subject to a relevant emission standard that has been promulgated in this part. In addition, this section includes other requirements for constructed and reconstructed stationary sources that are or become subject to a relevant promulgated emission standard.
(2) After the effective date of a relevant standard promulgated under this part, the requirements in this section apply to owners or operators who construct a new source or reconstruct a source after the proposal date of that standard. New or reconstructed sources that start up before the standard's effective date are not subject to the preconstruction review requirements specified in paragraphs (b)(3), (d), and (e) of this section.

(b) *Requirements for existing, newly constructed, and reconstructed sources.*
(1) Upon construction an affected source is subject to relevant standards for new sources, including compliance dates. Upon reconstruction, an affected source is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.
(2) [Reserved]
(3) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, no person may construct a new major affected source or reconstruct a major affected source subject to such standard, or reconstruct a major source such that the source becomes a major affected source subject to the standard, without obtaining written approval, in advance, from the Administrator in accordance with the procedures specified in paragraphs (d) and (e) of this section.
(4) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, no person may construct a new affected source or reconstruct an affected source subject to such standard, or reconstruct a source such that the source becomes an affected source subject to the standard, without notifying the Administrator of the intended construction or reconstruction. The notification shall be submitted in accordance with the procedures in 40 CFR 63.9(b) and shall include all the information required for an application for approval of construction or reconstruction as specified in paragraph (d) of this section. For major sources, the application for approval of construction or reconstruction may be used to fulfill the notification requirements of this paragraph.
(5) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is located, no person may operate such source without complying with the provisions of this subpart and the relevant standard unless that

person has received an extension of compliance or an exemption from compliance under 40 CFR 63.6(i) or 40 CFR 63.6(j) of this subpart.

(6) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is located, equipment added (or a process change) to an affected source that is within the scope of the definition of affected source under the relevant standard shall be considered part of the affected source and subject to all provisions of the relevant standard established for that affected source. If a new affected source is added to the facility, the new affected source shall be subject to all the provisions of the relevant standard that are established for new sources including compliance dates.

(c) [Reserved]

(d) *Application for approval of construction or reconstruction.* The provisions of this paragraph implement section 112(i)(1) of the Act.

(1) *General application requirements.*

(i) An owner or operator who is subject to the requirements of paragraph (b)(3) of this section shall submit to the Administrator an application for approval of the construction of a new major affected source, the reconstruction of a major affected source, or the reconstruction of a major source such that the source becomes a major affected source subject to the standard. The application shall be submitted as soon as practicable before the construction or reconstruction is planned to commence (but no sooner than the effective date of the relevant standard) if the construction or reconstruction commences after the effective date of a relevant standard promulgated in this part. The application shall be submitted as soon as practicable before startup but no later than 60 days after the effective date of a relevant standard promulgated in this part if the construction or reconstruction had commenced and initial startup had not occurred before the standard's effective date. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of 40 CFR63.9(b)(5) of this subpart. The owner or operator may submit the application for approval well in advance of the date construction or reconstruction is planned to commence in order to ensure a timely review by the Administrator and that the planned commencement date will not be delayed.

(ii) A separate application shall be submitted for each construction or reconstruction. Each application for approval of construction or reconstruction shall include at a minimum:

(A) The applicant's name and address;

(B) A notification of intention to construct a new major affected source or make any physical or operational change to a major affected source that may meet or has been determined to meet the criteria for a reconstruction, as defined in 40 CFR 63.2;

(C) The address (i.e., physical location) or proposed address of the source;

(D) An identification of the relevant standard that is the basis of the application;

(E) The expected commencement date of the construction or reconstruction;

(F) The expected completion date of the construction or reconstruction;

(G) The anticipated date of (initial) startup of the source;

(H) The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified in the relevant standard, or if actual emissions data are not yet available, an estimate of the type and quantity of hazardous air pollutants expected to be emitted by the source reported in units and averaging times specified in the relevant standard. The owner or operator may submit percent reduction information if a relevant standard is established in terms of percent reduction. However, operating parameters, such as flow rate, shall be included in the submission to the extent that they demonstrate performance and compliance; and

(I) [Reserved]

(J) Other information as specified in paragraphs (d)(2) and (d)(3) of this section.

(iii) An owner or operator who submits estimates or preliminary information in place of the actual emissions data and analysis required in paragraphs (d)(1)(ii)(H) and (d)(2) of this section shall submit the actual, measured emissions data and other correct information as soon as available but no later than with the notification of compliance status required in 40 CFR 63.9(h) (see 40 CFR 63.9(h)(5)).

(2) *Application for approval of construction.* Each application for approval of construction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section, technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including an identification of each point of emission for each hazardous air pollutant that is emitted (or could be emitted) and a description of the planned air pollution control system (equipment or method) for each emission point. The

description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations. An owner or operator who submits approximations of control efficiencies under this subparagraph shall submit the actual control efficiencies as specified in paragraph (d)(1)(iii) of this section.

(3) *Application for approval of reconstruction.* Each application for approval of reconstruction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section -

(i) A brief description of the affected source and the components that are to be replaced;

(ii) A description of present and proposed emission control systems (i.e., equipment or methods). The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations;

(iii) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new source;

(iv) The estimated life of the affected source after the replacements; and

(v) A discussion of any economic or technical limitations the source may have in complying with relevant standards or other requirements after the proposed replacements. The discussion shall be sufficiently detailed to demonstrate to the Administrator's satisfaction that the technical or economic limitations affect the source's ability to comply with the relevant standard and how they do so.

(vi) If in the application for approval of reconstruction the owner or operator designates the affected source as a reconstructed source and declares that there are no economic or technical limitations to prevent the source from complying with all relevant standards or other requirements, the owner or operator need not submit the information required in subparagraphs (d)(3) (iii) through (v) of this section, above.

(4) *Additional information.* The Administrator may request additional relevant information after the submittal of an application for approval of construction or reconstruction.

(e) *Approval of construction or reconstruction.*

(1) (i) If the Administrator determines that, if properly constructed, or reconstructed, and operated, a new or existing source for which an application under paragraph (d) of this section was submitted will not cause emissions in violation of the relevant standard(s) and any other federally enforceable requirements, the Administrator will approve the construction or reconstruction.

(ii) In addition, in the case of reconstruction, the Administrator's determination under this paragraph will be based on:

(A) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new source;

(B) The estimated life of the source after the re-placements compared to the life of a comparable entirely new source;

(C) The extent to which the components being replaced cause or contribute to the emissions from the source; and

(D) Any economic or technical limitations on compliance with relevant standards that are inherent in the proposed replacements.

(2) (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of construction or reconstruction within 60 calendar days after receipt of sufficient information to evaluate an application submitted under paragraph (d) of this section. The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(3) Before denying any application for approval of construction or reconstruction, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with -

(i) Notice of the information and findings on which the intended denial is based; and

(ii) Notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator to enable further action on the application.

(4) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 calendar days of presentation of additional information or arguments (if the application is complete), or within 60 calendar days after the final date specified for presentation if no presentation is made.

(5) Neither the submission of an application for approval nor the Administrator's approval of construction or reconstruction shall -

(i) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(ii) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(f) *Approval of construction or reconstruction based on prior State preconstruction review.*

(1) The Administrator may approve an application for construction or reconstruction specified in paragraphs (b)(3) and (d) of this section if the owner or operator of a new or reconstructed source who is subject to such requirement demonstrates to the Administrator's satisfaction that the following conditions have been (or will be) met:

(i) The owner or operator of the new or reconstructed source has undergone a preconstruction review and approval process in the State in which the source is (or would be) located before the promulgation date of the relevant standard and has received a federally enforceable construction permit that contains a finding that the source will meet the relevant emission standard as proposed, if the source is properly built and operated;

(ii) In making its finding, the State has considered factors substantially equivalent to those specified in paragraph (e)(1) of this section; and either

(iii) The promulgated standard is no more stringent than the proposed standard in any relevant aspect that would affect the Administrator's decision to approve or disapprove an application for approval of construction or reconstruction under this section; or

(iv) The promulgated standard is more stringent than the proposed standard but the owner or operator will comply with the standard as proposed during the 3-year period immediately following the effective date of the standard as allowed for in 40 CFR 63.6(b)(3) of this subpart.

(2) The owner or operator shall submit to the Administrator the request for approval of construction or reconstruction under this paragraph no later than the application deadline specified in paragraph (d)(1) of this section (see also 40 CFR 63.9(b)(2) of this subpart). The owner or operator shall include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in paragraph (e) of this section. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction under this paragraph.

40 CFR 63.6. Compliance with standards and maintenance requirements.

(a) *Applicability.*

(1) The requirements in this section apply to owners or operators of affected sources for which any relevant standard has been established pursuant to section 112 of the Act unless -

(i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or

(ii) The President has granted an exemption from compliance with any relevant standard in accordance with section 112(i)(4) of the Act.

(2) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source, such source shall be subject to the relevant emission standard or other requirement.

(b) *Compliance dates for new and reconstructed sources.*

(1) Except as specified in paragraphs (b)(3) and (b)(4) of this section, the owner or operator of a new or reconstructed source that has an initial startup before the effective date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act shall comply with such standard not later than the standard's effective date.

(2) Except as specified in paragraphs (b)(3) and (b)(4) of this section, the owner or operator of a new or reconstructed source that has an initial startup after the effective date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act shall comply with such standard upon startup of the source.

(3) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act but before the effective date (that is, promulgation) of such standard shall comply with the relevant emission standard not later than the date 3 years after the effective date if:

(i) The promulgated standard (that is, the relevant standard) is more stringent than the proposed standard; and

(ii) The owner or operator complies with the standard as proposed during the 3-year period immediately after the effective date.

(4) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of a relevant standard established pursuant to section 112(f) shall comply with the emission standard under section 112(f) not later than the date 10 years after the date construction or reconstruction is commenced, except that, if the section 112(f) standard is promulgated more than 10 years after construction or reconstruction is commenced, the owner or operator shall comply with the standard as provided in paragraphs (b)(1) and (b)(2) of this section.

(5) The owner or operator of a new source that is subject to the compliance requirements of paragraph (b)(3) or paragraph (b)(4) of this section shall notify the Administrator in accordance with 40 CFR 63.9(d) of this subpart.

(6) [Reserved]

(7) After the effective date of an emission standard promulgated under this part, the owner or operator of an unaffected new area source (i.e., an area source for which construction or reconstruction was commenced after the proposal date of the standard) that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source that is subject to the emission standard, shall comply with the relevant emission standard immediately upon becoming a major source. This compliance date shall apply to new area sources that become affected major sources regardless of whether the new area source previously was affected by that standard. The new affected major source shall comply with all requirements of that standard that affect new sources.

(c) *Compliance dates for existing sources.*

(1) After the effective date of a relevant standard established under this part pursuant to section 112(d) or 112(h) of the Act, the owner or operator of an existing source shall comply with such standard by the compliance date established by the Administrator in the applicable subpart(s) of this part. Except as otherwise provided for in section 112 of the Act, in no case will the compliance date established for an existing source in an applicable subpart of this part exceed 3 years after the effective date of such standard.

(2) After the effective date of a relevant standard established under this part pursuant to section 112(f) of the Act, the owner or operator of an existing source shall comply with such standard not later than 90 days after the standard's effective date unless the Administrator has granted an extension to the source under paragraph (i)(4)(ii) of this section.

(3)–(4) [Reserved]

(5) After the effective date of an emission standard promulgated under this part, the owner or operator of an unaffected existing area source that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source that is subject to the emission standard shall comply by the date specified in the standard for existing area sources that become major sources. If no such compliance date is specified in the standard, the source shall have a period of time to comply with the relevant emission standard that is equivalent to the compliance period specified in that standard for other existing sources. This compliance period shall apply to existing area sources that become affected major sources regardless of whether the existing area source previously was affected by that standard. Notwithstanding the previous two sentences, however, if the existing area source becomes a major source by the addition of a new affected source or by reconstructing, the portion of the existing facility that is a new affected source or a reconstructed source shall comply with all requirements of that standard that affect new sources, including the compliance date for new sources.

(d) [Reserved]

(e) *Operation and maintenance requirements.*

(1) (i) At all times, including periods of startup, shutdown, and malfunction, owners or operators shall operate and maintain any affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards.

(ii) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section.

(iii) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2) Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section), review of operation and maintenance records, and inspection of the source.

(3) *Startup, shutdown, and malfunction plan.*

(i) The owner or operator of an affected source shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard. As required under § 63.8(c)(1)(i), the plan shall identify all routine or otherwise predictable CMS malfunctions. This plan shall be developed by the owner or operator by the source's compliance date for that relevant standard. The plan shall be incorporated by reference into the source's title V permit. The purpose of the startup, shutdown, and malfunction plan is to -

(A) Ensure that, at all times, owners or operators operate and maintain affected sources, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards;

(B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and

(C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).

(ii) During periods of startup, shutdown, and malfunction, the owner or operator of an affected source shall operate and maintain such source (including associated air pollution control equipment) in accordance with the procedures specified in the startup, shutdown, and malfunction plan developed under paragraph (e)(3)(i) of this section.

(iii) When actions taken by the owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall keep records for that event that demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of recordkeeping, that confirms conformance with the startup, shutdown, and malfunction plan for that event. In addition, the owner or operator shall keep records of these events as specified in 40 CFR 63.10(b) (and elsewhere in this part), including records of the occurrence and duration of each startup, shutdown, or malfunction of operation and each malfunction of the air pollution control equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in 40 CFR 63.10(d)(5).

(iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall record the actions taken for that event and shall report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with 40 CFR 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator (see 40 CFR 63.10(d)(5)(ii))).

(v) The owner or operator shall keep the written startup, shutdown, and malfunction plan on record after it is developed to be made available for inspection, upon request, by the Administrator for the life of the affected source or until the affected source is no longer subject to the provisions of this part. In addition, if the startup,

shutdown, and malfunction plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the startup, shutdown, and malfunction plan on record, to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan.

(vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection when requested by the Administrator.

(vii) Based on the results of a determination made under paragraph (e)(2) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator may require reasonable revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

(A) Does not address a startup, shutdown, or malfunction event that has occurred;

(B) Fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards; or

(C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable.

(viii) If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator shall revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment.

(f) *Compliance with nonopacity emission standards* -

(1) *Applicability.* The nonopacity emission standards set forth in this part shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart.

(2) *Methods for determining compliance.*

(i) The Administrator will determine compliance with nonopacity emission standards in this part based on the results of performance tests conducted according to the procedures in 40 CFR 63.7, unless otherwise specified in an applicable subpart of this part.

(ii) The Administrator will determine compliance with nonopacity emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in 40 CFR 63.6(e) and applicable subparts of this part.

(iii) If an affected source conducts performance testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if -

(A) The performance test was conducted within a reasonable amount of time before an initial performance test is required to be conducted under the relevant standard;

(B) The performance test was conducted under representative operating conditions for the source;

(C) The performance test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in 40 CFR 63.7(e) of this subpart; and

(D) The performance test was appropriately quality-assured, as specified in 40 CFR 63.7(c) of this subpart.

(iv) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of this part.

(v) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, as specified in paragraph (e) of this section and applicable subparts of this part.

(3) *Finding of compliance.* The Administrator will make a finding concerning an affected source's compliance with a nonopacity emission standard, as specified in paragraphs (f)(1) and (f)(2) of this section, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.

(g) *Use of an alternative nonopacity emission standard.*

(1) If, in the Administrator's judgment, an owner or operator of an affected source has established that an alternative means of emission limitation will achieve a reduction in emissions of a hazardous air pollutant from an affected source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act, the Administrator will publish in the FEDERAL REGISTER a notice permitting the use of the alternative emission standard for purposes of compliance with the promulgated standard. Any FEDERAL REGISTER notice under this paragraph shall be published only after the public is notified and given the opportunity to comment. Such notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on requirements to assure the proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.
(2) An owner or operator requesting permission under this paragraph shall, unless otherwise specified in an applicable subpart, submit a proposed test plan or the results of testing and monitoring in accordance with 40 CFR 63.7 and 40 CFR 63.8, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring. Any testing or monitoring conducted to request permission to use an alternative nonopacity emission standard shall be appropriately quality assured and quality controlled, as specified in 40 CFR 63.7 and 40 CFR 63.8.
(3) The Administrator may establish general procedures in an applicable subpart that accomplish the requirements of paragraphs (g)(1) and (g)(2) of this section.

(h) *Compliance with opacity and visible emission standards* -
(1) *Applicability.* The opacity and visible emission standards set forth in this part shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart.
(2) Methods for determining compliance.
(i) The Administrator will determine compliance with opacity and visible emission standards in this part based on the results of the test method specified in an applicable subpart. Whenever a continuous opacity monitoring system (COMS) is required to be installed to determine compliance with numerical opacity emission standards in this part, compliance with opacity emission standards in this part shall be determined by using the results from the COMS. Whenever an opacity emission test method is not specified, compliance with opacity emission standards in this part shall be determined by conducting observations in accordance with Test Method 9 in appendix A of part 60 of this chapter or the method specified in paragraph (h)(7)(ii) of this section. Whenever a visible emission test method is not specified, compliance with visible emission standards in this part shall be determined by conducting observations in accordance with Test Method 22 in appendix A of part 60 of this chapter.
(ii) [Reserved]
(iii) If an affected source undergoes opacity or visible emission testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if -
(A) The opacity or visible emission test was conducted within a reasonable amount of time before a performance test is required to be conducted under the relevant standard;
(B) The opacity or visible emission test was conducted under representative operating conditions for the source;
(C) The opacity or visible emission test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in 40 CFR 63.7(e) of this subpart; and
(D) The opacity or visible emission test was appropriately quality-assured, as specified in 40 CFR 63.7(c) of this section.
(3) [Reserved]
(4) *Notification of opacity or visible emission observations.* The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting opacity or visible emission observations in accordance with § 63.9(f), if such observations are required for the source by a relevant standard.
(5) *Conduct of opacity or visible emission observations.* When a relevant standard under this part includes an opacity or visible emission standard, the owner or operator of an affected source shall comply with the following:
(i) For the purpose of demonstrating initial compliance, opacity or visible emission observations shall be conducted concurrently with the initial performance test required in 40 CFR 63.7 unless one of the following conditions applies:

(A) If no performance test under 40 CFR 63.7 is required, opacity or visible emission observations shall be conducted within 60 days after achieving the maximum production rate at which a new or reconstructed source will be operated, but not later than 120 days after initial startup of the source, or within 120 days after the effective date of the relevant standard in the case of new sources that start up before the standard's effective date. If no performance test under § 63.7 is required, opacity or visible emission observations shall be conducted within 120 days after the compliance date for an existing or modified source; or

(B) If visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under 40 CFR 63.7, or within the time period specified in paragraph (h)(5)(i)(A) of this section, the source's owner or operator shall reschedule the opacity or visible emission observations as soon after the initial performance test, or time period, as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. The rescheduled opacity or visible emission observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR 63.7. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity or visible emission observations from being made concurrently with the initial performance test in accordance with procedures contained in Test Method 9 or Test Method 22 in appendix A of part 60 of this chapter.

(ii) **Test duration specified in Subpart LLL.**

(iii) **Test duration specified in Subpart LLL.**

(iv) **Test duration specified in Subpart LLL.**

(v) Opacity readings of portions of plumes that contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity emission standards.

(6) *Availability of records.* The owner or operator of an affected source shall make available, upon request by the Administrator, such records that the Administrator deems necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification.

(7) *Use of a continuous opacity monitoring system.*

(i) The owner or operator of an affected source required to use a continuous opacity monitoring system (COMS) shall record the monitoring data produced during a performance test required under 40 CFR 63.7 and shall furnish the Administrator a written report of the monitoring results in accordance with the provisions of 40 CFR 63.10(e)(4).

(ii) Whenever an opacity emission test method has not been specified in an applicable subpart, or an owner or operator of an affected source is required to conduct Test Method 9 observations (see appendix A of part 60 of this chapter), the owner or operator may submit, for compliance purposes, COMS data results produced during any performance test required under 40 CFR 63.7 in lieu of Method 9 data. If the owner or operator elects to submit COMS data for compliance with the opacity emission standard, he or she shall notify the Administrator of that decision, in writing, simultaneously with the notification under 40 CFR 63.7(b) of the date the performance test is scheduled to begin. Once the owner or operator of an affected source has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent performance tests required under 40 CFR 63.7, unless the owner or operator notifies the Administrator in writing to the contrary not later than with the notification under 40 CFR 63.7(b) of the date the subsequent performance test is scheduled to begin.

(iii) For the purposes of determining compliance with the opacity emission standard during a performance test required under 40 CFR 63.7 using COMS data, the COMS data shall be reduced to 6-minute averages over the duration of the mass emission performance test.

(iv) The owner or operator of an affected source using a COMS for compliance purposes is responsible for demonstrating that he/she has complied with the performance evaluation requirements of 40 CFR 63.8(e), that the COMS has been properly maintained, operated, and data quality-assured, as specified in 40 CFR 63.8(c) and 40 CFR 63.8(d), and that the resulting data have not been altered in any way.

(v) Except as provided in paragraph (h)(7)(ii) of this section, the results of continuous monitoring by a COMS that indicate that the opacity at the time visual observations were made was not in excess of the emission standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the affected source proves that, at the time of the alleged violation, the instrument used was properly maintained, as specified in 40 CFR 63.8(c), and met Performance Specification 1 in appendix B of part 60 of this chapter, and that the resulting data have not been altered in any way.

(8) *Finding of compliance.* The Administrator will make a finding concerning an affected source's compliance with an opacity or visible emission standard upon obtaining all the compliance information required by the relevant

standard (including the written reports of the results of the performance tests required by 40 CFR 63.7, the results of Test Method 9 or another required opacity or visible emission test method, the observer certification required by paragraph (h)(6) of this section, and the continuous opacity monitoring system results, whichever is/are applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.

(9) *Adjustment to an opacity emission standard.*

(i) If the Administrator finds under paragraph (h)(8) of this section that an affected source is in compliance with all relevant standards for which initial performance tests were conducted under 40 CFR 63.7, but during the time such performance tests were conducted fails to meet any relevant opacity emission standard, the owner or operator of such source may petition the Administrator to make appropriate adjustment to the opacity emission standard for the affected source. Until the Administrator notifies the owner or operator of the appropriate adjustment, the relevant opacity emission standard remains applicable.

(ii) The Administrator may grant such a petition upon a demonstration by the owner or operator that -

(A) The affected source and its associated air pollution control equipment were operated and maintained in a manner to minimize the opacity of emissions during the performance tests;

(B) The performance tests were performed under the conditions established by the Administrator; and

(C) The affected source and its associated air pollution control equipment were incapable of being adjusted or operated to meet the relevant opacity emission standard.

(iii) The Administrator will establish an adjusted opacity emission standard for the affected source meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity emission standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity emission standard in the FEDERAL REGISTER.

(iv) After the Administrator promulgates an adjusted opacity emission standard for an affected source, the owner or operator of such source shall be subject to the new opacity emission standard, and the new opacity emission standard shall apply to such source during any subsequent performance tests.

(i) *Extension of compliance with emission standards.*

(1) Until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph, the owner or operator of an affected source subject to the requirements of this section shall comply with all applicable requirements of this part.

(2) *Extension of compliance for early reductions and other reductions*

(i) *Early reductions.* Pursuant to section 112(i)(5) of the Act, if the owner or operator of an existing source demonstrates that the source has achieved a reduction in emissions of hazardous air pollutants in accordance with the provisions of subpart D of this part, the Administrator (or the State with an approved permit program) will grant the owner or operator an extension of compliance with specific requirements of this part, as specified in subpart D.

(ii) *Other reductions.* Pursuant to section 112(i)(6) of the Act, if the owner or operator of an existing source has installed best available control technology (BACT) (as defined in section 169(3) of the Act) or technology required to meet a lowest achievable emission rate (LAER) (as defined in section 171 of the Act) prior to the promulgation of an emission standard in this part applicable to such source and the same pollutant (or stream of pollutants) controlled pursuant to the BACT or LAER installation, the Administrator will grant the owner or operator an extension of compliance with such emission standard that will apply until the date 5 years after the date on which such installation was achieved, as determined by the Administrator.

(3) *Request for extension of compliance.* Paragraphs (i)(4) through (i)(7) of this section concern requests for an extension of compliance with a relevant standard under this part (except requests for an extension of compliance under paragraph (i)(2)(i) of this section will be handled through procedures specified in subpart D of this part).

(4) (i) (A) The owner or operator of an existing source who is unable to comply with a relevant standard established under this part pursuant to section 112(d) of the Act may request that the Administrator (or a State, when the State has an approved part 70 permit program and the source is required to obtain a part 70 permit under that program, or a State, when the State has been delegated the authority to implement and enforce the emission standard for that source) grant an extension allowing the source up to 1 additional year to comply with the standard, if such additional period is necessary for the installation of controls. An additional extension of up to 3 years may be added for mining waste operations, if the 1-year extension of compliance is insufficient to dry and cover mining waste in order to reduce emissions of any hazardous air pollutant. The owner or operator of an affected source who has requested an extension of compliance under

this paragraph and who is otherwise required to obtain a title V permit shall apply for such permit or apply to have the source's title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this paragraph will be incorporated into the affected source's title V permit according to the provisions of part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.

(B) Any request under this paragraph for an extension of compliance with a relevant standard shall be submitted in writing to the appropriate authority not later than 12 months before the affected source's compliance date (as specified in paragraphs (b) and (c) of this section) for sources that are not including emission points in an emissions average, or not later than 18 months before the affected source's compliance date (as specified in paragraphs (b) and (c) of this section) for sources that are including emission points in an emissions average. Emission standards established under this part may specify alternative dates for the submittal of requests for an extension of compliance if alternatives are appropriate for the source categories affected by those standards, e.g., a compliance date specified by the standard is less than 12 (or 18) months after the standard's effective date.

(ii) The owner or operator of an existing source unable to comply with a relevant standard established under this part pursuant to section 112(f) of the Act may request that the Administrator grant an extension allowing the source up to 2 years after the standard's effective date to comply with the standard. The Administrator may grant such an extension if he/she finds that such additional period is necessary for the installation of controls and that steps will be taken during the period of the extension to assure that the health of persons will be protected from imminent endangerment. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 15 calendar days after the effective date of the relevant standard.

(5) The owner or operator of an existing source that has installed BACT or technology required to meet LAER [as specified in paragraph (i)(2)(ii) of this section] prior to the promulgation of a relevant emission standard in this part may request that the Administrator grant an extension allowing the source 5 years from the date on which such installation was achieved, as determined by the Administrator, to comply with the standard. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 120 days after the promulgation date of the standard. The Administrator may grant such an extension if he or she finds that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(6) (i) The request for a compliance extension under paragraph (i)(4) of this section shall include the following information:

(A) A description of the controls to be installed to comply with the standard;

(B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:

(*1*) The date by which contracts for emission control systems or process changes for emission control will be awarded, or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process changes;

(*2*) The date by which on-site construction, installation of emission control equipment, or a process change is to be initiated;

(*3*) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and

(*4*) The date by which final compliance is to be achieved;

(C) A description of interim emission control steps that will be taken during the extension period, including milestones to assure proper operation and maintenance of emission control and process equipment; and

(D) Whether the owner or operator is also requesting an extension of other applicable requirements (e.g., performance testing requirements).

(ii) The request for a compliance extension under paragraph (i)(5) of this section shall include all information needed to demonstrate to the Administrator's satisfaction that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(7) Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).

(8) *Approval of request for extension of compliance.* Paragraphs (i)(9) through (i)(14) of this section concern approval of an extension of compliance requested under paragraphs (i)(4) through (i)(6) of this section.

(9) Based on the information provided in any request made under paragraphs (i)(4) through (i)(6) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with an emission standard, as specified in paragraphs (i)(4) and (i)(5) of this section.

(10) The extension will be in writing and will -

(i) Identify each affected source covered by the extension;

(ii) Specify the termination date of the extension;

(iii) Specify the dates by which steps toward compliance are to be taken, if appropriate;

(iv) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests); and

(v) (A) Under paragraph (i)(4), specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period; or

(B) Under paragraph (i)(5), specify any additional conditions that the Administrator deems necessary to assure the proper operation and maintenance of the installed controls during the extension period.

(11) The owner or operator of an existing source that has been granted an extension of compliance under paragraph (i)(10) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached. The contents of the progress reports and the dates by which they shall be submitted will be specified in the written extension of compliance granted under paragraph (i)(10) of this section..

(12)(i) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(i) or (i)(5) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with -

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

(iv) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(13)(i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(ii) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 15 calendar days after receipt of the original application and within 15 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 15 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator will notify the owner or operator in writing of the Administrator's intention to issue the denial, together with -

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator before further action on the request.

(iv) A final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(14) The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraphs (i)(10)(iii) or (i)(10)(iv) of this section is not met.

(15) [Reserved]

(16) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the Act.

(j) *Exemption from compliance with emission standards.* The President may exempt any stationary source from compliance with any relevant standard established pursuant to section 112 of the Act for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years.

40 CFR 63.7. Performance testing requirements.

(a) *Applicability and performance test dates.* **{40 CFR 63.1349 has specific requirements}**

(1) Unless otherwise specified, this section applies to the owner or operator of an affected source required to do performance testing, or another form of compliance demonstration, under a relevant standard.

(2) If required to do performance testing by a relevant standard, and unless a waiver of performance testing is obtained under this section or the conditions of paragraph (c)(3)(ii)(B) of this section apply, the owner or operator of the affected source shall perform such tests as follows -

(i) Within 180 days after the effective date of a relevant standard for a new source that has an initial startup date before the effective date; or

(ii) Within 180 days after initial startup for a new source that has an initial startup date after the effective date of a relevant standard; or

(iii) Within 180 days after the compliance date specified in an applicable subpart of this part for an existing source subject to an emission standard established pursuant to section 112(d) of the Act, or within 180 days after startup of an existing source if the source begins operation after the effective date of the relevant emission standard; or

(iv) Within 180 days after the compliance date for an existing source subject to an emission standard established pursuant to section 112(f) of the Act; or

(v) Within 180 days after the termination date of the source's extension of compliance for an existing source that obtains an extension of compliance under 40 CFR 63.6(i); or

(vi) Within 180 days after the compliance date for a new source, subject to an emission standard established pursuant to section 112(f) of the Act, for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of the relevant standard established pursuant to section 112(f) [see 40 CFR 63.6(b)(4)]; or

(vii) [Reserved]; or (viii) [Reserved]; or

(ix) When an emission standard promulgated under this part is more stringent than the standard proposed (see 40 CFR 63.6(b)(3)), the owner or operator of a new or reconstructed source subject to that standard for which construction or reconstruction is commenced between the proposal and promulgation dates of the standard shall comply with performance testing requirements within 180 days after the standard's effective date, or within 180 days after startup of the source, whichever is later. If the promulgated standard is more stringent than the proposed standard, the owner or operator may choose to demonstrate compliance with either the proposed or the promulgated standard. If the owner or operator chooses to comply with the proposed standard initially, the owner or operator shall conduct a second performance test within 3 years and 180 days after the effective date of the standard, or after startup of the source, whichever is later, to demonstrate compliance with the promulgated standard.

(3) The Administrator may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by section 114 of the Act.

(b) *Notification of performance test.*

(1) The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator, upon request, to review and approve the site-specific test plan required under paragraph (c) of this section and to have an observer present during the test. Observation of the performance test by the Administrator is optional.

(2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in paragraph (b)(1) of this section, due to unforeseeable circumstances beyond his or her control, the owner or operator shall notify the Administrator within 5 days prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of this part or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(c) *Quality assurance program.*

(1) The results of the quality assurance program required in this paragraph will be considered by the Administrator when he/she determines the validity of a performance test.

(2) (i) *Submission of site-specific test plan.* Before conducting a required performance test, the owner or operator of an affected source shall develop and, if requested by the Administrator, shall submit a site-specific test plan to the Administrator for approval. The test plan shall include a test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program. Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of test data precision; an example of internal QA is the sampling and analysis of replicate samples.

(iii) The external QA program shall include, at a minimum, application of plans for a test method performance audit (PA) during the performance test. The PA's consist of blind audit samples provided by the Administrator and analyzed during the performance test in order to provide a measure of test data bias. The external QA program may also include systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iv) The owner or operator of an affected source shall submit the site-specific test plan to the Administrator upon the Administrator's request at least 60 calendar days before the performance test is scheduled to take place, that is, simultaneously with the notification of intention to conduct a performance test required under paragraph (b) of this section, or on a mutually agreed upon date.

(v) The Administrator may request additional relevant information after the submittal of a site-specific test plan.

(3) *Approval of site-specific test plan.*

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the site-specific test plan (if review of the site-specific test plan is requested) within 30 calendar days after receipt of the original plan and within 30 calendar days after receipt of any supplementary information that is submitted under paragraph (c)(3)(i)(B) of this section. Before disapproving any site-specific test plan, the Administrator will notify the applicant of the Administrator's intention to disapprove the plan together with -

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present, within 30 calendar days after he/she is notified of the intended disapproval, additional information to the Administrator before final action on the plan.

(ii) In the event that the Administrator fails to approve or disapprove the site-specific test plan within the time period specified in paragraph (c)(3)(i) of this section, the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the test method(s) specified in the relevant standard, the owner or operator shall conduct the performance test within the time specified in this section using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator shall refrain from conducting the performance test until the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or until after the alternative method is approved (see paragraph (f) of this section). If the Administrator does not approve the site-specific test plan (if review is requested) or the use of the alternative method within 30 days before the test is scheduled to begin, the performance test dates specified in paragraph (a) of this section may be extended such that the owner or operator shall conduct the performance test within 60 calendar days after the Administrator approves the site-specific test plan or after use of the alternative method is approved. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alter-native.

(iii) Neither the submission of a site-specific test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall -

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) (i) *Performance test method audit program.* The owner or operator shall analyze performance audit (PA) samples during each performance test. The owner or operator shall request performance audit materials 45 days prior to the test date. Cylinder audit gases may be obtained by contacting the Cylinder Audit Coordinator, Quality Assurance Division (MD–77B), Atmospheric Research and Exposure Assessment Laboratory (AREAL), U.S. EPA, Research Triangle Park, North Carolina 27711. All other audit materials may be obtained by contacting the Source Test Audit Coordinator, Quality Assurance Division (MD–77B), AREAL, U.S. EPA, Research Triangle Park, North Carolina 27711.

(ii) The Administrator will have sole discretion to require any subsequent remedial actions of the owner or operator based on the PA results.

(iii) If the Administrator fails to provide required PA materials to an owner or operator of an affected source in time to analyze the PA samples during a performance test, the requirement to conduct a PA under this paragraph shall be waived for such source for that performance test. Waiver under this paragraph of the requirement to conduct a PA for a particular performance test does not constitute a waiver of the requirement to conduct a PA for future required performance tests.

(d) *Performance testing facilities.* If required to do performance testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source, shall provide performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such source. This includes:

(i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and

(ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;

(2) Safe sampling platform(s);

(3) Safe access to sampling platform(s);

(4) Utilities for sampling and testing equipment; and

(5) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

(e) *Conduct of performance tests.*

(1) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under 40 CFR 63.6(e). Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(2) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of parts 51, 60, 61, and 63 of this chapter unless the Administrator -

(i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology; or

(ii) Approves the use of an alternative test method, the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or

(iii) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors; or

(iv) Waives the requirement for performance tests because the owner or operator of an affected source has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.

(3) Unless otherwise specified in a relevant standard or test method, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the relevant standard. For the purpose of determining compliance with a relevant standard, the arithmetic mean of the results of the three runs shall apply. Upon receiving approval from the Administrator, results of a test run may be replaced with results of an additional test run in the event that

(i) A sample is accidentally lost after the testing team leaves the site; or

(ii) Conditions occur in which one of the three runs must be discontinued because of forced shutdown; or

(iii) Extreme meteorological conditions occur; or

(iv) Other circumstances occur that are beyond the owner or operator's control.

(4) Nothing in paragraphs (e)(1) through (e)(3) of this section shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(f) *Use of an alternative test method* -

(1) *General.* Until permission to use an alternative test method has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2) The owner or operator of an affected source required to do performance testing by a relevant standard may use an alternative test method from that specified in the standard provided that the owner or operator -

(i) Notifies the Administrator of his or her intention to use an alternative test method not later than with the submittal of the site-specific test plan (if requested by the Administrator) or at least 60 days before the performance test is scheduled to begin if a site-specific test plan is not submitted;

(ii) Uses Method 301 in appendix A of this part to validate the alternative test method; and

(iii) Submits the results of the Method 301 validation process along with the notification of intention and the justification for not using the specified test method. The owner or operator may submit the information required in this paragraph well in advance of the deadline specified in paragraph (f)(2)(i) of this section to ensure a timely review by the Administrator in order to meet the performance test date specified in this section or the relevant standard.

(3) The Administrator will determine whether the owner or operator's validation of the proposed alternative test method is adequate when the Administrator approves or disapproves the site-specific test plan required under paragraph (c) of this section. If the Administrator finds reasonable grounds to dispute the results obtained by the Method 301 validation process, the Administrator may require the use of a test method specified in a relevant standard.

(4) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require the use of a test method specified in a relevant standard.

(5) If the owner or operator uses an alternative test method for an affected source during a required performance test, the owner or operator of such source shall continue to use the alternative test method for subsequent performance tests at that affected source until he or she receives approval from the Administrator to use another test method as allowed under § 63.7(f).

(6) Neither the validation and approval process nor the failure to validate an alternative test method shall abrogate the owner or operator's responsibility to comply with the requirements of this part.

(g) *Data analysis, recordkeeping, and reporting.*

(1) Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions, and raw

data. A performance test is "completed" when field sample collection is terminated. The owner or operator of an affected source shall report the results of the performance test to the Administrator before the, close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator (see 40 CFR 63.9(i)). The results of the performance test shall be submitted as part of the notification of compliance status required under 40 CFR 63.9(h). Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the appropriate permitting authority.

(2) [Reserved]

(3) For a minimum of 5 years after a performance test is conducted, the owner or operator shall retain and make available, upon request, for inspection by the Administrator the records or results of such performance test and other data needed to determine emissions from an affected source.

(h) *Waiver of performance tests.*

(1) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) Request to waive a performance test.

(i) If a request is made for an extension of compliance under 40 CFR 63.6(i), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the owner or operator has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under paragraph (c) of this section is not submitted.

(ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under 40 CFR 63.6(I), 40 CFR 63.9(h), and 40 CFR 63.10(e) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under paragraph (c) of this section is not submitted.

(iii) Any application for a waiver of a performance test shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.

(4) Approval of request to waive performance test. The Administrator will approve or deny a request for a waiver of a performance test made under paragraph (h)(3) of this section when he/she -

(i) Approves or denies an extension of compliance under 40 CFR 63.6(i)(8); or

(ii) Approves or disapproves a site-specific test plan under 40 CFR 63.7(c)(3); or

(iii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iv) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

40 CFR 63.8. Monitoring requirements.

(a) *Applicability.*

(1) (i) Unless otherwise specified in a relevant standard, this section applies to the owner or operator of an affected source required to do monitoring under that standard.

(ii) Relevant standards established under this part will specify monitoring systems, methods, or procedures, monitoring frequency, and other pertinent requirements for source(s) regulated by those standards. This section specifies general monitoring requirements such as those governing the conduct of monitoring and requests to

use alternative monitoring methods. In addition, this section specifies detailed requirements that apply to affected sources required to use continuous monitoring systems (CMS) under a relevant standard.

(2) **40 CFR 63.1350 includes CEM requirements.**

(3) [Reserved]

(4) **Flares not applicable.**

(b) *Conduct of monitoring.*

(1) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator -

(i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures; or

(ii) Approves the use of alternatives to any monitoring requirements or procedures.

(iii) Owners or operators with flares subject to 40 CFR 63.11(b) are not subject to the requirements of this section unless otherwise specified in the relevant standard.

(2) (i) When the effluents from a single affected source, or from two or more affected sources, are combined before being released to the atmosphere, the owner or operator shall install an applicable CMS on each effluent.

(ii) If the relevant standard is a mass emission standard and the effluent from one affected source is released to the atmosphere through more than one point, the owner or operator shall install an applicable CMS at each emission point unless the installation of fewer systems is -

(A) Approved by the Administrator; or

(B) Provided for in a relevant standard (e.g., instead of requiring that a CMS be installed at each emission point before the effluents from those points are channeled to a common control device, the standard specifies that only one CMS is required to be installed at the vent of the control device).

(3) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the owner or operator shall report the results from the CMS used to meet the monitoring requirements of this part. If both such CMS are used during a particular reporting period to meet the monitoring requirements of this part, then the owner or operator shall report the results from each CMS for the relevant compliance period.

(c) Operation and maintenance of continuous monitoring systems. **Performance specification supersedes requirements for THC CEM. Temperature and activated carbon injection monitoring data reduction requirements given in subpart LLL.**

(1) The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.

(i) The owner or operator of an affected source shall ensure the immediate repair or replacement of CMS parts to correct "routine" or otherwise predictable CMS malfunctions as defined in the source's startup, shutdown, and malfunction plan required by 40 CFR 63.6(e)(3). The owner or operator shall keep the necessary parts for routine repairs of the affected equipment readily available. If the plan is followed and the CMS repaired immediately, this action shall be reported in the semiannual startup, shutdown, and malfunction report required under 40 CFR 63.10(d)(5)(i).

(ii) For those malfunctions or other events that affect the CMS and are not addressed by the startup, shutdown, and malfunction plan, the owner or operator shall report actions that are not consistent with the startup, shutdown, and malfunction plan within 24 hours after commencing actions inconsistent with the plan. The owner or operator shall send a followup report within 2 weeks after commencing actions inconsistent with the plan that either certifies that corrections have been made or includes a corrective action plan and schedule. The owner or operator shall provide proof that repair parts have been ordered or any other records that would indicate that the delay in making repairs is beyond his or her control.

(iii) The Administrator's determination of whether acceptable operation and maintenance procedures are being used will be based on information that may include, but is not limited to, review of operation and maintenance procedures, operation and maintenance records, manufacturing recommendations and specifications, and inspection of the CMS. Operation and maintenance procedures written by the CMS manufacturer and other guidance also can be used to maintain and operate each CMS.

(2) All CMS shall be installed such that representative measurements of emissions or process parameters from the affected source are obtained. In addition, CEMS shall be located according to procedures contained in the applicable performance specification(s).

(3) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under 40 CFR 63.7. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

(4) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(i) All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(5) Unless otherwise approved by the Administrator, minimum procedures for COMS shall include a method for producing a simulated zero opacity condition and an upscale (high-level) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of all the analyzer's internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly normally used in the measurement of opacity.

(6) The owner or operator of a CMS installed in accordance with the provisions of this part and the applicable CMS performance specification(s) shall check the zero (low-level) and high-level calibration drifts at least once daily in accordance with the written procedure specified in the performance evaluation plan developed under paragraphs (e)(3)(i) and (e)(3)(ii) of this section. The zero (low-level) and high-level calibration drifts shall be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds two times the limits of the applicable performance specification(s) specified in the relevant standard. The system must allow the amount of excess zero (low-level) and high-level drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For COMS, all optical and instrumental surfaces exposed to the effluent gases shall be cleaned prior to performing the zero (low-level) and high-level drift adjustments; the optical surfaces and instrumental surfaces shall be cleaned when the cumulative automatic zero compensation, if applicable, exceeds 4 percent opacity.

(7) (i) A CMS is out of control if -

(A) The zero (low-level), mid-level (if applicable), or high-level calibration drift (CD) exceeds two times the applicable CD specification in the applicable performance specification or in the relevant standard; or

(B) The CMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; or

(C) The COMS CD exceeds two times the limit in the applicable performance specification in the relevant standard.

(ii) When the CMS is out of control, the owner or operator of the affected source shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the owner or operator conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part.

(8) The owner or operator of a CMS that is out of control as defined in paragraph (c)(7) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in 40 CFR 63.10(e)(3).

(d) *Quality control program.*

(1) The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.

(2) The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each

quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:

(i) Initial and any subsequent calibration of the CMS;

(ii) Determination and adjustment of the calibration drift of the CMS;

(iii) Preventive maintenance of the CMS, including spare parts inventory;

(iv) Data recording, calculations, and reporting;

(v) Accuracy audit procedures, including sampling and analysis methods; and

(vi) Program of corrective action for a malfunctioning CMS.

(3) The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. Where relevant, e.g., program of corrective action for a malfunctioning CMS, these written procedures may be incorporated as part of the affected source's startup, shutdown, and malfunction plan to avoid duplication of planning and recordkeeping efforts.

(e) *Performance evaluation of continuous monitoring systems* -**{Performance specification supersedes requirements for THC CEM.**

(1) *General.* When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.

(2) *Notification of performance evaluation.* The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required under 40 CFR 63.7(b) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.

(3) (i) *Submission of site-specific performance evaluation test plan.* Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iii) The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).

(iv) The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.

(v) In the event that the Administrator fails to approve or disapprove the site-specific performance evaluation test plan within the time period specified in 40 CFR 63.7(c)(3), the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the monitoring method(s) specified in the relevant standard, the owner or operator shall conduct the performance evaluation within the time specified in this subpart using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to a monitoring method specified in the relevant standard, the owner or operator shall refrain from conducting the performance evaluation until the Administrator approves the use of the alternative method. If the Administrator does not approve the use of the alternative method within 30 days before the performance evaluation is scheduled to begin, the performance evaluation deadlines specified in paragraph (e)(4) of this section may be extended such that the owner or operator shall conduct the performance evaluation within 60 calendar days after the Administrator approves the use of the alternative method. Notwithstanding the

requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance evaluation as required in this section (without the Administrator's prior approval of the site-specific performance evaluation test plan) if he/she subsequently chooses to use the specified monitoring method(s) instead of an alternative.

(vi) Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator' failure to approve or disapprove a plan in a timely manner shall -

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) *Conduct of performance evaluation and performance evaluation dates.* The owner or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under § 63.7 in accordance with the applicable performance specification as specified in the relevant standard. Notwithstanding the requirement in the previous sentence, if the owner or operator of an affected source elects to submit COMS data for compliance with a relevant opacity emission standard as provided under 40 CFR 63.6(h)(7), he/she shall conduct a performance evaluation of the COMS as specified in the relevant standard, before the performance test required under 40 CFR 63.7 is conducted in time to submit the results of the performance evaluation as specified in paragraph (e)(5)(ii) of this section. If a performance test is not required, or the requirement for a performance test has been waived under 40 CFR 63.7(h), the owner or operator of an affected source shall conduct the performance evaluation not later than 180 days after the appropriate compliance date for the affected source, as specified in 40 CFR 63.7(a), or as otherwise specified in the relevant standard.

(5) *Reporting performance evaluation results.*

(i) The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation simultaneously with the results of the performance test required under 40 CFR 63.7 or within 60 days of completion of the performance evaluation if no test is required, unless otherwise specified in a relevant standard. The Administrator may request that the owner or operator submit the raw data from a performance evaluation in the report of the performance evaluation results.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under 40 CFR 63.7 and described in 40 CFR 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 15 calendar days before the performance test required under 40 CFR 63.7 is conducted.

(f) *Use of an alternative monitoring method* - **{Additional requirements in 40 CFR 63.1350(I).}**

(1) *General.* Until permission to use an alternative monitoring method has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2). After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring methods or procedures of this part including, but not limited to, the following:

(i) Alternative monitoring requirements when installation of a CMS specified by a relevant standard would not provide accurate measurements due to liquid water or other interferences caused by substances within the effluent gases;

(ii) Alternative monitoring requirements when the affected source is infrequently operated;

(iii) Alternative monitoring requirements to accommodate CEMS that require additional measurements to correct for stack moisture conditions;

(iv) Alternative locations for installing CMS when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements;

(v) Alternate methods for converting pollutant concentration measurements to units of the relevant standard;

(vi) Alternate procedures for performing daily checks of zero (low-level) and high-level drift that do not involve use of high-level gases or test cells;

(vii) Alternatives to the American Society for Testing and Materials (ASTM) test methods or sampling procedures specified by any relevant standard;

(viii) Alternative CMS that do not meet the design or performance requirements in this part, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity

by a system complying with the requirements as specified in the relevant standard. The Administrator may require that such demonstration be performed for each affected source; or

(ix) Alternative monitoring requirements when the effluent from a single affected source or the combined effluent from two or more affected sources is released to the atmosphere through more than one point.

(3) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, requirement, or procedure, the Administrator may require the use of a method, requirement, or procedure specified in this section or in the relevant standard. If the results of the specified and alternative method, requirement, or procedure do not agree, the results obtained by the specified method, requirement, or procedure shall prevail.

(4) (i) Request to use alternative monitoring method. An owner or operator who wishes to use an alternative monitoring method shall submit an application to the Administrator as described in paragraph (f)(4)(ii) of this section, below. The application may be submitted at any time provided that the monitoring method is not used to demonstrate compliance with a relevant standard or other requirement. If the alternative monitoring method is to be used to demonstrate compliance with a relevant standard, the application shall be submitted not later than with the site-specific test plan required in 40 CFR 63.7(c) (if requested) or with the site-specific performance evaluation plan (if requested) or at least 60 days before the performance evaluation is scheduled to begin.

(ii) The application shall contain a description of the proposed alternative monitoring system and a performance evaluation test plan, if required, as specified in paragraph (e)(3) of this section. In addition, the application shall include information justifying the owner or operator's request for an alternative monitoring method, such as the technical or economic infeasibility, or the impracticality, of the affected source using the required method.

(iii) The owner or operator may submit the information required in this paragraph well in advance of the submittal dates specified in paragraph (f)(4)(i) above to ensure a timely review by the Administrator in order to meet the compliance demonstration date specified in this section or the relevant standard.

(5) Approval of request to use alternative monitoring method.

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the request to use an alternative monitoring method within 30 calendar days after receipt of the original request and within 30 calendar days after receipt of any supplementary information that is submitted. Before disapproving any request to use an alternative monitoring method, the Administrator will notify the applicant of the Administrator's intention to disapprove the request together with -

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present additional information to the Administrator before final action on the request. At the time the Administrator notifies the applicant of his or her intention to disapprove the request, the Administrator will specify how much time the owner or operator will have after being notified of the intended disapproval to submit the additional information.

(ii) The Administrator may establish general procedures and criteria in a relevant standard to accomplish the requirements of paragraph (f)(5)(i) of this section.

(iii) If the Administrator approves the use of an alternative monitoring method for an affected source under paragraph (f)(5)(i) of this section, the owner or operator of such source shall continue to use the alternative monitoring method until he or she receives approval from the Administrator to use another monitoring method as allowed by 40 CFR 63.8(f).

(6) Alternative to the relative accuracy test. An alternative to the relative accuracy test for CEMS specified in a relevant standard may be requested as follows:

(i) *Criteria for approval of alternative procedures.* An alternative to the test method for determining relative accuracy is available for affected sources with emission rates demonstrated to be less than 50 percent of the relevant standard. The owner or operator of an affected source may petition the Administrator under paragraph (f)(6)(ii) of this section to substitute the relative accuracy test in section 7 of Performance Specification 2 with the procedures in section 10 if the results of a performance test conducted according to the requirements in 40 CFR 63.7, or other tests performed following the criteria in 40 CFR 63.7, demonstrate that the emission rate of the pollutant of interest in the units of the relevant standard is less than 50 percent of the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the owner or operator may petition the Administrator to substitute the relative accuracy test with the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the CEMS is used continuously to determine compliance with the relevant standard.

(ii) *Petition to use alternative to relative accuracy test.* The petition to use an alternative to the relative accuracy test shall include a detailed description of the procedures to be applied, the location and the procedure for conducting the alternative, the concentration or response levels of the alternative relative accuracy materials, and the other equipment checks included in the alternative procedure(s). The Administrator will review the petition for completeness and applicability. The Administrator's determination to approve an alternative will depend on the intended use of the CEMS data and may require specifications more stringent than in Performance Specification 2.

(iii) *Rescission of approval to use alternative to relative accuracy test.* The Administrator will review the permission to use an alternative to the CEMS relative accuracy test and may rescind such permission if the CEMS data from a successful completion of the alternative relative accuracy procedure indicate that the affected source's emissions are approaching the level of the relevant standard. The criterion for reviewing the permission is that the collection of CEMS data shows that emissions have exceeded 70 percent of the relevant standard for any averaging period, as specified in the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the criterion for reviewing the permission is that the collection of CEMS data shows that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for any averaging period, as specified in the relevant standard. The owner or operator of the affected source shall maintain records and determine the level of emissions relative to the criterion for permission to use an alternative for relative accuracy testing. If this criterion is exceeded, the owner or operator shall notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increased emissions. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2.

(g) *Reduction of monitoring data.*

(1) The owner or operator of each CMS shall reduce the monitoring data as specified in this paragraph. In addition, each relevant standard may contain additional requirements for reducing monitoring data. When additional requirements are specified in a relevant standard, the standard will identify any unnecessary or duplicated requirements in this paragraph that the owner or operator need not comply with.

(2) The owner or operator of each COMS shall reduce all data to 6-minute averages calculated from 36 or more data points equally spaced over each 6-minute period. Data from CEMS for measurement other than opacity, unless otherwise specified in the relevant standard, shall be reduced to 1-hour averages computed from four or more data points equally spaced over each 1-hour period, except during periods when calibration, quality assurance, or maintenance activities pursuant to provisions of this part are being performed. During these periods, a valid hourly average shall consist of at least two data points with each representing a 15-minute period. Alternatively, an arithmetic or integrated 1-hour average of CEMS data may be used. Time periods for averaging are defined in 40 CFR 63.2.

(3) The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O_2 or ng/J of pollutant).

(4) All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

(5) Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments shall not be included in any data average computed under this part. For owners or operators complying with the requirements of Section 40 CFR 63.10(b)(2)(vii)(A) or (B), data averages must include any data recorded during periods of monitor breakdown or malfunction.

40 CFR 63.9. Notification requirements.

(a) *Applicability and general information.*

(1) The requirements in this section apply to owners and operators of affected sources that are subject to the provisions of this part, unless specified otherwise in a relevant standard.

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(4) (i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in 40 CFR 63.13).

(ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

(b) *Initial notifications.*

(1) (i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.

(ii) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section.

(iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under 40 CFR 63.5(d) of this subpart, if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

(i) The name and address of the owner or operator;

(ii) The address (i.e., physical location) of the affected source;

(iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;

(iv) A brief description of the nature, size, design, and method of operation of the source, including its operating design capacity and an identification of each point of emission for each hazardous air pollutant, or if a definitive identification is not yet possible, a preliminary identification of each point of emission for each hazardous air pollutant; and

(v) A statement of whether the affected source is a major source or an area source.

(3) The owner or operator of a new or reconstructed affected source, or a source that has been reconstructed such that it is an affected source, that has an initial startup after the effective date of a relevant standard under this part and for which an application for approval of construction or reconstruction is not required under 40 CFR 63.5(d), shall notify the Administrator in writing that the source is subject to the relevant standard no later than 120 days after initial startup. The notification shall provide all the information required in paragraphs (b)(2)(i) through (b)(2)(v) of this section, delivered or postmarked with the notification required in paragraph (b)(5).

(4) The owner or operator of a new or reconstructed major affected source that has an initial startup after the effective date of a relevant standard under this part and for which an application for approval of construction or reconstruction is required under 40 CFR 63.5(d) shall provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new major affected source, reconstruct a major affected source, or reconstruct a major source such that the source becomes a major affected source with the application for approval of construction or reconstruction as specified in 40 CFR 63.5(d)(1)(i);

(ii) A notification of the date when construction or reconstruction was commenced, submitted simultaneously with the application for approval of construction or reconstruction, if construction or reconstruction was commenced before the effective date of the relevant standard;

(iii) A notification of the date when construction or reconstruction was commenced, delivered or postmarked not later than 30 days after such date, if construction or reconstruction was commenced after the effective date of the relevant standard;
(iv) [Reserved]; and
(v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) After the effective date of any relevant standard established by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, an owner or operator who intends to construct a new affected source or reconstruct an affected source subject to such standard, or reconstruct a source such that it becomes an affected source subject to such standard, shall notify the Administrator, in writing, of the intended construction or reconstruction. The notification shall be submitted as soon as practicable before the construction or reconstruction is planned to commence (but no sooner than the effective date of the relevant standard) if the construction or reconstruction commences after the effective date of a relevant standard promulgated in this part. The notification shall be submitted as soon as practicable before startup but no later than 60 days after the effective date of a relevant standard promulgated in this part if the construction or reconstruction had commenced and initial startup had not occurred before the standard's effective date. The notification shall include all the information required for an application for approval of construction or reconstruction as specified in 40 CFR 63.5(d). For major sources, the application for approval of construction or reconstruction may be used to fulfill the requirements of this paragraph.

(c) *Request for extension of compliance.* If the owner or operator of an affected source cannot comply with a relevant standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with 40 CFR 63.6(i)(5) of this subpart, he/she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in 40 CFR 63.6(i)(4) through 40 CFR 63.6(i)(6).

(d) *Notification that source is subject to special compliance requirements.* An owner or operator of a new source that is subject to special compliance requirements as specified in 40 CFR 63.6(b)(3) and 40 CFR 63.6(b)(4) shall notify the Administrator of his/her compliance obligations not later than the notification dates established in paragraph (b) of this section for new sources that are not subject to the special provisions.

(e) *Notification of performance test.* The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under 40 CFR 63.7(c), if requested by the Administrator, and to have an observer present during the test.

(f) *Notification of opacity and visible emission observations.* The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting the opacity or visible emission observations specified in 40 CFR 63.6(h)(5), if such observations are required for the source by a relevant standard. The notification shall be submitted with the notification of the performance test date, as specified in paragraph (e) of this section, or if no performance test is required or visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under 40 CFR 63.7, the owner or operator shall deliver or postmark the notification not less than 30 days before the opacity or visible emission observations are scheduled to take place. **{Notification not required for VE/ opacity tests under 40 CFR 63.1350(e) and (j).}**

(g) *Additional notification requirements for sources with continuous monitoring systems.* The owner or operator of an affected source required to use a CMS by a relevant standard shall furnish the Administrator written notification as follows:

(1) A notification of the date the CMS performance evaluation under 40 CFR 63.8(e) is scheduled to begin, submitted simultaneously with the notification of the performance test date required under 40 CFR 63.7(b). If no performance test is required, or if the requirement to conduct a performance test has been waived for an affected source under 40 CFR 63.7(h), the owner or operator shall notify the Administrator in writing of the date of the performance evaluation at least 60 calendar days before the evaluation is scheduled to begin;
(2) A notification that COMS data results will be used to determine compliance with the applicable opacity emission standard during a performance test required by 40 CFR 63.7 in lieu of Method 9 or other opacity emissions test method data, as allowed by 40 CFR 63.6(h)(7)(ii), if compliance with an opacity emission standard is required

for the source by a relevant standard. The notification shall be submitted at least 60 calendar days before the performance test is scheduled to begin; and

(3) A notification that the criterion necessary to continue use of an alternative to relative accuracy testing, as provided by 40 CFR 63.8(f)(6), has been exceeded. The notification shall be delivered or postmarked not later than 10 days after the occurrence of such exceedance, and it shall include a description of the nature and cause of the increased emissions.

(h) *Notification of compliance status.*

(1) The requirements of paragraphs (h)(2) through (h)(4)of this section apply when an affected source becomes subject to a relevant standard.

(2) (i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list -

(A) The methods that were used to determine compliance;

(B) The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;

(C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;

(D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;

(E) An analysis demonstrating whether the affected source is a major source or an area source (using the emissions data generated for this notification);

(F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and

(G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

(ii) The notification shall be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in a relevant standard, in which case the letter shall be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or visible emission observations.

(3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) [Reserved]

(5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in 40 CFR 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of 40 CFR 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

(6) Advice on a notification of compliance status may be obtained from the Administrator.

(i) *Adjustment to time periods or postmark deadlines for submittal and review of required communications.*

(1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

(j) *Change in information already provided.* Any change in the information already provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.

40 CFR 63.10. Recordkeeping and reporting requirements.

(a) *Applicability and general information.*

(1) The requirements of this section apply to owners or operators of affected sources who are subject to the provisions of this part, unless specified otherwise in a relevant standard.

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(4) (i) Before a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in 40 CFR 63.13).

(ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.

(5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

(6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in

each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

(7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) *General recordkeeping requirements.*

(1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of -

(i) The occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment);

(ii) The occurrence and duration of each malfunction of the air pollution control equipment;

(iii) All maintenance performed on the air pollution control equipment;

(iv) Actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see 40 CFR 63.6(e)(3));

(v) All information necessary to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)) when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);

(vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);

(vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);

(A) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(B) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this sections, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(C) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;

(ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;

(x) All CMS calibration checks;

(xi) All adjustments and maintenance performed on CMS;

(xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under paragraph (f) of this section;

(xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under 40 CFR 63.8(f)(6); and

(xiv) All documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9.

(3) Recordkeeping requirement for applicability determinations. If an owner or operator determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under this part, the owner or operator shall keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the owner or operator believes the source is unaffected (e.g., because the source is an area source). The analysis (or other information) shall be sufficiently detailed to allow the Administrator to make a finding about the source's applicability status with regard to the relevant standard or other requirement. If relevant, the analysis shall be performed in accordance with requirements established in subparts of this part for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112, if any.

(c) *Additional recordkeeping requirements for sources with continuous monitoring systems.* In addition to complying with the requirements specified in paragraphs (b)(1) and (b)(2) of this section, the owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records for such source of -

(1) All required CMS measurements (including monitoring data recorded during unavoidable CMS breakdowns and out-of-control periods) **PS-8A applies.**;

(2)–(4) [Reserved]

(5) The date and time identifying each period during which the CMS was inoperative except for zero (low-level) and high-level checks; **PS-8A applies instead of requirements for THC CEM.**;

(6) The date and time identifying each period during which the CMS was out of control, as defined in § 63.8(c)(7); **PS-8A applies instead of requirements for THC CEM.**;

(7) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during startups, shutdowns, and malfunctions of the affected source; **PS-8A applies instead of requirements for THC CEM.**;

(8) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during periods other than startups, shutdowns, and malfunctions of the affected source; **PS-8A applies instead of requirements for THC CEM.**;

(9) [Reserved]

(10) The nature and cause of any malfunction (if known); **PS-8A applies instead of requirements for THC CEM.**;

(11) The corrective action taken or preventive measures adopted; **PS-8A applies instead of requirements for THC CEM.**;

(12) The nature of the repairs or adjustments to the CMS that was inoperative or out of control; **PS-8A applies instead of requirements for THC CEM.**;

(13) The total process operating time during the reporting period; **PS-8A applies instead of requirements for THC CEM.**; and

(14) All procedures that are part of a quality control program developed and implemented for CMS under 40 CFR 63.8(d); **PS-8A applies instead of requirements for THC CEM.**.

(15) In order to satisfy the requirements of paragraphs (c)(10) through (c)(12) of this section and to avoid duplicative recordkeeping efforts, the owner or operator may use the affected source's startup, shutdown, and malfunction plan or records kept to satisfy the recordkeeping requirements of the startup, shutdown, and malfunction plan specified in 40 CFR 63.6(e), provided that such plan and records adequately address the requirements of paragraphs (c)(10) through (c)(12) ; **PS-8A applies instead of requirements for THC CEM.**.

(d) *General reporting requirements.*

(1) Not-withstanding the requirements in this paragraph or paragraph (e) of this section, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).

(2) *Reporting results of performance tests.* Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under 40 CFR 63.7 to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under 40 CFR 63.9(h).

(3) *Reporting results of opacity or visible emission observations.* The owner or operator of an affected source required to conduct opacity or visible emission observations by a relevant standard shall report the opacity or visible emission results (produced using Test Method 9 or Test Method 22, or an alternative to these test methods) along with the results of the performance test required under 40 CFR 63.7. If no performance test is required, or if visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the performance test required under 40 CFR 63.7, the owner or operator shall report the opacity or visible emission results before the close of business on the 30th day following the completion of the opacity or visible emission observations.

(4) *Progress reports.* The owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under 40 CFR 63.6(i) shall submit such reports to the Administrator (or the State with an approved permit program) by the dates specified in the written extension of compliance.

(5) (i) Periodic startup, shutdown, and malfunction reports. If actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan [see 40 CFR 63.6(e)(3)], the owner or operator shall state such information in a startup, shutdown, and malfunction report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the Administrator semi-annually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the owner or operator receives approval to reduce the frequency of reporting for the latter under paragraph (e) of this section, the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in paragraph (e)(3) of this section.

(ii) Immediate startup, shutdown, and malfunction reports. Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (d)(5)(i) of this section, any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including

actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph shall consist of a telephone call (or facsimile (FAX) transmission) to the Administrator within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred. Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the owner or operator may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph are specified in 40 CFR 63.9(i).

(e) *Additional reporting requirements for sources with continuous monitoring systems* -

(1) *General.* When more than one CEMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CEMS.

(2) Reporting results of continuous monitoring system performance evaluations.

(i) The owner or operator of an affected source required to install a CMS by a relevant standard shall furnish the Administrator a copy of a written report of the results of the CMS performance evaluation, as required under 40 CFR 63.8(e), simultaneously with the results of the performance test required under 40 CFR 63.7, unless otherwise specified in the relevant standard.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under 40 CFR 63.7 and described in 40 CFR 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation conducted under 40 CFR 63.8(e). The copies shall be furnished at least 15 calendar days before the performance test required under 40 CFR 63.7 is conducted.

(3) *Excess emissions and continuous monitoring system performance report and summary report.* **{Exceedances are defined in subpart LLL.}**

(i) Excess emissions and parameter monitoring exceedances are defined in relevant standards. The owner or operator of an affected source required to install a CMS by a relevant standard shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator semiannually, except when -

(A) More frequent reporting is specifically required by a relevant standard;

(B) The Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or

(C) [Reserved].

(ii) Request to reduce frequency of excess emissions and continuous monitoring system performance reports. Notwithstanding the frequency of reporting requirements specified in paragraph (e)(3)(i) of this section, an owner or operator who is required by a relevant standard to submit excess emissions and continuous monitoring system performance (and summary) reports on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance with the relevant standard;

(B) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the relevant standard; and

(C) The Administrator does not object to a reduced frequency of reporting for the affected source, as provided in paragraph (e)(3)(iii) of this section.

(iii) The frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, including performance test results, monitoring data,

and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iv) As soon as CMS data indicate that the source is not in compliance with any emission limitation or operating parameter specified in the relevant standard, the frequency of reporting shall revert to the frequency specified in the relevant standard, and the owner or operator shall submit an excess emissions and continuous monitoring system performance (and summary) report for the noncomplying emission points at the next appropriate reporting period following the noncomplying event. After demonstrating ongoing compliance with the relevant standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard, as provided for in paragraphs (e)(3)(ii) and (e)(3)(iii) of this section.

(v) *Content and submittal dates for excess emissions and monitoring system performance reports.* All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in paragraphs (c)(5) through (c)(13) of this section, in 40 CFR 63.8(c)(7) and 40 CFR 63.8(c)(8), and in the relevant standard, and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.

(vi) *Summary report.* As required under paragraphs (e)(3)(vii) and (e)(3)(viii) of this section, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source (unless the relevant standard specifies that more than one summary report is required, e.g., one summary report for each hazardous air pollutant monitored). The summary report shall be entitled "Summary Report - Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance" and shall contain the following information:

(A) The company name and address of the affected source;

(B) An identification of each hazardous air pollutant monitored at the affected source;

(C) The beginning and ending dates of the reporting period;

(D) A brief description of the process units;

(E) The emission and operating parameter limitations specified in the relevant standard(s);

(F) The monitoring equipment manufacturer(s) and model number(s);

(G) The date of the latest CMS certification or audit;

(H) The total operating time of the affected source during the reporting period;

(I) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;

(J) A CMS performance summary (or similar summary if the owner or operator monitors control system parameters), including the total CMS downtime during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of CMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes;

(K) A description of any changes in CMS, processes, or controls since the last reporting period;

(L) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and

(M) The date of the report.

(vii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Administrator.

(viii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted.

(4) Reporting continuous opacity monitoring system data produced during a performance test. The owner or operator of an affected source required to use a COMS shall record the monitoring data produced during a performance test required under 40 CFR 63.7 and shall furnish the Administrator a written report of the monitoring results. The report of COMS data shall be submitted simultaneously with the report of the performance test results required in paragraph (d)(2) of this section.

(f) *Waiver of recordkeeping or reporting requirements.*

(1) Until a waiver of a recordkeeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Recordkeeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) If an application for a waiver of record-keeping or reporting is made, the application shall accompany the request for an extension of compliance under 40 CFR 63.6(i), any required compliance progress report or compliance status report required under this part (such as under 40 CFR 63.6(i) and 40 CFR 63.9(h)) or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of recordkeeping or reporting is warranted.

(4) The Administrator will approve or deny a request for a waiver of recordkeeping or reporting requirements under this paragraph when he/she -

(i) Approves or denies an extension of compliance; or

(ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) A waiver of any recordkeeping or reporting requirement granted under this paragraph may be conditioned on other recordkeeping or reporting requirements deemed necessary by the Administrator.

(6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

40 CFR 63.11. Control device requirements.

Flares not applicable.

40 CFR 63.12. State authority and delegations.

(a) The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from -

(1) Adopting and enforcing any standard, limitation, prohibition, or other regulation applicable to an affected source subject to the requirements of this part, provided that such standard, limitation, prohibition, or regulation is not less stringent than any requirement applicable to such source established under this part;

(2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or

(3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.

(b) (1) Section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.
(2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.

(c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain Federal or State reporting requirement. The Administrator may permit all or some of the information to be submitted to the appropriate State agency only, instead of to the EPA and the State agency.

40 CFR 63.13. Addresses of State air pollution control agencies and EPA Regional Offices.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted to the appropriate Regional Office of the U.S. Environmental Protection Agency indicated as follows:

EPA Region IV; Director; Air, Pesticides and Toxics, Management Division; 61 Forsyth Street; Atlanta, GA 30303.

(b) All information required to be submitted to the Administrator under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act. The owner or operator of an affected source may contact the appropriate EPA Regional Office for the mailing addresses for those States whose delegation requests have been approved.

(c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, an owner or operator may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

40 CFR 63.14. Incorporations by reference.

(a) The materials listed in this section are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding addresses noted below, and all are available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC, at the Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW., Washington, DC, and at the EPA Library (MD–35), U.S. EPA, Research Triangle Park, North Carolina.

(b) The materials listed below are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103; or University Microfilms International, 300 North Zeeb Road, Ann Arbor, Michigan 48106.
(1) ASTM D1946–77, Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for 40 CFR 63.11(b)(6).
(2) ASTM D2382–76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for 40 CFR 63.11(b)(6).
(3) ASTM D2879–83, Standard Test Method for Vapor Pressure—Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for 40 CFR 63.111 of subpart G of this part.
(4) ASTM D 3695–88, Standard Test Method for Volatile Alcohols in Water by Direct Aqueous-Injection Gas Chromatography, IBR approved for 40 CFR 63.365(e)(1) of subpart O of this part.

(5) ASTM D 1193–77, Standard Specification for Reagent Water, IBR approved for Method 306, section 4.1.1 and section 4.4.2, of appendix A to part 63.
(6) ASTM D 1331–89, Standard Test Methods for Surface and Interfacial Tension of Solutions of Surface Active Agents, IBR approved for Method 306B, section 2.2, section 3.1, and section 4.2, of appendix A to part 63.
(7) ASTM E 260–91, Standard Practice for Packed Column Gas Chromatography, IBR approved for 40 CFR 63.750(b)(2) of subpart GG of this part.
(8) ASTM D523–89, Standard Test Method for Specular Gloss, IBR approved for 40 CFR 63.782.
(9) ASTM D1475–90, Standard Test Method for Density of Paint, Varnish, Lacquer, and Related Products, IBR approved for 40 CFR 63.788 appendix A.
(10) ASTM D2369–93, Standard Test Method for Volatile Content of Coatings, IBR approved for 40 CFR 63.788 appendix A.
(11) ASTM D3912–80, Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for 40 CFR 63.782.
(12) ASTM D4017–90, Standard Test Method for Water and Paints and Paint Materials by Karl Fischer Method, IBR approved for 40 CFR 63.788 appendix A.
(13) ASTM D4082–89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants, IBR approved for 40 CFR 63.782.
(14) ASTM D4256–89 [reapproved 1994], Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for 40 CFR 63.782.
(15) ASTM D3792–91, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for 40 CFR 63.788 appendix A.
(16) ASTM D3257–93, Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography, IBR approved for 40 CFR 63.786(b).
(17) ASTM E260–91, Standard Practice for Packed Column Gas Chromatography, IBR approved for 40 CFR 63.786(b).
(18) ASTM E180–93, Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial Chemicals, IBR approved for 40 CFR 63.786(b).
(19) ASTM D2879-97, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for Sec. 63.1251 of subpart GGG of this part.

(c) The materials listed below are available for purchase from the American Petroleum Institute (API), 1220 L Street, NW., Washington, DC 20005.
(1) API Publication 2517, Evaporative Loss from External Floating-Roof Tanks, Third Edition, February 1989, IBR approved for 40 CFR 63.111 of subpart G of this part.
(2) API Publication 2518, Evaporative Loss from Fixed-roof Tanks, Second Edition, October 1991, IBR approved for 40 CFR 63.150(g)(3)(i)(C) of subpart G of this part.
(3) API Manual of Petroleum Measurement Specifications (MPMS) Chapter 19.2, Evaporative Loss From Floating-Roof Tanks (formerly API Publications 2517 and 2519), First Edition, April 1997, IBR approved for Section 40 CFR 63.1251 of subpart GGG of this part.

(d) *State and Local Requirements.* The materials listed below are available at the Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW., Washington, DC.
(1) California Regulatory Requirements Applicable to the Air Toxics Program, April 6, 1998, IBR approved for 40 CFR 63.99(a)(5)(ii) of subpart E of this part.
(2) [Reserved]

(f) The following material is available from the National Council of the Paper Industry for Air and Stream Improvement, Inc. (NCASI), P. O. Box 133318, Research Triangle Park, NC 27709-3318 or at http://www.ncasi.org: NCASI Method DI/MEOH-94.02, Methanol in Process Liquids GC/FID (Gas Chromatography/Flame Ionization Detection), August 1998, Methods Manual, NCASI, Research Triangle Park, NC, IBR approved for Section 40 CFR 63.457(c)(3)(ii) of subpart S of this part.

40 CFR 63.15. Availability of information and confidentiality.

(a) *Availability of information.*

(1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Act.
(2) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) *Confidentiality.*
(1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.
(2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.