

Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

NOTICE OF FINAL PERMIT

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:

Mr. Gene Kornegay
Public Works Director
City of Wildwood
100 N. Main Street
Wildwood, FL 34785

DEP File No. 1190016-004-AO
Sumter County

Dear Mr. Kornegay:

Enclosed is Final Permit Number 1190016-004-AO. This permit authorizes the City of Wildwood to operate an air curtain incinerator, which is a source of particulate matter emissions and subject to Rule 62-296.401(7), F.A.C. and 40 CFR 60, Subpart DDDD. This facility is located to the southwest of the City of Wildwood near the south side of the City of Wildwood's waste water treatment plant, which is north of S.R. 44 and on the west side of CSX's railroad tracks, Sumter County, Florida. This permit is issued pursuant to Section(s) 403.087, Florida Statutes.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301 of the Florida Administrative Code.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Any party to this order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Mara Grace Nasca

Mara Grace Nasca
District Air Program Administrator
Southwest District

MGN/JLM/pp

Enclosures

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on NOV 10 2005 to the person(s) listed:

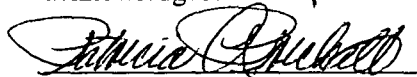
Mr. Gene Kornegay*
Public Works Director
City of Wildwood
100 N. Main Street
Wildwood, FL 34785

Mr. Byron Nelson, President
Southern Environmental Sciences, Inc.
1204 North Wheeler Street
Plant City, FL 33563-2354

Ms. Susan Pelz, P.E. – FDEP, Southwest District, Tampa, Solid Waste Section

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk)

NOV 10 2005
(Date)

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Mr. Gene Kornegay, Public Works Director
City of Wildwood
100 N Main Street
Wildwood, FL 34785

1190016-004-AO JM FINAL 11/10/2005

Street, Apt.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gene Kornegay, Public Works Director
City of Wildwood
100 N Main Street
Wildwood, FL 34785

1190016-004-AO JM FINAL 11/10/2005

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Valorie Hodges*☐ Agent☐ Addressee

B. Received by (Printed Name)

VALORIE HODGES

C. Date of Delivery

11-14-05

D. Is delivery address different from item 1? ☐ Yes

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2. Article Number

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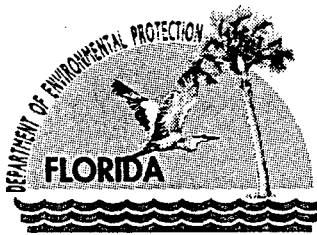
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STATE OF FLORIDA
Department of Environmental Protection
Air Program
8407 Laurel Fair Circle
Tampa, Florida 33610

SOUTHWEST DISTRICT
NOV 17 2005
TAMPA

pp





Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

PERMITTEE:
City of Wildwood
100 N. Main Street
Wildwood, FL 34785

Final Permit No.: 1190016-004-AO
County: Sumter
Effective Date: 11/10/2005
Expiration Date: 11/10/2010
Project: Air Curtain Incinerator

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-204, 62-210, 62-212, 62-213, 62-296, 62-297, and Chapter 62-4. 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 department and made a part hereof and specifically described as follows:

This permit authorizes the renewed operation of a natural non-Title V air curtain incinerator with a 9' wide X 10' deep X 20' long refractory burning pit. The incinerator has a maximum charging rate of 6.65 tons/hour of wood waste, yard waste, and clean lumber. Emissions are controlled by forced air at a very high static pressure over and around the pit by an electrically powered fan. The air flow (air curtain) is delivered to the burning pit by a 20' air manifold.

The incinerator is subject to the requirements of 40 CFR 60, Subpart DDDD, and Rules 204.800(9)(f) and 62-296.401(7), F.A.C. The incinerator will also become subject to:

- Rule 62-296.401(2)(h), F.A.C., which is currently in the rulemaking process, when it is promulgated.
- The changes to Rule 62-296.401(7), F.A.C., which is currently in the rulemaking process, when it is promulgated.

Facility Information Summary

Location: On the south side of the City of Wildwood's waste water treatment plant, north of S.R. 44, and on the west side of CSX's railroad tracks, southwest of Wildwood.

UTM Coordinates: 17-397.00 East 3191.06 North

Latitude: 28°50'41" North **Longitude:** 82°03'21" West

Facility ID No.: 1190016

Emission Unit (EU) ID Nos.: 001 – Air Curtain Incinerator

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NOTE: Please reference the Permit No., Facility ID, and Emission Unit ID in all correspondence, test report submittals, applications, etc.

Permit History

Replaces Permit Nos.: 1190016-002-AO, which was amended with FDEP Project No. 1190016-003-AO

Attachments to this permit:

General Conditions, version dated 11/1/2005

SPECIFIC CONDITIONS:

General Conditions and Requirements

1. A part of this permit is the attached 15 General Conditions. [Rule 62-4.160, F.A.C.]
2. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. or any other requirements under federal, state, or local law.
[Rule 62-210.300, F.A.C.]

Specific Regulatory Conditions and Requirements

3. This incinerator is subject to the requirements of 40 CFR 60, Subpart DDDD – Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999.
[Rule 62-204.800(9)(f), F.A.C.]

{Permitting Note: The following conditions/terms noted in "*italics*" are, as of the effective date of this permit, currently undergoing the rulemaking process to Rule 62-296.401, F.A.C., to incorporate the U.S. EPA already-in-effect requirements of 40 CFR 60, Subpart DDDD. 40 CFR 60, Subpart DDDD, is adopted and incorporated by reference in Rule 62-204.800(9)(f), F.A.C. Since the rule making process may result in minor changes to those conditions/terms, the Department may be required to change the conditions/terms at a later date.}

4. *The unit shall comply with all standards, limitations, and requirements of 40 CFR Part 60, to which it is subject, and with the requirements in Rules 62-296.401(7)(a)1.-18. and 62-296.401(2)(h), F.A.C., to the extent that those requirements are stricter than, or supplemental to, the requirements of 40 CFR Part 60 Subpart AAAA, BBBB, CCCC, or DDDD.*

[Rules 62-296.401(2)(h) and 62-296.401(7)(a), F.A.C.]

{Permitting Note: The conditions of this permit include the requirements referenced in the underlined portion of Specific Condition No. 4 above.}

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Specific Operating and Emission Limitations

5. The maximum charging rate to the incinerator shall not exceed 6.65 tons/hr. (daily average basis) and 7,262 tons per any consecutive 12-month period. Within 30 days after the effective date of this permit, the charging rate going into the pit shall be determined by the following procedure: The loader used to charge the pit shall weigh 5 buckets (rakes) at a representative maximum capacity and representative material to be charged into the burn pit. This average, along with the number of charges, shall then be used to determine the hourly process rate. In addition, the loader bucket (rake) that will be used to charge the pit shall be designated as the only one used in charging the pit. If a different or alternate sized loader is used a new average shall be determined and noted in the facility's records/logs.
[Rules 62-212.300, 62-296.401(7)(a)10., and 62-4.070(3), F.A.C.; AC60-258579]

6. The operating (charging) hours of this incinerator shall not exceed 1,092 hours per any consecutive 12-month period.
[AC60-258579]

7. Outside of startup procedures, visible emissions *shall not exceed 10% opacity*.
[Rule 62-296.401(7)(a)1., F.A.C.] **Note, until the preceding rule is promulgated the permittee shall also comply with the current State's rule, Rule 62-296.401(7)(a), F.A.C. This rule states, "Outside of startup periods, no visible emission (5 percent opacity or less) shall be allowed, except that an opacity of up to 20* percent shall be permitted for not more than three minutes in any one hour."**

- * Please note that in order to comply with the existing state opacity standard for stationary air curtain incinerators found in Rule 62-296.401(7)(a), F.A.C., and the new federal New Source Performance Standard (NSPS) found in 40 CFR 60, Subpart DDDD, adopted and incorporated by reference in Rule 62-204.800(9)(f), F.A.C., the operator must ensure that, outside of the first 30 minutes of daily operation, the opacity does not exceed 5%, except that an opacity of up to 10% is allowed for up to 3 minutes each hour. When this opacity condition is met, both DEP Method 9 and EPA Method 9 (see Specific Condition Nos. 30 & 31) will show compliance with both the federal NSPS and the state opacity standard.

8. During startup periods, which shall not exceed the first 30 minutes of operation, an opacity of up to 35%, averaged over a six-minute period, shall be allowed.
[Rule 62-296.401(7)(a)2., F.A.C.]

9. The general excess emissions rule, Rule 62-210.700, F.A.C., to handle start-ups, shutdowns, and malfunctions, shall not apply to air curtain incinerators.
[Rule 62-296.401(7)(a)3., F.A.C.]

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10. The following dimensions for the pit must be strictly adhered to: no more than 12 feet wide, between 8 and 15 feet deep, and no longer than the length of the manifold. *Pit width, length, and side walls shall be properly maintained so that combustion of the waste within the pit will be maintained at an adequate temperature and with sufficient air recirculation to provide enough residence time for mixing for complete combustion and control of emissions.* The pit shall not be dug within a previously active portion of a landfill.

[Rule 62-296.401(7)(a)4., F.A.C.]

11. The only materials that *shall* be burned in an air curtain incinerator are wood waste, yard waste, and clean lumber.

[Rules 62-296.401(2)(h)3. and 62-296.401(7)(a)5., F.A.C.]

12. The burning of sawdust, paper, paper, trash, tires, garbage, *rubber material*, plastics, liquid wastes, *Bunker C residual oil, roofing materials, tar, asphalt, railroad cross ties or other creosoted lumber*, chemically treated or painted wood, and other similar materials *in any air curtain incinerator* is expressly prohibited.

[Rules 62-296.401(2)(h)3. and 62-296.401(7)(a)6., F.A.C.]

13. Only virgin oil, natural gas, or liquefied petroleum gas may be used to start the fire *in an air curtain incinerator*. The use of waste oil, chemicals, gasoline, or tires is expressly prohibited.

[Rule 62-296.401(7)(a)7., F.A.C.]

14. *Biological waste shall not be combusted in an air curtain incinerator.*

[Rule 62-296.401(2)(h)2., F.A.C.]

15. In no case shall an air curtain incinerator be started before sunrise. For *all* air curtain incinerators, charging must have completely stopped before sunset.

[Rule 62-296.401(7)(a)8., F.A.C.]

16. *An air curtain incinerator shall be attended at all times while materials are being burned. During such times as the air curtain incinerator is not in operation, public access to the incinerator shall be restricted.*

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

17. *Stationary* air curtain incinerator must be located at least 300 feet from any *occupied* building located off site.

[Rule 296.401(7)(a)11., F.A.C.]

18. Air curtain incinerators used at landfills may not operated within one thousand (1000) feet of any active portion of the landfill unless the air curtain incinerator is separated from the active portion of the landfill by a controlled gated or check-in station.

[Rule 62-296.401(7)(a)12., F.A.C.]

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19. The material shall not be loaded into the air curtain incinerator such that it will protrude above the air curtain.

[Rule 62-296.401(7)(a)13., F.A.C.]

20. Ash shall not be allowed to build up in the pit of an air curtain incinerator to higher than 1/3 the pit depth or to the point where the ash begins to impede combustion, which occurs first.

[Rule 62-296.401(7)(a)14., F.A.C.]

21. The pit shall be marked with an indicator to show the 1/3 depth.

[Rule 62-4.070(3), F.A.C.]

22. An operation and maintenance guide must be available to the operators of an air curtain incinerator at all times, and the permittee shall provide training to all operators before they work at the incinerator. The Department may request a copy of this guide.

[Rule 62-296.401(7)(a)15., F.A.C.]

23. Each trained operator shall receive a certificate demonstrating that the operator has successfully passed the training required by the operation and maintenance guide. During the tenure of the operator, a copy of this certificate shall be kept on file at the facility and be made available to the Department upon request.

[Rule 62-4.070(3), F.A.C.]

24. This facility shall not cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An objectionable odor is defined in Rule 62-210.200, F.A.C., Definitions, as any odor present in the outdoor atmosphere, which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.

[Rules 62-296.320(2) and 62-296.401(1)(b), F.A.C.]

25. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter. These provisions are applicable to any source, including, but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions shall include the following:

- A. Ash removed from the pit shall be wetted with water as necessary.
- B. Water will be applied as necessary to the facility grounds.
- C. Reasonable care will be taken in loading and unloading the pit.
- D. Curtailing operations during extremely windy conditions.

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

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26. In order to ensure the visible emission limitations are not exceeded and objectionable odors are not generated, the air curtain incinerator's fan shall continue to operate after the last charge of each day until all combustion has ceased. For purposes of this condition, "combustion" means the presence of any flames or smoke that causes a visible emission greater than 5% opacity.
[Rules 62-210.200(278) - Definition of Visible Emission and 62-4.070(3), F.A.C.]

Recordkeeping Requirement

27. A daily operating log shall be kept and at a minimum contain the following:

- A. Date
- B. Type of starter fuel used.
- C. Total number charges.
- D. Default charging rate and identification of the bucket/rake used.
- E. Total material (in tons) charged.
- F. Daily operating (charging) hours, which includes the start of initial combustion to the time of the last charge to the incinerator (Start and Stop Times shall be indicated).
- G. Daily, calculate the hourly charging rate (tons/hr.).
- H. Monthly, provide the most recent consecutive 12 month period total of operating (charging) hours.
- I. Monthly, provide the most recent consecutive 12 month period total for the amount of material charged in tons.
- J. Type of Maintenance Performed
- K. Comments
- L. Operator's signature

The log shall be maintained at the facility for at least 5 years and shall be made available to the Department upon request.

[Rule 62-4.070(3), F.A.C.]

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Testing Requirements

28. Test the air curtain incinerator for visible emissions annually during each federal fiscal year (October 1 – September 30). Submit a copy of the test data to the Air Compliance Section of the Department's Southwest District Office within 45 days of such testing. All submitted compliance test reports shall include a copy of the daily log for each test day along with the charging rate, description of materials burned, and starter fuel used during the test period. *Annual opacity test results shall be submitted as electronic or paper copy on or before the applicable submittal date.*

[Rules 62-296.401(2)(h)4. & 7., 62-297.310(7) and 62-297.310(8)(b), F.A.C.]

29. Testing of emissions must be conducted within 90-100% of the maximum allowable charging rate* of 6.65 tons/hr. A compliance test submitted at a rate less than 90% of the maximum permitted charging rate will automatically constitute an amended permitted charging rate at that lesser rate, plus 10%. Within 30 days of that lower amended permitted charging rate being exceeded, a new compliance test shall be conducted at no less than that higher rate and no greater than 6.65 tons/hr. The test results shall be submitted to the Air Compliance Section of the Department's Southwest District Office within 45 days of testing. Acceptance of the test by the Department will automatically constitute an amended permit at the higher charging tested rate, plus 10%, but in no case shall the maximum permitted charging rate of 6.65 tons/hr. be exceeded. The emission limitations shall not change.

- * Charging rate is defined as 1) the amount of material placed in the incinerator during the period starting with the initial loading and ending 60 minutes after initial combustion, for the first 60 minute period after initial combustion and 2) the amount of material placed in the incinerator for any 60-minute period thereafter.

[Rules 62-4.070(3) and 62-297.310(2), F.A.C.]

30. The *reference* test method for visible emissions shall be *EPA Method 9, as described in 40 CFR Part 60, Appendix A, adopted and incorporated by reference at Rule 62-204.800, F.A.C.*

[Rule 62-296.401(7)(a)16., F.A.C.]

31. Test procedures shall *conform to the procedures specified in Rule 62-297.310, F.A.C.*

[Rule 62-296.401(7)(a)17., F.A.C.]

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32. The visible emission test shall be conducted when the highest emissions can reasonably be expected to occur. The visible emission test report shall include the charging rate, description of materials burned, starter fuel used, and a copy of the daily operating log for the test day. The EPA Method No. 9 test interval on this source shall be at least 60 minutes and meet all the applicable requirements of Chapter 62-297, F.A.C. The visible emission test shall begin upon initial combustion and include the first 60* minutes of the burn (30 minutes start-up and 30 minutes normal operation). In order to determine compliance and maximize the conditions for conducting a valid visible emission test, the Department reserves the right to require the air curtain incinerator to be repositioned, for example, with the incinerator's long axis in a north to south direction.

[Rules 62-296.401(7)(o), 62-297.310(4)(a)2. and 62-4.070(3), F.A.C.]

- * **Note, until Rule 62-296.401(7)(a)16., F.A.C., in Specific Condition No. 30 is promulgated, the permittee shall also comply with the current State's rule, Rule 62-296.401(7)(o)1., F.A.C. This rule states, "The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C." In order to comply with the State's current rule, the visible emission test shall begin upon initial combustion and include the first 90 minutes of the burn (30 minutes start-up and 60 minutes normal operation).**

33. *Records of the results of all opacity tests shall be kept onsite in either paper copy or electronic format, for at least 5 years. These records shall be made available to the permitting authority or for an inspector's onsite review upon request.*

[Rule 62-296.401(2)(h)6., F.A.C.]

34. The permittee shall notify the Air Compliance Section of this office 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.

[Rule 62-297.310(7)(a)9., F.A.C.]

35. 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.

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

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Other Requirements

36. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; or any malfunction of the air pollution control equipment. The records shall be recorded in a permanent form suitable for inspection and shall be retained for at least 5 years.

[Rule 62-204.800(8), F.A.C. and 40 CFR 60.7(b)]

37. *Nothing in this rule (Rule 62-296.401(7)(a), F.A.C.), shall relieve the owner or operator from any requirement for obtaining authorization to use an air curtain incinerator, when necessary, from the Division of Forestry, or any local fire control authority.*

[Rule 62-296.401(7)(a)18., F.A.C.]

38. Except for the air curtain incinerator, the facility shall not have visible emissions equal to or greater than 20% opacity, in accordance with the facility-wide visible emission limitation of Rule 62-296.320(4)(b), F.A.C. Permitting Note: This rule does not require testing annually or prior to permit renewal.

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

Operating Permit Application

39. A completed application form, which as of the effective date of this permit is DEP Form 62-210.900(4) with an effective date of 2/11/99, to renew this operating permit shall be submitted to the Air Permitting Section of this office at least 60 days prior to the expiration date of this permit. Be sure to include with the application the following:

- A. The application processing fee in accordance with Rule 62-4.050, F.A.C.
- B. At least 1 recent month of records as required by Specific Condition No. 27.

[Rules 62-4.070(3), 62-4.090, and 62-4.050, F.A.C.]

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Solid Waste Requirements and Limitations:

40. The permittee shall comply with the following Solid Waste requirements:

Wood Waste Management Requirements.

1. The owner or operator of this yard trash facility is not required to obtain a separate Solid Waste Management Facility permit pursuant to Rule 62-701.320(14), F.A.C., during the time that this Air Curtain Incinerator permit is in effect. In the event that this Air Curtain Incinerator permit expires or is suspended, revoked or otherwise invalidated, the owner or operator shall obtain the appropriate permit pursuant to Chapter 62-701, F.A.C., for continued operation as a disposal facility or, if applicable, a Yard Trash Processing Facility registration pursuant to Rule 62-709.320, F.A.C., for the continued operation of the facility as a yard trash transfer station or yard trash recycling facility.
2. Solid waste storage requirements.
 - (a) The facility shall have the operational features and equipment necessary to maintain a clean and orderly solid waste storage operation, including:
 1. An effective barrier to prevent unauthorized entry and dumping into the facility site;
 2. Dust control methods; and
 3. Fire protection and control provisions to deal with accidental burning of solid waste, including:
 - a. There shall be an all-weather access road, at least 20 feet wide, all around the perimeter of the site;
 - b. There shall be interior lanes at least 15 feet wide; and
 - c. No part of the solid waste storage area shall be more than 50 feet from access by motorized fire fighting equipment.
 - (b) The facility shall be operated in a manner to control disease vectors, and to control objectionable odors in accordance with Rule 62-296.320(2), F.A.C.
 - (c) Any wood waste received at the facility shall be incinerated or removed within 6 months, or within the period required to receive 3,000 tons or 12,000 cubic yards, whichever is greatest. However, logs with a diameter of 6 inches or greater may be stored for up to 12 months before they are removed, provided the logs are separated and stored apart from other materials on site

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- (d) In order to verify that the storage limits in (c) above are not being exceeded, monthly records of incoming and outgoing material shall be kept on site or at another location approved by the Department for at least three years. The values may be in cubic yards or tonnage, but the same unit of measurement shall be used to record both incoming and outgoing material.
- (e) Any solid waste received at the facility, which is not authorized by this permit to be incinerated shall be containerized, with all putrescible material removed within 48 hours. Further, if any of the following materials are discovered, they shall be immediately containerized and removed from the facility: treated or untreated biomedical waste; hazardous waste; or any materials containing a polychlorinated biphenyl (PCB) concentration of 50 parts per million or greater.
- (f) The Prohibitions of Rule 62-701.300, F.A.C., shall not be violated by the activities at this site:

[Rule 62-709.320, F.A.C.]

Rule 62-701.300, F.A.C. - Prohibitions.

- (1) General prohibition.
 - (a) No person shall store, process, or dispose of solid waste except at a permitted solid waste management facility or a facility exempt from permitting under this chapter.
 - (b) No person shall store, process, or dispose of solid waste in a manner or location that causes air quality standards to be violated or water quality standards or criteria of receiving waters to be violated.
- (2) Siting. Unless authorized by a Department permit or site certification in effect on May 27, 2001, or unless specifically authorized by another Department rule or a Department permit or site certification based upon site-specific geological, design, or operational features, no solid waste shall be stored or disposed of by being placed:
 - (a) In an area where geological formations or other subsurface features will not provide support for the solid waste;
 - (b) Within 500 feet of an existing or approved potable water well unless storage or disposal takes place at a facility for which a complete permit application was filed or which was originally permitted before the potable water well was in existence. This prohibition shall not apply to any renewal of an existing permit that does not involve lateral expansion, nor to any vertical expansion at a permitted facility;

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- (c) In a dewatered pit unless the pit is lined and permanent leachate containment and special design techniques are used to ensure the integrity of the liner;
 - (d) In an area subject to frequent and periodic flooding unless flood protection measures are in place;
 - (e) In any natural or artificial body of water including ground water;
 - (f) Within 200 feet of any natural or artificial body of water unless storage or disposal takes place at a facility for which a complete permit application was filed or which was originally permitted before the water body was in existence. For purposes of this paragraph, a "body of water" includes wetlands within the jurisdiction of the Department, but does not include impoundments or conveyances which are part of an on-site, permitted stormwater management system, or bodies of water contained completely within the property boundaries of the disposal site which do not discharge from the site to surface waters. A person may store or dispose of solid waste within the 200 foot setback area upon demonstration to the Department that permanent leachate control methods will result in compliance with water quality standards and criteria. However, nothing contained herein shall prohibit the Department from imposing conditions necessary to assure that solid waste stored or disposed of within the 200 foot setback area will not cause pollution from the site in contravention of Department rules.
 - (g) On the right of way of any public highway, road, or alley; and
 - (h) Within 1000 feet of an existing or approved potable water well serving a community water supply as defined in Rule 62-550.200(12), F.A.C., unless storage or disposal takes place at a facility for which a complete permit application was filed or which was originally permitted before the water well was in existence. It is the intent of the Department that this provision shall be repealed on the effective date of any rule promulgated by the Department which regulates wellhead protection areas generally. This prohibition shall not apply to any renewal of an existing permit that does not involve lateral expansion, nor to any vertical expansion at a permitted facility.
- (3) Burning. Open burning of solid waste is prohibited except in accordance with Chapter 62-256, F.A.C. Controlled burning of solid waste is prohibited except in a permitted incinerator, or in a facility in which the burning of solid waste is authorized by a site certification order issued under Chapter 403, Part II, F.S.
- (4) Hazardous waste. No hazardous waste shall be disposed of in a solid waste management facility unless such facility is permitted pursuant to Chapter 62-730, F.A.C.

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- (5) PCBs. Disposal of liquids containing a polychlorinated biphenyl (PCB), or non-liquid PCBs in the form of contaminated soil, rags, or other debris, may be restricted or prohibited by 40 CFR Part 761. Persons managing PCBs are advised to consult that federal regulation before attempting to dispose of PCBs in any solid waste disposal unit in this state.
- (6) Biomedical waste.
 - (a) No biomedical waste shall be knowingly deposited in any solid waste management facility unless:
 - 1. The solid waste facility is specifically permitted to receive untreated biomedical waste;
 - 2. The biomedical waste has been properly incinerated so that little or no organic material remains in the ash residue, or treated by a process approved by the Department of Health, and the provisions in Rule 62-701.520(5)(c), F.A.C., are complied with; or
 - 3. The biomedical waste is generated by an individual as a result of self-care, or care by a family member or other non health care provider. However, in order to reduce the chance of exposure to the public, home generators are advised to segregate and package such waste before disposal according to the guidelines for disposal of home-generated biomedical waste available from each county health department.
 - (b) No solid waste, including treated biomedical waste, shall be commingled with untreated biomedical waste unless the solid waste is being managed in the same manner as the untreated biomedical waste.
 - (c) Treated or untreated biomedical waste shall not be allowed to leak into the environment during transport.
- (7) Class I surface waters. The Department shall not issue a construction permit for a landfill within 3,000 feet of Class I surface waters.
- (8) Special wastes for landfills. No person who knows or who should know of the nature of such solid waste shall dispose of the following wastes in any landfill:
 - (a) Lead-acid batteries;
 - (b) Used oil, except as provided in Chapter 62-710, F.A.C.;
 - (c) Yard trash, except in unlined landfills classified by Department rule;
 - (d) White goods;
 - (e) Whole waste tires, except as provided in Chapter 62-711, F.A.C.

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- (9) Special wastes for waste-to-energy facilities. No person who knows or who should know of the nature of such solid waste shall dispose of lead-acid batteries, mercury-containing devices, or spent mercury-containing lamps in any waste-to-energy facility.
- (10) Liquids restrictions.
 - (a) Noncontainerized liquid waste shall not be placed in solid waste disposal units which accept household waste or construction and demolition debris for disposal unless:
 - 1. The waste is household waste other than septic waste; or
 - 2. The waste is leachate or gas condensate derived from the solid waste disposal unit, or byproducts of the treatment of such leachate or gas condensate, and the solid waste disposal unit is lined and has a leachate collection system.
 - (b) Containers holding liquid waste shall not be placed in a solid waste disposal unit unless:
 - 1. The container is a small container similar in size to that normally found in household waste;
 - 2. The container is designed to hold liquids for use other than storage; or
 - 3. The waste is household waste.
 - (c) Containers or tanks twenty gallons or larger in capacity shall either have one end removed or cut open, or have a series of punctures around the bottom to ensure the container is empty and free of residue. The empty container or tank shall be compacted to its smallest practical volume for disposal.
- (11)(a) Except as provided in paragraph (b) of this subsection, no person may mix or commingle used oil with solid waste that is to be disposed of in landfills or directly dispose of used oil in landfills.
- (b) Oily wastes, sorbents or other materials used for maintenance or to clean up or contain leaks, spills or accidental releases of used oil, and soils contaminated with used oil as a result of spills or accidental releases are not subject to the prohibition in paragraph (a) of this subsection.

- (12) Yard trash. The prohibitions in paragraphs (2)(b), (f), and (h) of this section apply to the storage, processing, or disposal of yard trash, except that the following setback distances shall apply:
- (a) 100 feet from off-site potable water wells, no setback required from on-site water wells;
 - (b) 50 feet from water bodies; and
 - (c) 200 feet from wells serving community water supplies.
- (13) Tanks. The prohibitions in subsection (2) of this section do not apply to the storage or treatment of solid waste in tanks which meet the criteria of Chapter 62-761 or Rule 62-701.400(6), F.A.C. Instead, no such storage tank shall be installed within 500 feet of any existing community water supply system or any existing non-transient non-community water supply system, nor shall any tank be installed within 100 feet of any other existing potable water supply well.
- (14) Indoor storage. The prohibitions in subsection (2) of this section do not apply to the storage or processing of solid waste indoors, provided that the indoor storage area has an impervious surface and a leachate collection system. For the purposes of this subsection, an impervious surface means either a poured concrete pad having a minimum thickness of four inches, or an asphalt concrete paving with both a minimum thickness of one and one-half inches and with an additional component to restrict leaching to ground water such as a soil cement sub-base, an epoxy seal or a geomembrane.
- (15) Storage in vehicles. The prohibitions in subsection (2) of this section do not apply to the storage of solid waste in an enclosed or covered vehicle, provided that such vehicle has either been unloaded or moved over public highways within the previous seven days.
- (16) Existing facilities. Those portions of facilities which were constructed prior to May 27, 2001, remain subject to the prohibitions that were in effect at the time the permit authorizing construction was issued. Lateral expansions of such facilities remain subject to the prohibitions that were in effect at the time the permit authorizing the lateral expansion was issued. For example, portions of facilities constructed prior to May 19, 1994 were subject to the prohibition against storing or disposing of solid waste within 500 feet of an existing or approved shallow water supply well, but are not subject to the prohibitions of paragraphs (2)(b) and (h) of this section. However, lateral expansions of such facilities, which occurred after May 19, 1994, are subject to the prohibitions of paragraphs (2)(b) and (h) of this section.

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Ash Management Requirements.

1. Ash from the air curtain incinerator may be used as a soil amendment or incorporated into mulch or compost products. If the ash is disposed of rather than beneficially used, such disposal shall be in accordance with the requirements of Chapter 62-701, F.A.C.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Mara Grace Nasca

Mara Grace Nasca
District Air Program Administrator
Southwest District

ATTACHMENT - GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. Not applicable to Air Permits.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - a. Have access to and copy any records that must be kept under conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of noncompliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

ATTACHMENT - GENERAL CONDITIONS

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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

13. This permit also constitutes:

- ☐ Determination of Best Available Control Technology (BACT)
- ☐ Determination of Prevention of Significant Deterioration (PSD)
- ☒ Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;
 - 3. the dates analyses were performed;
 - 4. the person responsible for performing the analyses;
 - 5. the analytical techniques or methods used;
 - 6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.