



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

Mr. Reese Sumrall, Jr.
Charlotte Pipe and Foundry Company
Plastics Division
4210 Old Charlotte Highway
Monroe, NC 28110

DEP File No.: 1190030-004-AO
County: Sumter

Dear Mr. Sumrall:

Enclosed is Permit Number 1190030-004-AO for the operation of a polyvinyl chloride (PVC) pipe extruding operation with a maximum production throughput rate of 40,000 tons/year, issued pursuant to Section 403.087, Florida Statutes (F.S.).

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, F.S. 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. 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, F.A.C.

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 how and when 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 action; and
- (f) A statement of 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, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this permit. 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.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

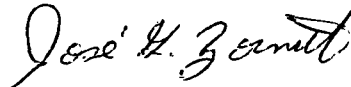
This permit is final and effective on the date filed with the Clerk of the Department unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. or unless a request for an extension of time in which to file a petition is filed within the time specified for filing a petition. Upon timely filing of a petition or a request for an extension of time to file the petition, this permit will not be effective until further Order of the Department.

Any party to the Order (Permit) has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of 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, Douglas Building, Mail Station 35, 3900 Commonwealth Boulevard, 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 of Appeal must be filed within thirty (30) days after this Order is filed with the Clerk of the Department.

Executed in Tampa, Florida.

Sincerely,



Jose G. Zornitta
Air Permitting Engineer

Enclosure

cc: Mr. Edward C. Fiss, Jr., P.E.
Aware Environmental® Inc.
9305 Monroe Road Suite J
Charlotte, NC 28270

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT ISSUANCE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on FEB 09 2004 to the listed persons, unless otherwise noted.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED,
on this date, pursuant to Section
120.52(7), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby acknowledged.


(Clerk)

FEB 09 2004
(Date)

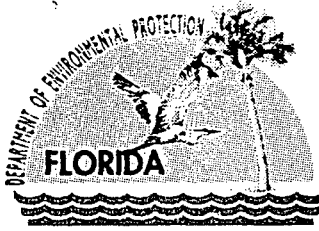
7002 3150 0003 8458 2620

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Re (Endors Restrict (Endors Total 1190030-004-AD JZ FINAL 02/09/2004	
Sent To	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

PERMITTEE:

Charlotte Pipe and Foundry Company
Plastics Division
4210 Old Charlotte Hwy.
Monroe, NC 28110

Permit No.: 1190030-004-AO

County: Sumter

Effective Date: 02/09/2004

Expiration Date: 02/09/2009

Project: Pipe Extrusion Facility
(Initial Operation)

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-204, 62-210, 62-212, 62-213, 62-296, 62-297 & 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 Florida Department of Environmental Protection:

This permit authorizes the operation of a polyvinyl chloride (PVC) pipe extruding operation with a maximum production throughput rate of 40,000 tons/year. The pipe extruding operation consists of vacuum railcar unloaders with a central PVC railcar filter receiver, pneumatic conveyors, six (6) PVC storage silos (each with a baghouse), nine (9) hopper receivers feeding nine (9) extruders, scrap grinder, pulverizer receiver, pulverized material hopper receiver, three (3) Day Bins, two (2) Blenders with four (4) receivers, compounder resin scale hopper, compounder microingredient receiver, compounder calcium carbonate receiver, microingredient units, compounder hot mixer and compounder cooler. Powdered polymer is vacuum unloaded to a filter receiver and then moved to storage silos via pressurized pneumatic conveyor pipes. Stored material is moved by vacuum to each extruder feed hopper, where pipe is extruded. Off-specification pipe is ground, dumped into hoppers, and sent to recycled material silos for use as raw material. Particulate emissions from emission points are controlled by baghouses with a minimum collection efficiency of 99%.

The air emission units at this facility are as described below:

Permitted Emission Units

Emission Unit ID No. 001 – Railcar unloading central receiver for PVC (1)

Emission Unit ID No. 002 – PVC Storage Silos (6)

Emission Unit ID No. 004 – 9 hopper receivers feeding 9 extruders

Emission Unit ID No. 005 – Scrap grinder, pulverizer receivers, day bins and blender receivers

Emission Unit ID No. 006 – Compounder resin scale hopper, microingredient receiver, calcium carbonate receiver, compounder hot mixer and cooler.

Permittee:
Charlotte Pipe and Foundry Company

Permit N 1190030-004-AO
Project: Pipe Extrusion Facility

Emission sources with emission points and control devices under each emission unit are provided in the table below:

FACILITY EMISSION SOURCE INFORMATION				
Emission Unit ID #	Emission Source ID #	Emission Source Description	Control Device	Emission Point ID #
001	ES-01	PVC Railcar Unloading	Cartridge Filter	EP-01
002	ES-02	PVC Storage Silo 2	Cartridge Filter	EP-02
002	ES-03	PVC Storage Silo 3	Cartridge Filter	EP-03
002	ES-04	PVC Storage Silo 4	Cartridge Filter	EP-04
002	ES-05	PVC Storage Silo 5	Cartridge Filter	EP-05
002	ES-06	PVC Storage Silo 6	Cartridge Filter	EP-06
002	ES-07	PVC Resin Storage Silo 7	Cartridge Filter	EP-07
004	ES-16	Extruder Hopper Receiver 1A	Bagfilter	EP-10
004	ES-17	Extruder Hopper Receiver 1B	Bagfilter	EP-10
004	ES-18	Extruder Hopper Receiver 2A	Cartridge Filter	EP-11
004	ES-19	Extruder Hopper Receiver 2B	Cartridge Filter	EP-11
004	ES-20	Extruder Hopper Receiver 3A	Cartridge Filter	EP-12
004	ES-21	Extruder Hopper Receiver 3B	Cartridge Filter	EP-12
004	ES-22	Extruder Hopper Receiver 4	Cartridge Filter	EP-13
004	ES-23	Extruder Hopper Receiver 5	Cartridge Filter	EP-14
004	ES-24	Extruder Hopper Receiver 6	Cartridge Filter	EP-15
005	ES-25	Scrap Grinder Receiver	Bagfilter	EP-16
005	ES-26	Pulverizer Receiver	Cartridge Filter	EP-17
005	ES-27	Pulverized Material Hopper Receiver	Cartridge Filter	EP-18
005	ES-28	Day Bin 1	Cartridge Filter	EP-17
005	ES-29	Day Bin 2	Cartridge Filter	EP-19
005	ES-30	Day Bin 3	Cartridge Filter	EP-20
005	ES-31	Blender 1 Virgin Receiver	Cartridge Filter	EP-21
005	ES-32	Blender 1 Pulverized Receiver	Cartridge Filter	EP-21
005	ES-33	Blender 2 Virgin Receiver	Cartridge Filter	EP-22
005	ES-34	Blender 2 Pulverized Receiver	Cartridge Filter	EP-22
006	ES-08	Compounder Resin Scale Hopper	Cartridge Filter	EP-08
006	ES-09	Compounder Microingredient Receiver	Cartridge Filter	EP-09
006	ES-10	Compounder CaCO ₃ Receiver	Cartridge Filter	EP-09
006	ES-11	Microingredient Units (7 units)	Cartridge Filter	EP-08
006	ES-12	Compounder Hot Mixer	Cartridge Filter	EP-08
006	ES-13	Double Batch Hopper	Cartridge Filter	EP-08
006	ES-14	Compounder Cooler	Cartridge Filter	EP-08
006	ES-15	Takeaway Hopper	Cartridge Filter	EP-08

Permittee:
Charlotte Pipe and Foundry Company

Permit # 1190030-004-AO
Project: Pipe Extrusion Facility

Rule Applicability Notes

The pipe extrusion facility is subjected to General Visible Emission Standard as specified in Rule 62-296.320(4)(b)1., F.A.C.

Facility Information Summary

Location: County Road 124A, Wildwood, Sumter County

UTM Coordinates: Zone 17-399.0 East 3197.0 North

Latitude: 28°53'45" **Longitude:** 82°02'00"

Facility No.: 1190030

Emissions Unit (EU) ID Nos. and Descriptions:

- 001 – Railcar unloading central receiver for PVC (1)
- 002 – PVC Storage Silos (6)
- 004 – 9 hopper receivers feeding 9 extruders
- 005 – Scrap grinder, pulverizer receivers, day bins and blender receivers
- 006 – Compounder resin scale hopper, microingredient receiver, calcium carbonate receiver, compounder hot mixer and cooler.

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

Permit History

Replaces Permit No.: 1190030-002-AC

Specific Conditions

1. **General Conditions** - A part of this permit is the attached 15 General Conditions.
[Rule 62-4.160, F.A.C.]
2. **Other Requirements** - 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, 62-297 and 62-4, or any other requirements under federal, state or local law.
[Rule 62-210.300, F.A.C.]

Permittee:
Charlotte Pipe and Foundry Company

Permit No. 1190030-004-AO
Project: Pipe Extrusion Facility

Operation and Emission Limitations

3. Operating Hours - This facility is allowed to operate a maximum of 8,760 hours per year.
[Rule 62-210.200, F.A.C., Definitions-(PTE) and Construction Permit No. 1190030-002-AC]

4. Production Rate - The production rate of PVC material from this facility shall not exceed 12.5 tons/hour (daily average production basis) and 40,000 tons in any consecutive twelve (12) month period.
[Construction Permit No. 1190030-002-AC and Operation Permit Application dated October 24, 2003]

5. Unconfined Emissions of Particulate Matter (PM) - 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, but are not limited to the following:

- A. Paved parking and trafficked areas shall be maintained and kept free of particulate matter build-up.
- B. Sprinkling with water shall be used as necessary on paved and unpaved areas.

{Permitting Note: If operating experience indicates that these reasonable precautions are not sufficient to control unconfined emissions, the Department or its designee reserves the right to require additional measures, such as recordkeeping for water truck gallons applied, etc.}

[Rules 62-4.070(3) and 62-296.320(4)(c), F.A.C.]

6. Fugitive Emissions Opacity Standard - In order to provide reasonable assurance that the precautions and practices taken at the facility are adequate, emissions of unconfined particulate matter from all sources of unconfined particulate matter shall not exceed 5% opacity. If the 5% opacity (indicator value) is exceeded, it will not be a violation in and of itself, but an indication that additional control precautions and/or practices beyond those outlined in Specific Condition No. 5 may be necessary.
[Rule 62-4.070(3), F.A.C. and Permit No. 1190030-002-AC]

7. Objectionable Odor - The permittee shall not cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An objectionable odor is any odor present in the outdoor atmosphere which by itself or in

(Continued)

Permittee:
Charlotte Pipe and Foundry Company

Permit # 1190030-004-AO
Project: Pipe Extrusion Facility

7. Continued

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 62-210.200, and 62-296.320(2), F.A.C.]

8. General Visible Emission (VE) Limit – Visible Emissions (VE) from this facility shall not be equal to or greater than 20% opacity.

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

9. Circumvention – No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable control device operating properly. As an indicator that the baghouses are functioning properly, visible emissions from each baghouse shall not exceed 5% opacity. If this value is exceeded it will not be considered a violation in and of itself, but may indicate that additional control methods or procedures are necessary.

[Rules 62-4.070(3), 62-210.650, F.A.C. and Permit No. 1190030-002-AC]

Compliance Testing Requirements

10. Visible Emission (VE) Testing– Test emissions from six (6) storage silos (Emission Unit No. 002, Emission Point Nos. EP 02 – EP 07) of the facility for visible emissions annually between October 1 and September 30 (once per Federal fiscal year).

{Permitting Note: *Emissions from E.U. Nos. 001, 004, 005, and 006 vent indoors.*}

[Rule 62-297.310(7)(a), F.A.C. and Notice of Permit Amendment dated October 15, 2003]

11. Visible Emission (VE) Test Method - Compliance with the visible emission limitation of Specific Condition No. 8 shall be determined in accordance with DEP Method 9 as referenced in Rule 62-297, F.A.C. Each test shall be conducted by a certified observer and be a minimum of thirty (30) minutes in duration.

[Rules 62-297.310(4)(a)2 and 62-297.401(9)(c), F.A.C.]

12. Testing Notification - The owner or operator shall notify the Air Compliance Section of the Southwest District Office of the Department at least fifteen (15) days prior to the date on which each formal compliance test is to begin. The notification shall include, at a minimum, 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.]

13. Testing Rate - Testing of emissions shall be conducted within 90-100% of the maximum permitted material production rate (12.5 tons per hour). A compliance test submitted at a

(Continued)

Permittee:
Charlotte Pipe and Foundry Company

Permit # 1190030-004-AO
Project: Pipe Extrusion Facility

13. Continued

rate less than 90% of the maximum permitted rate will automatically constitute an amended permit rate at that lesser rate plus 10%. Within thirty (30) days of that lower amended permitted material production rate being exceeded by more than ten (10%), a new compliance test shall be conducted at the higher rate. The test results shall be submitted to the Southwest District Office of the Department within forty-five (45) days of testing. Acceptance of the test by the Department will automatically constitute an amended permit at the higher tested rate plus 10%, but in no case shall the maximum permitted material production rate be exceeded. [Rules 62-4.070(3) and 62-297.310(2), F.A.C.]

14. Required Equipment – The owner or operator of an emission unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine the 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 emissions units with applicable emission limiting standards. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weigh 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 ten percent (10%) of its true value.
[Rule 62-297.310(5), F.A.C.]

15. Special Compliance Tests – When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.
[Rule 62-297.310(7)(b), F.A.C.]

Reporting and Recordkeeping

16. Operating Records – In order to document continued compliance with Specific Condition No. 8, the facility shall maintain the following:

Daily – Record the following:

- A. Tons of PVC pipe produced
- B. Hours of plant production
- C. Daily average PVC pipe production in tons/hour

Monthly – Record the most recent consecutive 12-month total of the following:

- A. Tons of PVC pipe produced, tons per consecutive 12-month period.

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

Permittee:
Charlotte Pipe and Foundry Company

Permit # 1190030-004-AO
Project: Pipe Extrusion Facility

17. Records Retention - All records required by this permit shall be maintained at the facility for a minimum of three (3) years and be made available to the Department upon request.

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

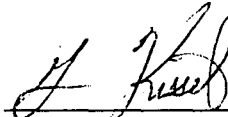
Operation Permit Renewal

18. Permit Renewal – A completed application to renew this operation permit shall be submitted to the Air Permitting Section of the Southwest District of the Department at least sixty (60) days prior to the expiration date of this permit. To properly apply for an operation permit renewal, the applicant shall submit the following:

- A. The appropriate Department application form [see Rule 62-210.900, F.A.C. (Forms and Instructions)];
- B. The appropriate operation permit application fee;
- C. A copy of the visible emission test report of all the baghouses in the facility (Specific Condition No. 10); and,
- D. A copy of the operation records for the most recent twelve (12) months of operation (Specific Condition No. 16).

[Rules 62-4.070(3), 62-4.090, 62-210.300(2), 62-210.900, and 62-297.310(7)(a), F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Gerald J. Kissel, P.E.
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;

GENERAL CONDITIONS:

- 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.

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.

GENERAL CONDITIONS:

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.