



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Hershel T. Vineyard Jr.  
Secretary

## FINAL PERMIT

### PERMITTEE

Rainey Asphalt, LLC  
4477 East CR 462  
Wildwood, FL 34785

Authorized Representative:  
Mr. Ike Rainey, Manager

Air Permit No. 1190050-002-AO  
Permit Expires: 02/16/2016  
Site Name : Wildwood Plant # 1  
Minor Air Operation Permit  
Project Name: Initial Operation Permit

This is the final air operation permit, which authorizes the operation of a drum mix asphalt plant. The operation is conducted at the Rainey Asphalts, LLC's Wildwood Plant #1 (Standard Industrial Classification No. 2951). The facility is located in Sumter County at 4477 East CR 462 in Wildwood, Florida. The UTM coordinates are Zone 17, 399.56 km East, and 3195.43 km North.

This final permit is organized by the following sections:

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Facility-Wide Common Conditions
- Section 4. Emissions Unit Specific Conditions
- Section 5. Appendices

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

This air pollution permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit

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 final permit. 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 final permit, 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.

All petitions filed under these rules shall contain:

- (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 decision;
- (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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 Hillsborough County, Florida

Mara Grace Nasca February 16, 2011  
Mara Grace Nasca Effective Date  
District Air Program Administrator  
Southwest District

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Permit and the Appendices) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on February 17, 2011 to the persons listed below.

Ike Rainey, Rainey Asphalt, LLC (irainey@raineyconstruction.com)  
Sara Greivell, Grove Scientific & Engineering Company (sara@grovescientific.com)  
James T. Show, Grove Scientific & Engineering Company (jshow@cfl.rr.com)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

Patricia Mitchell February 17, 2011  
(Clerk) (Date)

**FACILITY AND PROJECT DESCRIPTION**

**Existing Facility**

This project is for the operation of a stationary drum mix asphalt concrete plant manufactured by Gencor Industries. The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2., F.A.C. and the requirements of 40 CFR Part 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities.

The existing facility consists of the following emission unit.

Facility ID No. 1190050	
ID No.	Emission Unit Description
001	Drum Mix Asphalt Concrete Plant

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

**Exempt Emission Units/Activities**

Hot oil heater exempt per Rule 62-210.300(3)(a)33., F.A.C.

**FACILITY REGULATORY CLASSIFICATION**

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.
- This facility is a synthetic non-Title V source for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>), sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO) and hazardous air pollutants (HAPs).
- The drum mix asphalt concrete plant is regulated under New Source Performance Standards (NSPS) - 40 CFR 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities and the general provisions of 40 CFR 60, Subpart A - General Standards, where applicable.
- This facility is regulated under Rule 62-210.300(3)(c)2., F.A.C., Conditional Exemptions from Title V Permitting.

**PERMIT HISTORY/AFFECTED PERMITS**

Initial Operation Permit, Incorporate terms and conditions of Construction Permit 1190050-001-AC.

**SECTION 4. ADMINISTRATIVE REQUIREMENTS (FINAL)**

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1. Permitting Authority: The permitting authority for this project is the Florida Department of Environmental Protection (Department), Southwest District's Air Resource Management Section. The Southwest District's mailing address and phone number is:

Florida Department of Environmental Protection  
Southwest District Office  
Air Resource Management Section  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926  
Telephone: 813-632-7600

All documents related to applications for permits shall be submitted to the above address.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southwest District Office's Air Resource Management Section (see above mailing address and phone number).
3. Appendices: The following Appendices are attached as part of this permit
- a. Appendix A. Citation Formats and Glossary of Common Terms;
  - b. Appendix B. General Conditions;
  - c. Appendix C. Common Conditions; and
  - d. Appendix D. Common Testing Requirements.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time.  
[Rule 62-4.080, F.A.C.]
6. Modifications: Unless otherwise exempt by rule, the permittee shall not initiate any construction, reconstruction, or modification at the facility and shall not install/modify any pollution control device at the facility without obtaining prior authorization from the Department. Modification is defined as: Any physical change or changes in the method of operations or addition to a facility that would result in an increase in the actual emissions of any air pollutant subject to air regulations, including any not previously emitted, from any emission unit or facility.  
[Rules 62-210.200 - Definition of "Modification" and 62-210.300(1)(a), F.A.C.]
7. Rule Compliance: A facility or emissions unit subject to any standard or requirement of 40 CFR. Part 60, 61, 63 or 65, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall comply with such standard or requirement.  
[Rule 62-296.100(3) F.A.C.]

**SECTION 2. ADMINISTRATIVE REQUIREMENTS (FINAL)**

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9. Annual Operating Report: On or before **April 1** of each year, the permittee shall submit a completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility" (AOR) for the preceding calendar year. The report may be submitted electronically in accordance with the instructions received with the AOR package sent by the Department, or a hardcopy may be sent to the Compliance Authority.  
[Rule 62-210.370(3), F.A.C.]
10. Operation Permit Renewal Application: A completed application for renewal of the operation permit shall be submitted to the Permitting Authority no later than 60 days prior to the expiration date of the operation permit. To properly apply for an operation permit, the applicant shall submit the following:
- a. the appropriate permit application form (*see current version of Rule 62-210.900, F.A.C. (Forms and Instructions), and/or FDEP Division of Air Resource Management website at: <http://www.dep.state.fl.us/air/>*);
  - b. the appropriate operation permit application fee from Rule 62-4.050(4)(a), F.A.C.;
  - c. copies of the most recent compliance test reports required by Specific Condition No. A.10., if not previously submitted;
  - d. copies of the most recent two months of records/logs specified in Specific Condition No(s). 3 of Section 2 and A.11.

[Rules 62-4.030, 62-4.050, 62-4.070(3), 62-4.090, 62-210.300(2), and 62-210.900, F.A.C.]

### SECTION 3. FACILITY-WIDE SPECIFIC CONDITIONS (FINAL)

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1. Fuel Type Limitations: The facility is allowed to use the following types of fuel. They are ranked from the best fuel (top) to the worst fuel (bottom) for particulate matter and visible emissions testing purposes:

- a. natural gas;
- b. new No. 2 fuel oil;
- c. on-specification reclaimed fuel oil;
- d. new No. 3 fuel oil;
- e. new No. 4 fuel oil;
- f. new No. 5 fuel oil; and
- g. new No. 6 fuel oil

[Rule 62-210.200(PTE), F.A.C., Construction Permit 1190050-001-AC]

2. Fuel Usage Limitation: The facility, including the exempt hot oil heater, shall not consume (burn) more than 1.2 million gallons of fuel oil per any consecutive 12-month period.

[Rule 62-210.300(3)(c)2.b., F.A.C.; Construction Permit 1190050-001-AC]

3. Fuel Usage Recordkeeping Requirements: The permittee shall monthly record the following:

- a. Facility Name, Facility ID No. (1190050)
- b. Month/Year
- c. For the exempt hot oil heater: the amount of each type of fuel oil (e.g., new No. 2 fuel oil, on-specification reclaimed fuel oil, etc.) consumed in gallons.
- d. For the asphalt concrete plant: the amount of each type of fuel (e.g., natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, etc.) consumed in cubic feet or gallons, as appropriate.
- e. For the asphalt concrete plant: the total amount of each type of fuel (e.g., natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, etc.) consumed for the most recent consecutive 12-month period in cubic feet or gallons, as appropriate.
- f. For the asphalt concrete plant: the total combined amount of all types of fuel oil consumed for the most recent consecutive 12-month period in gallons.
- g. For fuel oil, the total combined amount consumed for both the hot oil heater and asphalt concrete plant in gallons.
- h. For fuel oil, the total combined amount consumed for both the hot oil heater and asphalt concrete plant for the most recent consecutive 12-month period in gallons.

[Rule 62-4.070(3), F.A.C.; Construction Permit 1190050-001-AC]

4. Fuel Oil Sulfur Content Limitation: The sulfur content for all fuel oils, including fuel oils consumed (burned) in the exempt hot oil heater, shall not exceed 1.0% by weight.

[Rule 62-210.300(3)(c)2.c., F.A.C.]

**SECTION 3. FACILITY-WIDE SPECIFIC CONDITIONS (FINAL)**

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5. **Fuel Sulfur Content Record:** In order to document continuing compliance with the fuel oil sulfur content limitation, the permittee shall keep records on either vendor provided as-shipped analysis or on analysis of as-received samples taken at the plant. The analysis shall be determined by appropriate ASTM methods.

[Rule 62-4.070(3), F.A.C.; Construction Permit 1190050-001-AC]

6. **Reclaimed Fuel Oil Specifications and Requirements:** The facility shall not burn off-specification reclaimed fuel oil. For each delivery of on-specification reclaimed fuel oil, the vendor shall provide an analysis documenting the fuel oil meets the following requirements of 40 CFR 761.20(e)(2) and (3) and 40 CFR 279.11 (July 1, 2004):

Constituent/Property	Allowable Level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	Shall not exceed 1000 ppm
Flash Point	100 degrees F minimum
PCB's	Shall be less than 2 ppm

[Rules 62-4.070(3), and 62-710.210, F.A.C.; Construction Permit 1190050-001-AC]

7. **Asbestos Containing Materials:** This facility shall **not** process Asbestos Containing Materials (ACM), whether regulated asbestos containing material (RACM), category I or category II, and whether friable or non-friable when received at the facility.

- a. "Asbestos" means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite and includes trade acronym products such as amosite.
- b. "Asbestos-containing materials", ACM, means any materials which contain more than one percent asbestos as determined by Polarized Light Microscopy. Based on a representative composite sample.
- c. "Asbestos removal project" means renovation or demolition operation in a facility that involves the removal of a threshold amount of regulated asbestos-containing material.
- d. "Category I Nonfriable Asbestos-Containing Material (ACM)" means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy.
- e. "Category II Non-friable ACM" means any material, excluding Category I Nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.



**SECTION 3. FACILITY-WIDE SPECIFIC CONDITIONS (FINAL)**

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[40 CFR 61, Subpart M; Chapter 62-257, F.A.C.; and Rules 62-730.300 and 62-701.520, F.A.C.]

8. Unconfined Emissions of Particulate Matter: In addition to the conditions in Appendix C., Condition 9; the following reasonable precautions shall be followed:
- a. Paved parking and traffic areas shall be maintained and kept free of particulate matter build-up.
  - b. Sprinkling with water shall be used as necessary on paved areas, unpaved areas, stockpiles, and during loading/unloading operations.

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

9. Unconfined Particulate Matter Opacity Requirement: In order to provide reasonable assurance that the precautions and practices taken at the plant are adequate, visible emissions of unconfined particulate matter at the plant's property line should not exceed 10% opacity. Exceedance of this limit shall not be considered a violation in and of itself, but an indication that additional control precautions and/or practices may be necessary.

[Rule 62-4.070(3), F.A.C., Construction Permit No. 1190050-001-AC]

10. Records Retention: All records shall be recorded in a permanent form suitable for inspection by the Department upon request and shall be kept at the facility for a minimum of the most recent five (5) year period.

[Rules 62-4.070(3) and 62-210.300(3)(c)2.g., F.A.C.]

**SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)**

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
001	<p>This emission unit consists of a stationary drum mix asphalt concrete plant manufactured by Gencor Industries (Gencor 300 Ultraplant). The plant is allowed to produce a maximum of 300 tons/ hr., based on a daily average, and 475,000 tons per any consecutive 12-month period of asphalt concrete. The raw materials to the asphalt concrete plant may consist of recycle asphalt pavement (RAP). The plant's dryer is fired with natural gas, new No. 2 through No. 6 fuel oil, or on-specification reclaimed fuel oil at a maximum design heat input rate of 68.2 MMBTU/hr. (based on 487 gallons/hour and 140,000 BTUs/gallon) The fuel oil is limited to a maximum sulfur content of 1.0% by weight. Particulate matter emissions from the asphalt concrete plant are controlled by a Gencor Ultraflo Baghouse cleaning system (primary and secondary baghouses in series with one stack) with a measured airflow rate of 53,346 acfm and 30,150.3 dscfm. Associated with the asphalt concrete plant is an exempt (see Section 1 above) hot oil heater, which is used to heat liquid asphalt.</p> <p>The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2., F.A.C. and the requirements of 40 CFR 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities, which is adopted by reference in Rule 62-204.800(8), F.A.C.</p> <p>The asphalt concrete plant is electrically powered, drawn from the overhead mains (not powered by a diesel generator).</p>

**PERFORMANCE RESTRICTIONS**

- A.1. Federal Regulatory Requirements: This emission unit is subject to the requirements of 40 CFR 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities and the general provisions of 40 CFR 60, Subpart A, where applicable, which are adopted by reference in Rule 62-204.800(8), F.A.C.  
[Rule 62-204.800(8), F.A.C.; 40 CFR 60, Subparts A and I]
- A.2. Permitted Capacity: This emission unit is limited to the following operating parameters:

Daily Average Maximum Production Rate of Hot Mix Asphalt Concrete (tons/hour)	Maximum Production of Hot Mix Asphalt Concrete (tons/any consecutive 12-month period)	Hours of Operation
300	475,000	Unlimited (8,760 hours)

[Rules 62-210.200 ("Potential to Emit") and 62-210.300(3)(c)2., F.A.C.; Construction Permit 1190050-001-AC]

**EMISSIONS STANDARDS**

- A.3. Visible Emission (VE) Limit: Visible emissions from the asphalt concrete plant's baghouse shall not be equal to or greater than 20% opacity.  
[40 CFR 60 Subpart I, 60.92(a)(2) and adopted by reference in Rule 62-204.800(8)(b), F.A.C.]
- A.4. Particulate Matter (PM) Limitation: Particulate emissions from the asphalt concrete plant's baghouse shall not exceed 0.04 grains per dry standard cubic foot averaged over a three (3) hour period.  
*(Permitting Note: Based on a airflow rate of 30,150 dscfm measured on October 19, 2010 and 8,760 hours/year of operation, the equivalent PM emissions are 10.33 lbs/hour and 45.24 tons/year)*  
[40 CFR 60 Subpart I, 60.92(a)(1) and adopted by reference in Rule 62-204.800(8)(b), F.A.C.]

**TESTING REQUIREMENTS**

- A.5. Compliance Tests: During each federal fiscal year (October 1<sup>st</sup> to September 30<sup>th</sup>), the emissions unit shall be tested to demonstrate compliance with the emissions standards for particulate matter and visible emissions.  
[Rule 62-210.300(3)(c)2.i., F.A.C.]
- A.6. Additional Emissions Testing Requirements: The facility shall comply with the following:
- a. A compliance test submitted when the dryer is fired with a natural gas will allow the dryer to be only fired with natural gas and up to a total of 400 hours on new No. 2 fuel oil, on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil. Within 30 days of exceeding the 400<sup>th</sup> hour of firing the dryer with new No. 2 fuel oil, on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted when the dryer is fired with the worst fuel oil that was used during the 400-hour period.
  - b. A compliance test submitted when the dryer is fired with new No. 2 fuel oil will allow the dryer to be only fired with natural gas, new No. 2 fuel oil, and up to 400 hours of firing on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil. Within thirty (30) days of exceeding the 400<sup>th</sup> hour of firing the dryer with on-specification reclaimed fuel oil, new No. 3 fuel oil, No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with the worst fuel oil that was used during the 400-hour period.
  - c. A compliance test submitted when the dryer is fired with on-specification reclaimed fuel oil will allow the dryer to be fired with natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, and up to 400 hours of firing new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil. Within thirty (30) days of exceeding the 400<sup>th</sup> hour of firing the dryer with new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired the worst fuel oil that was used during the 400-hour period.

**SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)**

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- d. A compliance test submitted when the dryer is fired with new No. 3 fuel oil will allow the dryer to be only fired with natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, new No. 3 fuel oil, and up to 400 hours of firing new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil. Within thirty (30) days of exceeding the 400<sup>th</sup> hour of firing the dryer with new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with the worst fuel oil that was used during the 400-hour period.
- e. A compliance test submitted when the dryer is fired with new No. 4 fuel oil will allow the dryer to be only fired with natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, and up to 400 hours of firing new No. 5 fuel oil or new No. 6 fuel oil. Within thirty (30) days of exceeding the 400<sup>th</sup> hour of firing the dryer with new No. 5 fuel oil or new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with the worst fuel oil that was used during the 400-hour period.
- f. A compliance test submitted when the dryer is fired with new No. 5 fuel oil will allow the dryer to be only fired with natural gas, new No. 2, on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, and up to 400 hours of firing new No. 6 fuel oil. Within thirty (30) days of exceeding the 400<sup>th</sup> hour of firing the dryer with new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with new No. 6 fuel oil.
- g. A compliance test submitted when the dryer is fired with new No. 6 fuel oil will allow the dryer to be fired with natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil.
- h. A compliance test submitted when processing RAP shall limit the plant to processing only RAP. If the plant is so limited, within thirty (30) days upon processing virgin materials (conventional hot mix asphalt), a new compliance test shall be conducted using only virgin materials.
- i. A compliance test submitted when processing only virgin materials shall also allow the plant to process RAP.

[Rules 62-4.070(3) and 62-297.310(7), F.A.C.; Construction Permit 1190050-001-AC]

A.8. Test Requirements: Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.  
[Rule 62-297.310, F.A.C.]

A.9. Test Method(s): Required tests shall be performed in accordance with the following reference method(s).

Method(s)	Description of Method and Comments
1-4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content

**SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)**

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Method(s)	Description of Method and Comments
5 or 5A	Determination of Particulate Matter Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources

The above method(s) are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other method(s) may be used unless prior written approval is received from the Department.

[Rules 62-210.300(3)(c)2.i., 62-204.800, and 62-297.401, F.A.C.; Appendix A of 40 CFR 60]

**RECORDS AND REPORTS**

A.10. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. All test reports shall be submitted within 45 days of testing. Include the following for the test period in the test report submittal\*:

- a. facility name, facility ID, and Emission Unit number;
- b. date;
- c. production rate of hot mix asphalt concrete in tons/hour and whether RAP is used in the mix or not;
- d. type and amount (cubic feet, gallons) of fuel burned;
- e. fuel oil analysis of the sulfur content of the fuel oil used (if applicable);
- f. on-specification reclaimed fuel oil analysis to document compliance with the on-specification reclaimed fuel oil limits (if applicable); and
- g. a copy of the daily records for the day the test was conducted and the monthly records for the month the test was conducted as required by Specific Condition No. A.11.

\* *Failure to submit this information may invalidate the test.*

[Rules 62-4.070(3) and 62-297.310(8), F.A.C.; 40 CFR 60.8(a); Construction Permit 1190050-001-AC]

A.11. Operation Records: In order to document continuing compliance with Specific Condition No. A.2., the following records shall be kept:

Daily:

- a. facility name, facility ID No., emission unit ID No., and description (i.e., Rainey Asphalt, LLC, 1190050, EU No. 001, drum mix asphalt plant);
- b. date;

#### SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)

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- c. total virgin asphalt concrete production (tons);
- d. total asphalt concrete containing RAP production (tons);
- e. total of both types (c. and d. above) of asphalt concrete production combined (tons);
- f. total hours of operation while producing asphalt concrete (including RAP);
- g. calculation of the daily average (tons/hour) production rate of asphalt concrete based on e. and f. above;

Monthly:

- h. facility name, facility ID No., emission unit ID No., and description (i.e., Rainey Asphalt, LLC, 1190050, EU No. 001, drum mix asphalt plant);
- i. date (month/year);
- j. total tons of both types of asphalt concrete produced for the month (tons);
- k. most recent consecutive 12-month period total of asphalt concrete produced based on j. above ;
- l. total hours of operation for the month (hours/month); and
- m. most recent consecutive 12-month period total of hours of operation;

Daily records shall be completed within 3 business days and monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3) F.A.C.; Construction Permit 1190050-001-AC]

A.12. Additional Fuel Oil Usage Recordkeeping: In order to determine compliance with Specific Condition No. A.6. the following records shall be kept:

- a. If the last dryer compliance test was conducted while the dryer was fired with natural gas, the permittee shall keep a daily record of dryer's operating hours while firing new No. 2, on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil, along with a cumulative total of fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using fuel oil in the dryer since the last compliance test exceeds 400 hours, then additional compliance testing is required (see Specific Condition No. A.6.a).}
- b. If the last dryer compliance test was conducted while the dryer was fired with new No. 2 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing on-specification reclaimed fuel oil, new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or

#### SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)

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new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.6.b.)}

- c. If the last dryer compliance test was conducted while the dryer was fired with on-specification reclaimed fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing new No. 3 fuel oil, new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.6.c.)}
- d. If the last dryer compliance test was conducted while the dryer was fired with new No. 3 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing new No. 4 fuel oil, new No. 5 fuel oil, or new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.6.d.)}
- e. If the last dryer compliance test was conducted while the dryer was fired with new No. 4 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing new No. 5 fuel oil or new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.6.e.)}
- f. If the last dryer compliance test was conducted while the dryer was fired with new No. 5 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing on-new No. 6 fuel oil, along with a cumulative total of this fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using new No. 6 fuel oil in the dryer since the last compliance test exceeds 400 hours, then additional compliance testing is required (see Specific Condition No. A.6.f.)}

[Rule 62-4.070(3), F.A.C.; Construction Permit 1190050-001-AC]

## SECTION 5. APPENDICES

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- Appendix A. Citation Formats and Glossary of Common Terms
- Appendix B. General Conditions
- Appendix C. Common Conditions
- Appendix D. Common Testing Requirements



## SECTION 5. APPENDIX A

### Citation Formats and Glossary of Common Terms

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#### CITATION FORMATS

The following illustrate the formats used in the permit to identify applicable requirements from permits and regulations.

##### Old Permit Numbers

Example: Permit No. AC50-123456 or Permit No. AO50-123456

Where: "AC" identifies the permit as an Air Construction Permit  
"AO" identifies the permit as an Air Operation Permit  
"123456" identifies the specific permit project number

##### New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located  
"2222" represents the specific facility ID number for that county  
"001" identifies the specific permit project number  
"AC" identifies the permit as an air construction permit  
"AF" identifies the permit as a minor source federally enforceable state operation permit  
"AO" identifies the permit as a minor source air operation permit  
"AV" identifies the permit as a major Title V air operation permit

##### PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the preconstruction review requirements of the Prevention of Significant Deterioration of Air Quality  
"FL" means that the permit was issued by the State of Florida  
"317" identifies the specific permit project number

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

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

##### Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

#### GLOSSARY OF COMMON TERMS

° F: degrees Fahrenheit

acf: actual cubic feet

AAQS: Ambient Air Quality Standard

acfm: actual cubic feet per minute

## SECTION 5. APPENDIX A

### Citation Formats and Glossary of Common Terms

**ARMS:** Air Resource Management System  
(DEP database)

**BACT:** best available control technology

**bhp:** brake horsepower

**Btu:** British thermal units

**CAM:** compliance assurance monitoring

**CEMS:** continuous emissions monitoring  
system

**cfm:** cubic feet per minute

**CFR:** Code of Federal Regulations

**CAA:** Clean Air Act

**CMS:** continuous monitoring system

**CO:** carbon monoxide

**CO<sub>2</sub>:** carbon dioxide

**COMS:** continuous opacity monitoring  
system

**DARM:** Division of Air Resource  
Management

**DEP:** Department of Environmental  
Protection

**Department:** Department of Environmental  
Protection

**dscf:** dry standard cubic feet

**dscfm:** dry standard cubic feet per minute

**EPA:** Environmental Protection Agency

**ESP:** electrostatic precipitator (control system  
for reducing particulate matter)

**EU:** emissions unit

**F.A.C.:** Florida Administrative Code

**F.A.W.:** Florida Administrative Weekly

**F.D.:** forced draft

**F.S.:** Florida Statutes

**FGD:** flue gas desulfurization

**FGR:** flue gas recirculation

**Fl:** fluoride

**ft<sup>2</sup>:** square feet

**ft<sup>3</sup>:** cubic feet

**gpm:** gallons per minute

**gr:** grains

**HAP:** hazardous air pollutant

**Hg:** mercury

**I.D.:** induced draft

**ID:** identification

**kPa:** kilopascals

**lb:** pound

**MACT:** maximum achievable technology

**MMBtu:** million British thermal units

**MSDS:** material safety data sheets

**MW:** megawatt

**NESHAP:** National Emissions Standards for  
Hazardous Air Pollutants

**NO<sub>x</sub>:** nitrogen oxides

**NSPS:** New Source Performance Standards

**O&M:** operation and maintenance

**O<sub>2</sub>:** oxygen

**Pb:** lead

**PM:** particulate matter

**PM<sub>10</sub>:** particulate matter with a mean  
aerodynamic diameter of 10 microns or less

**ppm:** parts per million

**ppmv:** parts per million by volume

**ppmvd:** parts per million by volume, dry  
basis

**QA:** quality assurance

**QC:** quality control

**PSD:** prevention of significant deterioration

**psi:** pounds per square inch

**PTE:** potential to emit

## SECTION 5. APPENDIX A

### Citation Formats and Glossary of Common Terms

**RACT:** reasonably available control technology

**RATA:** relative accuracy test audit

**RBLC:** EPA's RACT/BACT/LAER Clearinghouse

**SAM:** sulfuric acid mist

**scf:** standard cubic feet

**scfm:** standard cubic feet per minute

**SIC:** standard industrial classification code

**SIP:** State Implementation Plan

**SNCR:** selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)

**SO<sub>2</sub>:** sulfur dioxide

**TPD:** tons/day

**TPH:** tons per hour

**TPY:** tons per year

**TRS:** total reduced sulfur

**UTM:** Universal Transverse Mercator coordinate system

**VE:** visible emissions

**VOC:** volatile organic compounds

## SECTION 5. APPENDIX B

### General Conditions

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of 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, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonably 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:

## SECTION 5. APPENDIX B

### General Conditions

- 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 Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rules 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:
- a. Determination of Best Available Control Technology (not applicable);
  - b. Determination of Prevention of Significant Deterioration (not applicable); and
  - c. Compliance with New Source Performance Standards (applicable).
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:
    - (a) The date, exact place, and time of sampling or measurements;

**SECTION 5. APPENDIX B**

**General Conditions**

- (b) The person responsible for performing the sampling or measurements;
  - (c) The dates analyses were performed;
  - (d) The person responsible for performing the analyses;
  - (e) The analytical techniques or methods used;
  - (f) 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.

## SECTION 5. APPENDIX C

### Common Conditions

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

#### EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: 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 2 hours in any 24-hour period unless specifically authorized by the Department for longer duration. Pursuant to Rule 62-210.700(5), F.A.C., the permit subsection may specify more or less stringent requirements for periods of excess emissions. Rule 62-210.700(Excess Emissions), F.A.C., cannot vary or supersede any federal NSPS or NESHAP provision. [Rule 62-210.700(1), F.A.C.]
4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Compliance Authority 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.]
6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means 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 62-210.200(Definitions), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1,

## SECTION 5. APPENDIX C

### Common Conditions

F.A.C.]

9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

### RECORDS AND REPORTS

10. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least 3 years following the date on which such measurements, records, or data are recorded, unless otherwise specified by Department rule. Records shall be made available to the Department upon request. [Rule 62-4.160, F.A.C.]
11. Emissions Computation and Reporting:
- a. *Applicability*. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit. [Rule 62-210.370(1), F.A.C.]
  - b. *Computation of Emissions*. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.
    - (1) *Basic Approach*. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
      - (a) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
      - (b) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
      - (c) If a CEMS is not available or does not meet the requirements of paragraph 62-



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### Common Conditions

210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.

#### (2) Continuous Emissions Monitoring System (CEMS).

- (a) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
  - 1) The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or
  - 2) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
- (b) Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
  - 1) A calibrated flow meter that records data on a continuous basis, if available; or
  - 2) The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
- (c) The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.

#### (3) Mass Balance Calculations.

- (a) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
  - 1) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and
  - 2) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.
- (b) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within

## SECTION 5. APPENDIX C

### Common Conditions

the range is more accurate.

- (c) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.

#### (4) Emission Factors.

- a. An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.
  - 1) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
  - 2) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
  - 3) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
- b. If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.

(5) Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.

(6) Accounting for Emissions During Periods of Startup and Shutdown. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.

(7) Fugitive Emissions. In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the

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**SECTION 5. APPENDIX C**

**Common Conditions**

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extent quantifiable, associated with such facility or emissions unit.

- (8) Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

[Rule 62-210.370(2), F.A.C.]

c. *Annual Operating Report for Air Pollutant Emitting Facility*

- (1) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year for the following facilities:
- a. All Title V sources.
  - b. All synthetic non-Title V sources.
  - c. All facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) tons per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area.
  - d. All facilities for which an annual operating report is required by rule or permit.
- (2) Notwithstanding paragraph 62-210.370(3)(a), F.A.C., no annual operating report shall be required for any facility operating under an air general permit.
- (3) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office by April 1 of the following year. If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to any DEP or local air program office.
- (4) Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C., for purposes of the annual operating report.
- (5) Facility Relocation. Unless otherwise provided by rule or more stringent permit condition, the owner or operator of a relocatable facility must submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)) to the Department at least 30 days prior to the relocation. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated.

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

**SECTION 5. APPENDIX D**  
**Common Testing Requirements**

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Unless otherwise specified in the permit, the following testing requirements apply to all emissions units at the facility.

**COMPLIANCE TESTING REQUIREMENTS**

1. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. [Rule 62-297.310(2), F.A.C.]
2. Applicable Test Procedures - Opacity Compliance Tests: When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
  - a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
  - b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
  - 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.

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

3. 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.]

**SECTION 5. APPENDIX D**  
**Common Testing Requirements**

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4. 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*.
1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
  2. 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 sub-subparagraph 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
    - (a) Did not operate; or
    - (b) In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours,
  3. 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 visible emissions, if there is an applicable standard.
  4. 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 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), F.A.C.]

**RECORDS AND REPORTS**

5. Test Reports: 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. 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. 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 shall provide the following information.
- a. The type, location, and designation of the emissions unit tested.

**SECTION 5. APPENDIX D**  
**Common Testing Requirements**

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- b. The facility at which the emissions unit is located.
- c. The owner or operator of the emissions unit.
- d. 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.
- e. 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.
- f. The date, starting time and end time of the observation.
- g. The test procedures used.
- h. The names of individuals who furnished the process variable data, conducted the test, and prepared the report.
- i. 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.
- j. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. 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.]