



FLORIDA ASPHALT PAVING CO.

1310 REDWOOD AVENUE

P.O. BOX 1310

PHONE 904/785-6139

FAX 904/763-7928

PANAMA CITY, FL 32402

January 4, 1996

RECEIVED
JAN 05 1996

DIVISION OF AIR
RESOURCES MANAGEMENT

Mr. Bobby A. Cooley, District Director
Florida Department of Environmental Regulation
Northern District
160 Governmental Center
Pensacola, Florida 32501-5794

Re: I. D. No. 1OPEN67000201, Permit No. A067-233828, Issue Date July 30, 1993

Dear Mr. Cooley:

The 1995 Legislature amended the Florida Statutes to exempt Asphalt Plants from permitting conditions required under Title V, and the Department of Environmental Protection subsequently adopted a rule (copy enclosed) to grant that exemption, provided the permittee meets certain conditions.

We hereby certify that this facility is operating in compliance with the provision of Rule 62-210.300 (3) (c) 1., F. A. C. and agree to continue to operate in compliance with these provisions.

We are requesting the above referenced permitted facility be revised to include the conditions reflected in the Title V exemptive rule.

We would appreciate an acknowledgment that Permit No. A067-233828 has been revised and the effective date of these revisions.

Thank you for your cooperation in this regard.

Very truly yours,

FLORIDA ASPHALT PAVING COMPANY

W. T. Vickers, Partner/Chief Engineer

WTV:ct

cc: Division of Air Resources Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Attention: Mr. Michael Hewett

Pensacola P. O. C. Inc
109 South 2nd Street
Pensacola, Florida 32507

Road Contractors & Equipment Rentals

CARROLL LANCE
Executive Director

ASPHALT CONTRACTORS ASSOCIATION OF FLORIDA, INC.

TALLAHASSEE, FLORIDA 32301

1007 E. DESOTO PARK DRIVE, SUITE 201

P. O. BOX 12549

MEMORANDUM

TO: Membership

DATE: January 2, 1996

SUBJECT: Exemption from Title V Permitting Requirements

It's now official. Asphalt plants are exempt from Title V Permitting requirements if they operate under the conditions included in the enclosed rule -- which is now "administrative law".

I have enclosed a copy of the conditions included in the new rule. To secure your Title V exemption you must write the agency which issued your current operating permit and request that your permit be "revised" to include these new conditions.

Your Board of Directors instructed me to provide each member company a copy of the new rule and offer a "draft" letter requesting that your current operating permit be "revised". (Important: Do not request that your permit be "modified" or "amended" because that will require a public hearing.)

Suggested "draft" letter below.

Dear (permitting authority)

The 1995 Legislature amended the Florida Statutes to exempt asphalt plants from permitting conditions required under Title V, and the Department of Environmental Protection subsequently adopted a rule (copy enclosed) to grant that exemption if certain conditions were met.

I have enclosed a copy of the rule and am requesting that our current operating permit (No. ?????) be revised to include the conditions included in that rule. In essence, we are agreeing to operate our asphalt plant in accordance with those conditions.

We would appreciate an acknowledgment that Permit No.???? has been revised and the effective date of those revisions. Thanks for your cooperation.

Sincerely;

(IMPORTANT: It is necessary that you request that each of your operating permits be revised.)


CARROLL LANCE
EXECUTIVE DIRECTOR

Enc.



THIS SEAL IS YOUR
GUARANTEE OF QUALITY

(c) Conditional Exemptions From Title V Air Permitting.

The following facilities are exempt from the requirement to obtain a Title V air operation permit under the provisions of Chapter 62-213, F.A.C., but are not exempt from the requirement to obtain any other air permit as may be required by this rule. A facility is not entitled to an exemption under this rule if it is a Title V source pursuant to paragraph (f) or (g) of the definition of "major source of air pollution" at Rule 62-213.200, F.A.C., or if it contains other emissions units which would cause the facility to be classified as a Title V source as a result of their combined potential to emit regulated pollutants.

1. Asphalt concrete plants, provided the following conditions are met:

a. The production rate of asphaltic concrete shall not exceed 500,000 tons in any consecutive twelve-month period.

b. Fuel oil consumption shall not exceed 1.2 million gallons in any consecutive twelve-month period.

c. Fuel oil shall not exceed 1.0 percent sulfur content, by weight. The owner shall maintain records to demonstrate that each shipment of fuel oil has 1.0 percent or less sulfur and that the sulfur content was determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in Rule 62-297.440(1).

d. Particulate matter (PM) emissions shall not exceed 0.04 grains per dry standard cubic foot averaged over a three-hour period, if the facility is subject to 40 CFR 60.90, Subpart I. If the facility is not subject to Subpart I, it shall not exceed the applicable particulate emission limiting standard pursuant to Rule 62-296.310(1), F.A.C., and its hours of operation shall not exceed 4,000 hours in any consecutive twelve-month period.

e. Fugitive PM emissions shall be controlled in accordance with the requirements of Rule 62-296.310(3), F.A.C.

f. Visible emissions (VE) shall not be equal to or greater than 20 percent opacity.

g. The owner or operator shall maintain records to document the monthly and the twelve-month rolling totals of tons of asphaltic concrete produced, the gallons of fuel oil consumed,

and the hours of operation. Such records shall be retained for five years.

h. The owner or operator shall submit an Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) to the Department annually pursuant to Rule 62-210.370(3), F.A.C.

i. The owner or operator shall submit a stack test using EPA Reference Method 5 or 5A and a visible emission (VE) test using EPA Reference Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C., that demonstrate compliance with the applicable PM and VE standards, respectively, to the Department by March 15, 1996, and annually thereafter during each federal fiscal year (October 1 - September 30). The initial tests shall have been conducted between March 16, 1995 and March 15, 1996.

j. The owner or operator of any asphalt plant in operation as of January 1, 1996, shall notify the appropriate permitting authority, with a copy to the Division of Air Resources Management, in writing, not later than March 15, 1996. Such notification shall include a statement that the facility is operating in compliance with the provisions of Rule 62-210.300(3)(c)1., F.A.C., and that the facility agrees to continue to operate in compliance with these provisions. If such facility has a valid air operation permit, the permit will be updated by the Department to incorporate the requirements of Rule 62-210.300(3)(c)1.a. through i., F.A.C. If such facility does not have a valid air operation permit, the facility shall apply to the Department for an air operation permit not later than March 15, 1996.

k. The owner or operator of any asphalt plant which commences operation after January 1, 1996, must request that the requirements of Rule 62-210.300(3)(c)1. a. through i., F.A.C., be incorporated into the facility's air operation permit.



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Attention: DEP Air Permit Holder

Dear Permittee:

The DEP is proposing changes to the Annual Operating Report (DEP Form 62-210.900(5)), primarily to establish threshold levels below which emissions need not be reported. The hearing notice on the proposed rulemaking related to the Annual Operating Report will be published in the Florida Administrative Weekly on December 22, 1995. The department hopes to be able to file the proposed rule as soon as possible following the public hearing on January 25, 1996. Therefore, you are not going to receive the computer-generated Annual Operating Report form for report year 1995 until February 1996. The deadline for submitting the form is proposed to be extended to April 15, 1996.

Please contact Michael Hewett or Yi Zhu at (904) 488-0114 if you have any questions.

62-210.370 Reports.

(3)(a) 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:

- 1. through 3. No change.
- 4. All facilities for which an annual operating report is required by rule or permit.

5. ~~All other facilities for which the Department specifically requests annual operating report for the year.~~

(b) Notwithstanding Rule 62-210.370(3)(a), F.A.C., no annual operating report shall be required for any facility operating under an air general permit.

(c)(b) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) District or DEP-approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request. However, for reporting year 1995, the annual operating report shall be submitted by April 15, 1996.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History--New 2-9-93, Amended 11-28-93, Formerly 17-210.370, Amended 11-23-94, _____.

62-210.900 Forms and Instructions.

(1) Application for Air Permit - Long Form, Form and Instructions (Effective _____ 11-23-94).

(2) Application for Air Permit - Short Form, Form and Instructions (Effective _____ 11-23-94).

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective _____ 11-23-94).

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History--New 2-9-93, Amended 11-28-93, Formerly 17-210.900, Amended 11-23-94, 7-7-95, _____.

62-210.920 Notification Forms for Air General Permits.

(3) Heating Units and General Purpose Internal Combustion Engines Air General Permit Notification Form (Effective _____).

(4) Surface Coating Operations Air General Permit Notification Form (Effective _____).

(5) Polyester Resin Plastic Products Fabrication Air General Permit Notification Form (Effective _____).

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History--New 10-16-95, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry George, Policy Manager, Division of Air Resources Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Howard L. Rhodes, Director, Division of Air Resources Management

DATE PROPOSED RULE APPROVED: December 4, 1995

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 95-85R

RULE CHAPTER TITLE: OPERATION PERMITS FOR MAJOR SOURCES

of Air Pollution

RULE TITLES: PERMIT APPLICATIONS

PERMIT ISSUANCE, RENEWAL, AND REVISION

PERMIT CONTENT

PURPOSE, EFFECT AND SUMMARY: The date by which operation must commence, as it relates to a timely application under Rule 62-213.420(1), F.A.C., is changed from January 1996 to October 25, 1995, to correspond with the effective date of the EPA approval of Florida's Title V air permit program. Also in this rule, language is added to clarify timeliness requirement for a Title V application in the case of an existing Title V source which contains new emissions units. In Rule 62-213.420(3), F.A.C., language is amended to reduce the amount of required information in a Title V permit application and language is deleted such that exemptions from permitting listed in Rule 62-210.300(3), F.A.C., are no longer automatically available to units or activities within Title V sources. Language is added in Rule 62-213.430, F.A.C., to provide for Title V permit revisions and reopening of applications in accordance with the criteria of 40 CFR 70.7(f)(1). Also in this rule, criteria are added by which the Department will approve or disapprove an exemption from permitting of units or activities requested to be exempted. Finally, in Rule 62-213.440, F.A.C., language is amended to reflect the adoption of Rule 62-213.430(6), F.A.C.

SPECIFIC AUTHORITY: 403.061, 403.087, F.S.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 a.m., January 25, 1996

PLACE: Room 609, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

If an accommodation is needed for a disability in order to participate in this activity, please notify the Personnel Services Specialist at (904)488-2996/(800)955-8771 (TDD), at least seven days prior to the event.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Michael Hewett, Department of Environmental Protection, Division of Air Resources Management, Twin Towers Office Building, 2600 Blair Stone Road, Mail Station 550, Tallahassee, Florida 32399-2400, Phone number (904)488-0114

THE FULL TEXT OF THE PROPOSED RULES IS:

62-213.420 Permit Applications.

(1)(a)1. For facilities ~~sources~~ that are Title V sources on or before October 25, 1995, and that have commenced operation on or before that date by January 1, 1996, a timely application under this chapter is one that is submitted as follows:

2. Except as provided at Rule 62-213.420(1)(a)4., F.A.C., a facility source that commences operation as a Title V source after October 25, 1995, or that otherwise becomes subject to the permitting requirements of Chapter 62-213, F.A.C., after October 25, 1995 ~~January 1, 1996~~, must file an application for an operation permit under this chapter ninety days before expiration of the source's construction permit, but no later than 180 days after commencing operation, unless a different application due date is provided at Rule 62-204.800, F.A.C. Except as provided at Rule 62-213.420(1)(a)4., F.A.C., a source that has applied for an Electrical Power Plant Siting Certification prior to October 26, 1995 ~~January 1, 1996~~, but has not been issued the certification as of that date, or a source that has been issued an Electrical Power Plant Siting Certification prior to October 26, 1995 ~~January 1, 1996~~, but has not commenced operation by that date, shall file an application for an operation permit under this chapter 180 days after commencing operation. Sources subject to the FEPPSA that apply for Electrical Power Plant Siting Certification subsequent to October 25, 1995 ~~January 1, 1996~~, may, at their option, apply for a permit under the provisions of this chapter at the same time the Florida Power Plant Siting Certification application is submitted.

4. The expiration dates of all air construction permits for Title V sources that expire between September 1, 1995, and November 1, 1996, are hereby extended to the later of November 1, 1996, or 240 days after commencing operation. Facilities with such air construction permits and which have not commenced operation on or before October 25, 1995 ~~January 1, 1996~~, shall apply for a permit under the provisions of this chapter on the later of September 1, 1996, or 180 days after commencing operation.

5. A Title V source which commences operation on or before October 25, 1995, but which contains an emissions unit that commences operation after October 25, 1995, shall submit a revision to its Title V permit application or an application for a permit revision, as applicable, no later than 180 days after the emissions unit commences operation. If the draft Title V permit that was requested under the provisions of Rule 62-213.420(1)(a)1., F.A.C., has not been sent to the applicant for public notice, the revision for such emissions unit shall be processed as part of the initial Title V permit as if it had been received pursuant to that rule. Any source that contains an emissions unit that has not commenced operation by the time that the source submits its initial application for a Title V permit may include such emissions unit in the initial application, provided the requirements of Rule 62-213.420(3)(k), F.A.C., are met.

(b)2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, provided the applicant complies with all the provisions of Rule 62-213.420(1)(b)3. and 4. F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rule 62-213.420(1)(b)3. and 4., F.A.C.

(3) Standard Application Form and Required Information. Applications shall be submitted under this chapter on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements ~~as defined in Rule 62-213.200, F.A.C.,~~ for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C. The application shall specifically include the following information, as detailed in the application form number 62-210.900(1); provided, however, that the information required by paragraphs (f) through (l), below, shall not be required for any emissions unit which is not subject to any unit-specific applicable requirements, except as needed to determine that no applicable requirements exist:

- (a) Identifying information;
- (b) Description of source's processes and products;
- (c) Information, as set forth in this subsection and in the application form number 62-210.900(1), on the ~~e~~missions of all regulated pollutants which the applicant knows or has reason to believe are being emitted from a source in amounts as set forth in Rules 62-213.420(3)(c)1. through 5., F.A.C. ~~even if no emission limitation would apply to the source unless otherwise provided in this subsection.~~ The applicant shall report pollutants for each emissions unit and for source-wide emissions such as fugitive emissions. When pollutants must be quantified, ~~For those pollutants for which no standard test method or published emissions factor is available to the~~

applicant, the applicant shall estimate the emissions and shall include the basis for the estimate with the emissions information. For purposes of this subsection, regulated pollutant means, ~~in addition to the~~ a regulated air pollutants as specified in Rule 62-210.200 62-213.200, F.A.C., except any pollutant that is regulated solely under 42 U.S.C. s. 7412(r); any hazardous air pollutant; and any pollutant to which an emissions limitation applies in accordance with Rule 62-213.420(3)(c)2., F.A.C. Except as provided in Chapter 62-297, F.A.C., for submittal of compliance test data, nothing in this section shall be construed to require testing of actual emissions for determining estimated or potential emissions for a permit application. All applicants shall report regulated pollutants as set forth in Rules 62-213.420(3)(c)1. through 5., F.A.C. follows:

1. Each Title V source shall identify each regulated pollutant which the applicant knows or has reason to believe the facility emits or has the potential to emit in a major amount. Major source thresholds are as follows:

a. 100 tons per year for carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds;

b. 5 tons per year for lead and lead compounds expressed as lead;

c. 10 tons per year for any hazardous air pollutant;

d. 25 tons per year for total hazardous air pollutants; and

e. 100 tons per year for any other regulated pollutant.

2. Those Title V sources which are subject to a numerical emissions limitation under any applicable requirement, or for which a numerical emissions limitation is included in the source's most recent operation permit, or in the construction permit shall report and quantify, for each emissions unit subject to the emissions limitation, all emissions of any pollutant to which the limitation applies. The provisions of this rule, Rule 62-213.420(3)(c)2., F.A.C., shall not apply to the reporting of radionuclides emissions or asbestos emissions resulting from asbestos removal.;

3. Each Title V sources that emitting or has with the potential to emit any pollutant described in paragraphs (a) and (c) of the definition of regulated air pollutant in Rule 62-210.200 62-213.200, F.A.C., shall identify, for each emissions unit, each such pollutant which the applicant knows or has reason to believe would be emitted in an amount equal to or greater than report each such pollutant as follows:

a. 5.0 tons per year for carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds Each Title V source emitting or with the potential to emit fifty tons or more per year of carbon monoxide shall report all emissions of carbon monoxide for each emissions unit with the potential to emit ten tons or more per year of the pollutant. Fugitive carbon monoxide emissions and emissions from units with the potential to emit less than ten tons per year

~~shall be considered as source wide emissions and shall reported as source wide emissions if, in the aggregate, source wide emissions equal or exceed ten tons per year, or~~

b. 500 pounds per year for lead and lead compound expressed as lead. Each Title V source emitting or with potential to emit five hundred pounds or more per year of lead and lead compounds, expressed as lead, shall report emissions of lead and lead compounds, expressed as lead, each emissions unit with the potential to emit one hundred pounds or more per year of lead and lead compound expressed as lead. Fugitive emissions of lead and lead compounds, expressed as lead, and emissions from units with the potential to emit less than one hundred pounds per year shall be considered as source wide emissions and shall reported as source wide emissions if, in the aggregate, source wide emissions equal or exceed one hundred pounds per year;

e. Each Title V source emitting or with the potential to emit five tons or more per year of particulates (PM), PM sulfur dioxide, nitrogen oxides or volatile organic compound shall report emissions of each pollutant for each emissions unit with the potential to emit one or more tons per year of each pollutant unless a lesser amount of emissions is reported pursuant to Rule 62-213.420(3)(c)4., F.A.C. Fugitive emissions of each pollutant and emissions from emissions units with potential to emit less than one ton per year shall be considered as source wide emissions and shall be reported as source wide emissions if, in the aggregate, the source wide emissions that pollutant equal or exceed one ton per year.

4. Each Title V source that emitting or has with potential to emit any hazardous air pollutant or total hazardous air pollutants in a major amount as set forth in R 62-213.420(3)(c)1., F.A.C., pollutant regulated pursuant to United States Code Sections 7411 and 7412 shall identify, each emissions unit, each such pollutant which the applicant knows or has reason to believe would be emitted in an amount equal to or greater than; report emissions of such pollutants follows, unless the pollutant is reportable pursuant to R 62-213.420(3)(c)1., F.A.C.:

a. 1,000 pounds per year for each individual hazardous pollutant Each Title V source which includes any unit which belongs to a category for which any source specific standard has been established pursuant to 40 CFR Parts 60, 61 or 63 incorporated into Chapters 62-296 and 62-297, F.A.C., shall report emissions of all pollutants to which any such standard applies in accordance with the requirements of Chapter 62-296 and 62-297, F.A.C., for each emissions unit having potential to emit such pollutants and to which the standard applies; or

b. 2,500 pounds per year for total hazardous air pollutant Each Title V source emitting or with the potential to emit one hundred tons or more per year of any single hazardous air pollutant twenty tons or more per year of any combination of hazardous

~~pollutants, shall report and identify all hazardous air pollutant emissions from each emissions unit with the potential to emit one ton per year of any individual hazardous air pollutant, and all fugitive emissions not associated with any specific emissions units when such emissions exceed one ton of any individual hazardous air pollutant per year unless such emissions are reportable pursuant to Rule 62-213.420(3)(e)1. 3.a., F.A.C. All Title V sources emitting or having the potential to emit eight tons or more per year of any individual hazardous air pollutant shall also report the source total, or an estimate of the source total, of such air pollutant. All Title V sources emitting or having the potential to emit twenty tons or more per year of any combination of hazardous air pollutants shall also report the source total, or an estimate of the source total, of all hazardous air pollutants. The provisions of this rule, Rule 62-213.420(3)(e)3.b., F.A.C., shall not apply to the reporting of radionuclides emissions or asbestos emissions resulting from asbestos removal.~~

~~e. Each Title V source emitting or with the potential to emit 100 tons per year or more of any toxic or flammable substance regulated under 40 CFR Part 68, Subpart C, hereby adopted and incorporated by reference, shall report and identify the emissions of such substance from each emissions unit with the potential to emit one ton per year or more of the substance.~~

5.4. Title V sources which are also subject to the Federal Acid Rain Program shall report all emissions of sulfur dioxide and nitrogen oxides from any acid rain unit in accordance with this subsection or the reporting requirements of the Federal Acid Rain Program, whichever are more stringent.

(d) Process and operating information;

(e) Control equipment information Calculations;

(f) Calculations;

(g)(f) Identification of all applicable requirements and test methods;

(g) Control equipment information;

(h) Limitations on source operation affecting emissions;

(i) Proposed alternate methods of operation;

(j) Compliance statement;

(k) Compliance schedule and methodology, if applicable;

(l) Reporting and recordkeeping requirements;

(m) A list of emissions insignificant units or activities which are exempt pursuant to Rule 62-210.300(3), F.A.C., or for which exemption is requested pursuant to Rule 62-213.430(6), F.A.C., because of size or production rate and any information needed to demonstrate that the units or activities qualify for exemption under the provisions of Rule 62-213.430(6), F.A.C. determine the applicability of, or to impose, any applicable requirement.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.061, 403.0872 FS. History—New 11-28-93, Amended 4-17-94, Formerly 17-213.420, Amended 11-23-94, 4-2-95, 10-11-95, _____.

62-213.430 Permit Issuance, Renewal, and Revision.

(4) Permit Revision Procedures. Permit revisions shall meet all requirements of this chapter, including those for content of applications, public participation, review by approved local air programs and affected States, and review by EPA, as they apply to permit issuance and permit renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes subject to any condition listed at 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference new or revised applicable requirements.

(5) EPA Recommended Actions. Within 90 days after receipt of notification from EPA that cause exists to modify, suspend, or revoke a permit, the Department shall investigate and determine whether cause exists pursuant to 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference Rule 62-4.080 or 62-4.100, F.A.C., and shall forward the determination to EPA. If cause exists, the Department shall proceed according to the requirements of Rule 62-4.080 or 62-4.100, F.A.C., and 40 CFR 70.7(f) to modify, suspend, or revoke the permit.

(6) Exemption of Emissions Units or Pollutant-Emitting Activities.

(a) All requests for exemption of emissions units or activities made pursuant to Rule 62-213.420(3)(m), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to this chapter. Exemptions shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under this chapter shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify for exemption from permitting pursuant to this rule.

(b) No exemption shall be granted to any emissions unit or activity if:

1. Such unit or activity would be subject to any unit-specific applicable requirement;

2. Such unit or activity, in combination with other units and activities proposed for exemption, would cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s); or

3. Such unit or activity would emit or have the potential to emit:

a. 500 pounds per year or more of lead and lead compounds expressed as lead;

b. 1,000 pounds per year or more of any hazardous air pollutant;

c. 2,500 pounds per year or more of total hazardous air pollutants; or

d. 5.0 tons per year or more of any other regulated pollutant.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872 FS. History--New 11-28-93, Amended 4-17-94, Formerly 17-213.430, Amended 11-23-94, _____.

62-213.440 Permit Content.

(1) Standard Permit Requirements. Each permit issued under this chapter shall incorporate all applicable requirements for the Title V source and for each method of operation proposed by the applicant and approved by the Department. Each such permit shall include all emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements, with citation to the Department's rule authority for each term or condition, and identification of any difference in form from the applicable requirement upon which the term or condition is based. Emissions units or pollutant-emitting activities within a Title V source exempted pursuant to Rule 62-213.430(6), F.A.C., by Rule 62-210.300(3), F.A.C., or by specific exemption granted by the Department consistent with Rule 62-4.040(1)(b), F.A.C., shall be identified.

(c)1. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(2)(3), F.A.C.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.0872 FS. History--New 11-28-93, Amended 4-17-94, Formerly 17-213.440, Amended 11-23-94, 4-18-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry George, Policy Manager, Division of Air Resources Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Howard L. Rhodes, Director, Division of Air Resources Management

DATE PROPOSED RULE APPROVED: December 4, 1995

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DOCKET NO.: 95-249R

RULE CHAPTER TITLE: Hazardous Waste
RULE CHAPTER NO.: 62-730

RULE TITLE: Standards for the Management of Specific
RULE NO.: 62-730.181

Hazardous Wastes and Specific Types
of Hazardous Waste Management Facilities

PURPOSE AND EFFECT: The purpose of the proposed amendments is to adopt rules to implement Section 403.7255, F.S., which requires the Department to "adopt rules which

establish requirements and procedures for the placement signs at sites which may have been contaminated by hazardous wastes".

SUMMARY: The proposed amendment satisfies requirement to adopt rules regarding warning signs contained in Section 403.7255, F.S., and replaces Chapter 62-736, F.A.C. which is repealed.

SPECIFIC AUTHORITY: 403.0877, 403.704, 403.403.721, 403.724, 403.8055, F.S.

LAW IMPLEMENTED: 403.7255, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT: The proposed revision to Chapter 62-730, F.A.C., Docket 95-249R adopt rules as required by Section 403.7255, F.S. Based on the fact that this rule is being adopted as required by Florida law, the Department has determined that no Economic Impact Statement is necessary for the adoption of the proposed revisions.

WRITTEN COMMENTS: The Secretary of the Department of Environmental Protection shall consider any written comments received within 21 days after publication of this notice. Comments shall be submitted to Diana Coleman, Office of General Counsel, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., January 18, 1996

PLACE: Room 609, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey (904)487-1855/800-955-8771 (TDD), at least seven days prior to the event.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane Hunt, Department of Environmental Protection, Bureau of Solid and Hazardous Waste, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

THE FULL TEXT OF THE PROPOSED RULE IS:

62-730.181 Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities.

(1) through (2) No change.

(3) Owners or operators of suspected or confirmed contaminated sites where a risk of exposure to the public exist shall place warning signs as follows:

(a) Warning signs shall be at least 2 feet by 2 feet, made of durable weather resistant material, with a white background and red lettering of a size indicated in Figures 1, 2, 3 and 4