

Cindy's file

Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes
THRU: C. H. Fancy *[Signature]*
THRU: Scott M. Sheplak *[Signature]*
FROM: Cindy L. Phillips *[Signature]*
DATE: January 7, 1998
SUBJECT: Denial of Permit
KleenSoil International, Inc.

1/9

Attached for your approval and signature is a Notice of Permit Denial for a soil thermal treatment facility. The FESOP application was submitted on July 2, 1996. Due to severe financial problems and the inability to pay their consultant for additional work on their permit application, the applicant requested an extended amount of time to answer our request for additional information. On November 5, 1997, the Department notified the applicant that unless they took some action on this permit application within 30 days, the permit would be denied.

No action has been taken. I recommend that the permit be denied.

concur
[Signature]



Cindy's File

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

State of Florida
Department of Environmental Protection
Notice of Permit Denial

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

In the matter of an
Application for Permit by:

DEP File No. 7770029-002-AF

Mr. Trevor Cook, Vice President
KleenSoil International, Inc.
13838 Harlee Road
Palmetto, Florida 34221

The applicant, KleenSoil International, Inc., applied on July 2, 1996, to the Department of Environmental Protection for a FESOP (Federally enforceable state operation permit) to become a synthetic non-Title V source, pursuant to Rule 62-210.300(2)(b), F.A.C.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes (F.S.), and Chapters 62-4 and 62-210, Florida Administrative Code (F.A.C.). The Department has determined that an air operation permit is required for the proposed work.

The Department hereby denies the permit for the following reasons:

1. The applicant did not supply the information requested in the Department's letter, dated July 24, 1996, that is needed to process the application.
2. The applicant did not respond to the Department's letter, dated November 5, 1997, requesting a plan of action.

A person whose substantial interests are affected by this permit denial may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9730, fax: 850/487-4938. Petitions must be filed within fourteen days of receipt of this permit denial. A petitioner must 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 28-5.207 of the Florida Administrative Code. Mediation is not available for this action.

Mr. Trevor Cook, Vice President
KleenSoil International, Inc.
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A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the DEP File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action.

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

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

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

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

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

This permit denial is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit denial will not be effective until further order of the Department.

When the Order (Permit Denial) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

A copy of this letter shall be kept on file with the referenced permit application.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Mr. Trevor Cook Vice President KleenSoil International, Inc. 13838 Harlee Road Palmetto, FL 34221		4a. Article Number P 265 658 301	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery 1/12/98	
5. Received By: (Print Name)		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) <input checked="" type="checkbox"/> <i>[Signature]</i>			
PS Form 3811 , December 1994		Domestic Return Receipt	

Thank you for using Return Receipt Service.

P 265 658 301

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
<i>(Mr.) Cook, Vice President</i>	
Street & Number	
<i>Kleen Soil International, Inc.</i>	
Post Office, State, & ZIP Code	
<i>13838 Harlee Rd.</i>	
<i>Palmetto, FL 34221</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
<i>01-09-98</i>	

PS Form 3800, April 1995

PERMITTEE

KleenSoil International, Inc.
13838 Harlee Road.
Palmetto, Florida 34221

FID No.: 777029
Permit No.: 777029-002-AF
SIC No.: 4953
Expiration Date: *5 years from
date of issuance*

AUTHORIZED REPRESENTATIVE

Mr. Trevor Cook, Vice President

PROJECT

This permit allows the applicant to operate a Mobile Soil Thermal Treatment Facility in permitted counties in Florida and designates the facility as a synthetic non-Title V source.

STATEMENT OF BASIS

This Federally Enforceable State Operating Permit (FESOP) is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-4, 62-210, 62-212, 62-296, and 62-297. The above named permittee is hereby authorized to perform the work or operate the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

APPENDICES

The attached appendices are part of this permit:

Appendix GC - General Permit Conditions
Appendix PC - Permitted Counties

Howard L. Rhodes, Director
Division of Air Resources
Management

FACILITY DESCRIPTION

This facility consists of a mobile soil thermal treatment facility with a generator, baghouse and afterburner. The mobile soil thermal treatment facility is regulated under 62-296.415, F.A.C.

REGULATORY CLASSIFICATION

This facility is a synthetic non-Title V source pursuant to Rule 62-210.300(2)(b), F.A.C. The limitations in this permit directly limit the maximum allowable volatile organic compound (VOC) emissions, which are considered equivalent to total recoverable petroleum hydrocarbon (TRPH) emissions, and limit hazardous air pollutant (HAP) emissions to less than the 10 tons per year (single HAP) and 25 tons per year (total HAPs) limitations that trigger Title V permitting requirements.

RELEVANT DOCUMENTS

The documents listed below are the basis of the permit. They are specifically related to this permitting action. These documents are on file with the Department.

- Application received Bureau of Air Regulation
- Requests for additional information
- Additional information received
- Public Notice of Intent published

PERMITTED COUNTIES *(See attached Appendix PC. This list is subject to change after proof of publication is received. Note: All public notices will be valid until 5 years after the date of publication.)*

INITIAL OPERATING LOCATION *(Currently unknown, to be supplied at later date.)*

SECTION I. FACILITY-WIDE SPECIFIC CONDITIONS

The following specific conditions apply to all emissions units at this facility.

ADMINISTRATIVE

1. **Regulating Agencies:** Applications for permit renewals, reports, rest, minor modifications, and notifications shall be submitted to the district office or local program that has permitting/compliance jurisdiction over the current or proposed operating location. See Attachment 1 for Department District Office addresses and jurisdictions. See Attachment 2 for local program addresses.
2. **General Conditions:** The owner and operator are subject to and shall operate under the attached General Permit Conditions G.1. through G.15. listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**

3. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative code.
4. Forms: The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. [Rule 62-210.900, F.A.C.]
5. Notification of Intent to Relocate Air Pollutant Emitting Facility: An air permit for a relocatable facility shall be amended upon **each change of location** of the facility. The owner or operator of the facility must submit a Notification of Intent to Relocate Air Pollutant Emitting Facility (DEP Form No. 62-210.900(6)) to the Department at least seven (7) days prior to the change, if the facility would be relocated to a county in which public notice of the proposed operation of the facility had been given within the previous five years pursuant to Rule 62-210.350(1), F.A.C., or otherwise thirty (30) days prior to the change. 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(1), F.A.C.]
6. Permit Renewals: Prior to sixty days before the expiration of this operation permit, the permittee shall apply for a renewal of a permit using forms incorporated by reference in Rule 62-210.900, F.A.C. A renewal application shall be timely and sufficient. If the application is submitted prior to 60 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rule 62-213.420(1)(b)3. and 4., F.A.C. [Rule 62-4.090(1), F.A.C.]
7. Applicable Regulations: Unless otherwise indicated in this permit, the operation of the 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 Florida Administrative Code Chapters 62-4, 62-210, 62-296, and 62-297. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rule 62-210.300, F.A.C.]

GENERAL POLLUTANT EMISSION LIMITING STANDARDS

8. Volatile organic compounds emissions or organic solvents emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
9. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Rule 62-296.320(2), F.A.C.]

10. General Particulate Emission Limiting Standards. The following emission limiting standards shall apply to emissions units of particulate matter not subject to a particulate emission limit or opacity limit set forth in or established elsewhere in this permit.

- (a) *General Visible Emissions Standard.* No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity).
- (b) *Unconfined Emissions of Particulate Matter.*
 1. Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
 2. Reasonable precautions committed to by the permittee:
 - a. The control of unconfined particulate matter emissions from processes soil will be controlled by water spray as necessary.
 - b. The control of emissions resulting from vehicle movement will be controlled, as necessary, by the application of a chemical dust suppressant or water.
 3. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rule 62-296.320(4), F.A.C., and Permit Application received 7/2/96.]

OPERATIONAL REQUIREMENTS

11. Modifications: Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of this chapter, Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C.

[Rule 62-210.300(1)(a), F.A.C.]

12. Circumvention: No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

13. Hours of Operation: This facility is allowed to operate continuously, i.e., 8760 hours/year.

[Rule 62-210.200, F.A.C., Definitions (PTE)] and applicant request.]

14. Excess Emissions:

- (a) Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
- (b) Excess emissions which are caused entirely or in part by poor maintenance, poor

operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited.

[Rules 62-210.700(1) and (4), F.A.C.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

15. Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. 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.

[Rule 62-297.310(2), F.A.C.]

16. Test Procedures shall meet all applicable requirements of Rule 62-297.310(4), F.A.C.

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

17. Determination of Process Variables:

- (a) *Required Equipment*. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
- (b) *Accuracy of Equipment*. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

18. Test Notification: 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.

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

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

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

20. Test Reports:

- (a) The owner or operator of an emissions unit for which a compliance test is required

shall file a report with the Department on the results of each such test.

- (b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
 - (1) The type, location, and designation of the emissions unit tested.
 - (2) The facility at which the emissions unit is located.
 - (3) The owner or operator of the emissions unit.
 - (4) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 - (5) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 - (6) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 - (7) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 - (8) The date, starting time and duration of each sampling run.
 - (9) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 - (10) The number of points sampled and configuration and location of the sampling plane.
 - (11) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 - (12) The type, manufacturer and configuration of the sampling equipment used.
 - (13) Data related to the required calibration of the test equipment.
 - (14) Data on the identification, processing and weights of all filters used.
 - (15) Data on the types and amounts of any chemical solutions used.
 - (16) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 - (17) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 - (18) All measured and calculated data required to be determined by each applicable test procedure for each run.
 - (19) The detailed calculations for one run that relate the collected data to the calculated emission rate.
 - (20) The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

- (21) A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

21. Plant Operation – Problems: If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its 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 Department rules.

[Rule 62-4.130, F.A.C.]

22. Excess Emissions Report - Malfunctions: In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program 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.]

23. An Annual Operating Report for Air Pollutant Emitting Facility, DEP Form No. 62-210.900(5), shall be completed each year. The form shall be submitted to the appropriate Department district office or DEP-approved local program which has permitting/compliance jurisdiction over the facility, by March 1 of the following year.

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

SECTION II . EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	This emissions unit consists of a 35.0 TPH Industrial Waste, Inc. Model CS6028 Mobile Thermal Treatment Unit. Major components of the emission unit are: contaminated soil feed bin, bin-to-dryer belt conveyor, dryer, baghouse, and afterburner.
002	This unit consists of a 0.3 MW Cummins Model NT 855-65 diesel generator.

NOTE: Emissions unit 001 is subject to 62-269.415, F.A.C., Soil Thermal Treatment Facilities. There are no unit specific regulatory requirements that apply to emissions unit 002.

OPERATIONAL REQUIREMENTS

1. **Hours of Operation:** This facility is allowed to operate continuously, i.e., 8760 hours/year. **[Rule 62-210.200, F.A.C., Definitions-potential to emit(PTE)] and applicant request.]**
2. **Permitted Capacity:** The soil thermal treatment unit may process up to 35.0 TPH (monthly average) and 214,000 TPY(total) of contaminated soil. **[Rule 62-210.200, F.A.C., Definitions-potential to emit(PTE)] and applicant request.]**
3. **Operation and Maintenance (O&M):** The permittee shall keep an O&M plan for the air pollution control equipment with the facility. The O&M log shall include the list of the parameters being monitored, the frequency of the check/maintenance, observations, and comments. **[Rule 62-4.070(3), F.A.C.]**

EMISSIONS LIMITATIONS AND PERFORMANCE STANDARDS

4. This soil thermal treatment facility is only authorized to treat petroleum contaminated soil as defined in Chapter 62-713, F.A.C. **[Rule 62-296.415, F.A.C.]**
5. **Volatile Organic Compounds (VOC).**
 - (a) A soil thermal treatment facility shall be designed and operated to expose the organic vapors from the soil during thermal treatment to one of the following combinations:

Minimum Temperature (Fahrenheit)		Minimum Time (Seconds)
1,500	and	1.0
1,600	and	0.5
1,800	and	0.3

The minimum temperature shall be determined by a continuous temperature monitor pursuant to the applicable continuous emissions monitoring requirements of Rule 62-296.415(6), F.A.C. When soil is being treated, the minimum temperature shall be met or exceeded at all times except for 4 minutes in any 60 minute period, provided that the temperature does not fall below 100 degrees Fahrenheit of the required minimum temperature for the corresponding residence time. The minimum residence time shall be met or exceeded at all times while soil is being treated.

(b) The average carbon monoxide (CO) emissions shall not exceed 100 parts per million (ppm) by volume, dry basis, during all 60 consecutive minute periods of plant operation. The average CO emissions is the arithmetic mean of all CO concentration measurements during any consecutive 60 minutes of plant operation that were recorded by the continuous emissions monitor required pursuant to Rule 62-297.500, F.A.C.

(c) A soil thermal treatment facility shall continually monitor the temperature and carbon monoxide content of the flue gases leaving the high temperature zone pursuant to the applicable continuous emissions monitoring requirements of Rule 62-296.415(6), F.A.C. Temperature and carbon monoxide monitors shall be co-located unless otherwise approved by the Department.

(d) Soil thermal treatment facilities must possess an air permit authorizing the processing of soils containing polychlorinated biphenyls (PCBs), if soil contaminated with PCBs is to be thermally treated.

[Rule 62-296.415(1), F.A.C.]

6. Visible Emissions. Visible emissions (VE) from a stack shall not exceed 5% opacity as determined by the test method specified in Rule 62-296.415(5), F.A.C. when thermally treating soil.

[Rule 62-296.415(2), F.A.C.]

7. Particulate Matter Emissions. The particulate matter emissions shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf) as determined by the test method specified in Rule 62-296.415(5), F.A.C.

[Rule 62-296.415(3), F.A.C.]

8. Unconfined Emissions. A soil thermal treatment facility is subject to Rule 62-296.320, F.A.C., Unconfined Emissions of Particulate Matter. As a minimum, before and after thermal soil treatment is accomplished, unconfined emissions of particulate matter from the soil shall be controlled by application of water or containment.

[Rule 62-296.415(4), F.A.C.]

9. Test Methods and Procedures. All emissions tests performed pursuant to the requirements of this rule comply with the following requirements.

(a) The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.

(b) The test method for particulate emissions shall be EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet.

(c) The test method for carbon monoxide shall be EPA Method 10, incorporated and adopted by reference in Chapter 62-297, F.A.C.

(d) Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.

[Rule 62-296.415(5), F.A.C.]

10. Continuous Emissions Monitoring Requirements. Any facility subject to this rule shall be equipped with instruments to continuously monitor and record the temperature and the carbon monoxide concentration of the flue gases leaving the high temperature zone, but before any dilution air is mixed with the flue gases. The temperature monitor shall be certified by the manufacturer to be accurate to within 1% of the temperature being measured. The temperature monitoring system shall be calibrated at least annually by the procedure recommended by the manufacturer. The calibration shall be at a minimum of three temperatures and over a range from 10% below to 10% above the designed flue gas hot zone temperature of the soil thermal treatment facility. Calibration records shall be kept for a minimum of three years. The carbon monoxide monitor shall be certified by the manufacturer to be accurate to within 10% of the carbon monoxide concentration by volume, mean value, or 5% of the applicable standard of 100 ppm, whichever is greater, as determined by EPA Test Method 10 in 40 CFR Part 60, Appendix A, adopted by reference in Rule 62-204.800(7), F.A.C. The carbon monoxide continuous emission monitoring device shall be certified, calibrated, and operated according to Performance Specification 4 of 40 CFR Part 60, Appendix B, adopted by reference in Rule 62-204.800(7), F.A.C., excluding Section 5.2, Calibration Drift Test Period, of Performance Specification 2. [Rule 62-296.415(6), F.A.C.]

11. Reports. Notification of Intent to Relocate Air Pollutant Emitting Facility. An air permit for a relocatable facility shall be amended upon each change of location of the facility. The owner or operator of the facility must submit a Notification of Intent to Relocate Air Pollutant Emitting Facility (DEP Form No. 62-210.900(6)) to the Department at least seven (7) days prior to the change, if the facility would be relocated to a county in which public notice of the proposed operation of the facility had been given within the previous five years pursuant to Rule 62-210.350(1), F.A.C., or otherwise thirty (30) days prior to the change. 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(1), F.A.C.]

ATTACHMENT GS

GENERAL PERMIT CONDITIONS. [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 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

(4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does 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, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

(7) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

(a) Have access to and copy any records that must be kept under conditions of the permit;

(b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

(c) Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

(8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

(a) A description of and cause of noncompliance; and
(b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to educe, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

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

(10) The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, 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 Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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

(13) This permit also constitutes:
(a) Determination of Best Available Control Technology (BACT)
(b) Determination of Prevention of Significant Deterioration (PSD)
(c) Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)

(d) Compliance with New Source Performance Standards

(14) The permittee shall comply with the following:
(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

(b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:
1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

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

6/18/99

ATTACHMENT PC

PERMITTED COUNTIES

The applicant has published the proper public notices and is authorized to operate in the following counties: *This list is subject to change after proof of publication is received.*

Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:
Alachua		Hamilton		Okeechobee	
Baker		Hardee		Orange	
Bay		Hendry		Osceola	
Bradford		Hernando		Palm Beach	
Brevard		Highlands		Pasco	
Broward		Hillsborough		Pinellas	
Calhoun		Holmes		Polk	
Charlotte		Indian River		Putnam	
Citrus		Jackson		St. Johns	
Clay		Jefferson		St. Lucie	
Collier		Lafayette		Santa Rosa	
Columbia		Lake		Sarasota	
Dade		Lee		Seminole	
DeSoto		Leon		Sumter	
Dixie		Levy		Suwannee	
Duval		Liberty		Taylor	
Escambia		Madison		Union	
Flagler		Manatee		Volusia	
Franklin		Marion		Wakulla	
Gasden		Martin		Walton	
Gilchrist		Monroe		Washington	
Glades		Nassau			
Gulf		Okaloosa			

PERMITTEE:

Mr. Trevor Cook, Vice President
KleenSoil International, Inc.
13838 Harlee Road
Palmetto, Florida 34221

Permit No.: 777029-002-AF

County: Statewide

Issue Date:

Expiration Date:

Project: Mobile Soil Thermal
Treatment Facility

This Federally Enforceable State Operating Permit (FESOP) is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204 through 62-297 and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the department and made a part hereof and specifically described as follows:

For the operation of a soil thermal treatment facility that will establish the facility as a synthetic non-Title V source pursuant to Rule 62-210.300(2)(b), F.A.C. The limitations will directly limit the maximum allowable volatile organic compound (VOC) emissions, which are considered equivalent to total recoverable petroleum hydrocarbon (TRPH) emissions, and will limit hazardous air pollutant (HAP) emissions to less than the 10/25 tons/year, limitations that trigger Title V permitting requirements.

Specific Conditions

1. This soil thermal treatment facility is only authorized to treat petroleum contaminated soil as defined in Chapter 62-713, F.A.C.
[Rule 62-296.415, F.A.C.]

2. Volatile Organic Compounds (VOC).

(a) A soil thermal treatment facility shall be designed and operated to expose the organic vapors from the soil during thermal treatment to one of the following combinations:

Minimum Temperature (Fahrenheit)		Minimum Time (Seconds)
1,500	and	1.0
1,600	and	0.5
1,800	and	0.3

The minimum temperature shall be determined by a continuous temperature monitor pursuant to the applicable continuous emissions monitoring requirements of Rule 62-296.415(6), F.A.C. When soil is being treated, the minimum temperature shall be met or exceeded at all times except for 4 minutes in any 60 minute period, provided that the temperature does not fall below 100 degrees Fahrenheit of the required minimum temperature for the corresponding residence time. The minimum residence time shall be met or exceeded at all times while soil is being treated.

(b) The average carbon monoxide (CO) emissions shall not exceed 100 parts per million (ppm) by volume, dry basis, during all 60 consecutive minute periods of plant operation. The average CO emissions is the arithmetic mean of all CO concentration measurements during any consecutive 60 minutes of plant operation that were recorded by the continuous emissions monitor required pursuant to Rule 62-297.500, F.A.C.

(c) A soil thermal treatment facility shall continually monitor the temperature and carbon monoxide content of the flue gases leaving the high temperature zone pursuant to the applicable continuous emissions monitoring requirements of Rule 62-296.415(6), F.A.C. Temperature and carbon monoxide monitors shall be co-located unless otherwise approved by the Department.

(d) Soil thermal treatment facilities must possess an air permit authorizing the processing of soils containing polychlorinated biphenyls (PCBs), if soil contaminated with PCBs is to be thermally treated.

[Rule 62-296.415(1), F.A.C.]

3. Visible Emissions. Visible emissions (VE) from a stack shall not exceed 5% opacity as determined by the test method specified in Rule 62-296.415(5), F.A.C. when thermally treating soil.

[Rule 62-296.415(2), F.A.C.]

4. Particulate Matter Emissions. The particulate matter emissions shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf) as determined by the test method specified in Rule 62-296.415(5), F.A.C.

[Rule 62-296.415(3), F.A.C.]

5. Unconfined Emissions. A soil thermal treatment facility is subject to Rule 62-296.320, F.A.C., Unconfined Emissions of Particulate Matter. As a minimum, before and after thermal soil treatment is accomplished, unconfined emissions of particulate matter from the soil shall be controlled by application of water or containment.

[Rule 62-296.415(4), F.A.C.]

6. Test Methods and Procedures. All emissions tests performed pursuant to the requirements of this rule comply with the following requirements.

(a) The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.

(b) The test method for particulate emissions shall be EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet.

(c) The test method for carbon monoxide shall be EPA Method 10, incorporated and adopted by reference in Chapter 62-297, F.A.C.

(d) Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.
[Rule 62-296.415(5), F.A.C.]

7. Continuous Emissions Monitoring Requirements. Any facility subject to this rule shall be equipped with instruments to continuously monitor and record the temperature and the carbon monoxide concentration of the flue gases leaving the high temperature zone, but before any dilution air is mixed with the flue gases. The temperature monitor shall be certified by the manufacturer to be accurate to within 1% of the temperature being measured. The temperature monitoring system shall be calibrated at least annually by the procedure recommended by the manufacturer. The calibration shall be at a minimum of three temperatures and over a range from 10% below to 10% above the designed flue gas hot zone temperature of the soil thermal treatment facility. Calibration records shall be kept for a minimum of three years. The carbon monoxide monitor shall be certified by the manufacturer to be accurate to within 10% of the carbon monoxide concentration by volume, mean value, or 5% of the applicable standard of 100 ppm, whichever is greater, as determined by EPA Test Method 10 in 40 CFR Part 60, Appendix A, adopted by reference in Rule 62-204.800(7), F.A.C. The carbon monoxide continuous emission monitoring device shall be certified, calibrated, and operated according to Performance Specification 4 of 40 CFR Part 60, Appendix B, adopted by reference in Rule 62-204.800(7), F.A.C., excluding Section 5.2, Calibration Drift Test Period, of Performance Specification 2. [Rule 62-296.415(6), F.A.C.]

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