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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 CRF 60.7]

Means: Title 40, Part 60, Section 7

GLOSSARY OF COMMON TERMS

° F: degrees Fahrenheit

µg: microgram

AAQS: Ambient Air Quality Standard

acf: actual cubic feet

acfm: actual cubic feet per minute

ARMS: Air Resource Management System (Department's 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_2: carbon dioxide

Citation Formats and Glossary of Common Terms

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: fluoride

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

ft^2: square feet

ft^3: 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 control technology

MMBtu: million British thermal units

MSDS: material safety data sheets

MW: megawatt

NESHAP: National Emissions Standards for Hazardous Air Pollutants

NO_X: nitrogen oxides

NSPS: New Source Performance Standards

O&M: operation and maintenance

O_2: oxygen

Pb: lead

PM: particulate matter

PM_{10}: 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

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_2: 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

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 PPD 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 PPD.

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 PPD.

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 the county and state 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 PPD and FDEP rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized PPD 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 PPD and FDEP 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 PPD with the following information:

   a. A description of and cause of noncompliance; and

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

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the PPD may be used by the PPD 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 PPD 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 PPD 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 PPD.

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

13. 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 PPD.

    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 PPD 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.

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

15. Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, as amended, are adopted by Broward County Code, Sec. 27-173. [Broward County Code, Sec. 27-173]

16. The Permittee shall report any periods of noncompliance to the PPD immediately by phone at 954-519-1499 or by Email at PPDHOTLINE@broward.org. This also applies when the period of non-compliance is first determined after normal business hours or on weekends and holidays. [Rules 62-4.130 and 62-4.070(3), F.A.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 PPD 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. **Not Federally Enforceable.** 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., and Broward County Code, Sec. 27-175(e)]

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, F.A.C. and Broward County Code, Sec. 27-175(1)].

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. Rule]

10. **Not Federally Enforceable.** Concealment. No person shall build, erect, install, or use any article, machine equipment or other contrivance, the use of which will conceal any emission which would otherwise constitute a violation of any provisions of Broward County Codes. [Broward County Code, Sec. 27-175(b)

11. Circumvention. No person shall circumvent any air pollution device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650 F.A.C and Broward County Code, Sec. 27-175(c)]

12. **Not Federally Enforceable.** Maintenance. No person shall operate any air pollution control equipment or systems without proper and sufficient maintenance to assure compliance with Broward County Codes.
    [Broward County Code, Sec. 27-175(d).

RECORDS

13. 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 5 years following the date on which such measurements, records, or data are recorded. Records shall be made available to the PPD upon request. [Rule 62-213.440(1) (b) 2, F.A.C.]

General Compliance Testing Requirements

Unless otherwise specified in the permit, the following testing requirements apply to each emissions unit for which testing is required. The terms "stack" and "duct" are used interchangeably in this appendix.
("Department" refers to Florida Department of Environmental Protection.)
("PPD" refers to Broward County Pollution Prevention Division.)

EMISSIONS TESTING REQUIREMENTS

1. Applicability: Unless otherwise stated in a specific rule, permit, or other order, the general requirements set forth in subsections 62-297.310(2) through (10), F.A.C., shall be used for regulated stationary sources' emissions tests for comparison with air pollution emission-limiting standards that are enforceable under state law. An emissions test is an emissions rate test, a concentration test, or an opacity test. [Rule 62-297.310(1), F.A.C.]

2. Required Number of Test Runs: For emission rate or concentration limitations, an emissions test shall consist of three valid test runs to determine the total air pollutant emission rate or concentration through the test section of the stack or duct. A valid test run is a test run that meets all requirements of the applicable test method. An emissions test shall also consist of three distinct determinations of any applicable process parameters corresponding to the three distinct test run time periods during which the emission rate or concentration was measured when such data are needed in conjunction with emissions data to compare the emissions test results with the applicable emission limiting standards. Such data shall be obtained pursuant to subsection 62-297.310(6), F.A.C. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, results of the two valid runs shall be accepted, provided that the arithmetic mean of the results of the two valid runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(2), F.A.C.]

3. Operating Conditions during Emissions Testing: Testing of emissions shall be conducted with the emissions unit operating at the testing capacity as defined below. If it is impracticable to test at the testing capacity, an emissions unit may be tested at less than the testing capacity. If an emissions unit is tested at less than the testing capacity, another emissions test shall be conducted and completed no later than 60 days after the emissions unit operation exceeds 110% of the capacity at which its most recent emissions test was conducted. Testing capacity is defined as at least 90% of the maximum operation rate specified by the permit. [Rule 62-297.310(3), F.A.C.]

4. Calculation of Emission Rate or Concentration: The emission rate or concentration used for comparison with the relevant standard shall be the arithmetic average of the emission rate or concentration determined by each of the three valid test runs unless otherwise specified in an applicable rule or test method. Data collected during periods of soot blowing shall not be excluded from any calculation of emission rate or concentration. [Rule 62-297.310(4), F.A.C.]

5. Required Sampling Times and Observation Periods: Unless otherwise specified in an applicable test method, rule, permit, or other order, the owner or operator shall conduct emissions tests in accordance with the following procedures:

   a. *Emission Rate or Concentration Tests.* The required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes, except that for operations that are typically completed within less than the minimum required sampling time, the duration of each test run shall include each occurrence of the operation during the minimum required sampling time. The test period shall include the period of typical operation during which the highest representative emissions are expected to occur.

   b. *Opacity Tests.* When EPA Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a visible emissions test shall be 60 minutes for emissions units that are subject to a multiple-valued opacity standard, and 30 minutes for all other emissions units, except that for batch, cyclical processes, or other operations that are typically completed within less than the minimum observation period, the period of observation shall include each occurrence of the operation during the minimum observation period. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.

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

6. Determination of Process Parameters:

   a. *Required Process Equipment.* The owner or operator of an emissions unit for which emissions tests are required shall install, operate, and maintain equipment or instruments necessary to determine process parameters, when such data are

needed in conjunction with emissions data to compare emissions test results with applicable emission limiting standards.

b. *Accuracy of Process Measurement Equipment*. Equipment or instruments used to directly or indirectly determine process parameters shall be calibrated and adjusted so as to determine the value of the process parameter to within 10% of its true value.

[Rule 62-297.310(6), F.A.C.]

7. Required Emissions Testing Facilities:

a. The owner or operator of an emissions unit, for which an emissions test other than a visible emissions test is required, shall provide emissions testing facilities that meet the requirements of 40 CFR 60.8(e), adopted and incorporated in Rule 62-204.800, F.A.C.

b. *Permanent Emissions Testing Facilities.* The owner or operator of an emissions unit, for which an emissions test other than a visible emissions test is required on at least an annual basis, shall install and maintain permanent emissions testing facilities.

c. *Temporary Emissions Testing Facilities.* The owner or operator of an emissions unit that is not required to conduct an emissions test on at least an annual basis may use permanent or temporary emissions testing facilities. If the owner or operator chooses to use temporary emissions testing facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

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

8. Frequency of Emissions Tests: The following provisions apply only to those emissions units that are subject to an emissions-limiting standard for which emissions testing is required.

a. *Annual Emissions Tests Required.*

(1) Where used in Rules 62-210.310, 62-297.310, or Chapter 62-296, F.A.C., to refer to frequency of required emissions tests, the terms “annual,” “annually,” and “annually thereafter” shall mean no less frequently than once every calendar year (January 1 – December 31).

(2) Unless exempted by subparagraph 62-297.310(8)(a)5., F.A.C., the owner or operator shall have an emissions unit tested annually for each of the following pollutants that has an emissions-limiting standard for which emissions testing is required:

(a) Each hazardous air pollutant regulated by 40 CFR Part 61, adopted and incorporated by reference at Rule 62-204.800, F.A.C.; and

(b) Any other regulated air pollutant, as defined at Rule 62-210.200, F.A.C., or a pollutant designated as a surrogate to a regulated air pollutant by an applicable rule or order, if allowable emissions equal or exceed 100 tons per year.

(3) Unless exempted by subparagraph 62-297.310(8)(a)5., F.A.C., the owner or operator shall have an emissions unit tested annually for visible emissions, if there is an applicable standard other than the general opacity standard of subparagraph 62-296.320(4)(b)1., F.A.C.

(4) Unless exempted by subparagraph 62-297.310(8)(a)5., F.A.C., the owner or operator shall have an emissions unit tested annually if a rule, permit or other order issued after March 9, 2015, requires an initial emissions test but is silent as to the frequency of additional testing. A rule, permit, or other order that states that no further testing is required after an initial test, or which expressly lists or describes the tests that shall be conducted annually, is not considered silent as to the frequency of additional testing. Annual testing is not required where a permit or other order issued prior to March 9, 2015, is silent as to the frequency of additional testing.

(5) Exemptions from subparagraphs 62-297.310(8)(a)2., 3., and 4., F.A.C.

(a) An annual emissions test shall not be required for any pollutant for which a rule, permit, or other order requires emissions testing at some other specific frequency. If multiple applicable rules, permits, or other orders, other than subparagraphs 62-297.310(8)(a)2., 3., and 4., F.A.C., require different testing frequencies, testing must comply with the frequency requirements of each such rule, permit, or order.

(b) An annual emissions test shall not be required for any pollutant for which a rule, permit, or other order requires that the pollutant emissions be measured by a continuous emission monitoring system and, either that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., or that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 75, adopted and incorporated in Rule 62-204.800, F.A.C.

(c) An annual emissions test shall not be required for visible emissions for which a rule, permit, or other order requires that emissions be measured by a continuous opacity monitoring system, and that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., and the manufacturer's recommended quality assurance and quality control measures.

(d) An annual emissions test shall not be required for any emissions unit that operated for 400 hours or less (including during startup and shutdown) during the calendar year. If an emission unit operates for more than 400 hours during the calendar year, an emissions test shall be completed no later than 60 days after the emissions unit's annual operation exceeds 400 hours, or by the end of the calendar year, whichever is later.

(e) An annual emissions test shall not be required for any emissions unit with emissions generated solely from the combustion of fuel, provided that the emissions unit does not burn any liquid fuel or solid fuel or fuel blend for more than 400 hours combined, other than during startup, during the calendar year. If an emissions unit's liquid fuel or solid fuel or fuel blend burning exceeds 400 hours combined during the calendar year, other than during startup, an emissions test shall be completed no later than 60 days after the emissions unit's liquid fuel or solid fuel or fuel blend burning exceeds 400 hours combined, or by the end of the calendar year, whichever is later.

(f) An annual emissions test shall not be required for each fuel-specific emissions limit, provided the fuel or fuel blend subject to a fuel-specific limit was not burned for more than 400 hours, other than during startup, during the calendar year. If an emissions unit burns a fuel or fuel blend subject to a fuel-specific emission limit for more than 400 hours, other than during startup, during the calendar year, an emissions test for that fuel or fuel blend shall be completed no later than 60 days after the unit's burning of that fuel or fuel blend exceeds 400 hours, or by the end of the calendar year, whichever is later.

(g) An emissions unit shall not be required to start up for the sole purpose of conducting an emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after the emissions unit next starts up.

(h) An emissions unit permitted to burn multiple fuels or fuel blends shall not be required to switch fuels for the sole purpose of conducting an annual emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after a switch is made to burn the fuel or fuel blend for which testing is required.

(i) An annual emissions test for visible emissions shall not be required for emissions units exempted from air permitting pursuant to paragraphs 62-210.300(3)(a) or (b), F.A.C.; emissions units determined to be insignificant pursuant to paragraph 62-213.430(6)(b), F.A.C.; or emissions units authorized pursuant to the general permit provisions in subsection 62-210.300(4), F.A.C., unless the general permit specifically requires such testing.

b. *Emissions Tests Prior to Obtaining an Air Operation Permit.*

(1) Unless exempted by subparagraph 62-297.310(8)(b)3., F.A.C., prior to obtaining an initial or renewal air operation permit for any emissions unit that is subject to any emission-limiting standard, the owner or operator shall have an emissions test conducted for each such standard to assist in providing reasonable assurance, per Rule 62-4.070, F.A.C., that the emission-limiting standard can be met and shall submit the test report as specified in subsection 62-297.310(10), F.A.C. For an emissions unit at a Title V source, such prior emissions testing is not required provided that an emissions testing compliance plan is included in the Title V permit.

(2) For the purpose of renewal of an air operation permit, the owner or operator may satisfy the requirements of subparagraph 62-297.310(8)(b)1., F.A.C., for any emissions unit by submitting the most recent emissions test, as specified in subsection 62-297.310(10), F.A.C., provided such test occurred within the term of the current operating

permit.

(3) Exemptions from subparagraph 62-297.310(8)(b)1., F.A.C.

(a) An emissions test shall not be required for any pollutant for which a rule, permit, or other order requires that the emissions be measured by a continuous emission monitoring system and, either that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., or that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 75, adopted and incorporated in Rule 62-204.800, F.A.C.

(b) An emissions test shall not be required for visible emissions for which a rule, permit, or other order requires that emissions be measured by a continuous opacity monitoring system, and that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., and the manufacturer's recommended quality assurance and quality control measures.

(c) For the purpose of renewal of an air operation permit, an emissions test shall not be required for any emissions unit that, in the previous five-year period of permitted operation, operated for 400 hours or less (including during startup and shutdown) during each calendar year included in the five-year period of permitted operation. The first time an emissions unit subsequently exceeds 400 hours of operation during a calendar year, emissions must be tested no later than 60 days after 400 hours of operation is exceeded in that calendar year, or by the end of that calendar year, whichever is later.

(d) For the purpose of renewal of an air operation permit, an emissions test shall not be required for any emissions unit with emissions generated solely from the combustion of fuel provided that, in the previous five-year period of permitted operation, the emissions unit did not burn any liquid fuel or solid fuel or fuel blend for more than 400 hours combined, other than during startup, during each calendar year included in the five-year period of permitted operation. The first time an emissions unit subsequently burns any liquid fuel or solid fuel or fuel blend for more than 400 hours combined during a calendar year, emissions must be tested no later than 60 days after the emissions unit's combined burning of any liquid fuel or solid fuel or fuel blend exceeds 400 hours in that calendar year, or by the end of that calendar year, whichever is later.

(e) An emissions test shall not be required for each fuel-specific emissions limit prior to the renewal of an air operation permit for an emissions unit provided that, in the previous five-year period of permitted operation, the fuel or fuel blend subject to a fuel-specific limit was not burned for more than 400 hours, other than during startup, during each calendar year included in the five-year period of permitted operation. The first time an emissions unit subsequently burns a fuel or fuel blend subject to a fuel-specific emission limit for more than 400 hours, other than during startup, during any calendar year, an emissions test for that fuel or fuel blend must be completed no later than 60 days after the emissions unit's burning of that fuel or fuel blend exceeds 400 hours in that calendar year, or by the end of that calendar year, whichever is later.

(f) An emissions unit shall not be required to start up for the sole purpose of conducting an emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after the emissions unit starts up.

(g) An emissions unit permitted to burn multiple fuels or fuel blends shall not be required to switch fuels for the sole purpose of conducting the emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after a switch is made to burn the fuel or fuel blend for which testing is required.

(h) An emissions test for visible emissions shall not be required for emissions units exempted from air permitting pursuant to paragraphs 62-210.300(3)(a) or (b), F.A.C.; emissions units determined to be insignificant pursuant to paragraph 62-213.430(6)(b), F.A.C.; or emissions units authorized pursuant to the general permit provisions in subsection 62-210.300(4), F.A.C., unless the general permit specifically requires such testing.

c. *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, unless the Department obtains other information sufficient to demonstrate compliance. The owner or operator of the emissions unit shall provide a report on the results of said tests to the Department in accordance with the provisions of subsection 62-297.310(10), F.A.C.

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

9. Scheduling and Notification: At least 15 days prior to the date on which each required emissions test is to begin, the owner or operator shall notify the air compliance program identified by permit, unless shorter notice is agreed to by the appropriate air compliance program. The notification shall include the date, time, place of each such test, Facility ID Number, Emission Unit ID Number(s) and description(s), Emission Point Number(s) and description(s), test method(s), pollutant(s) to be tested, along with the name and telephone number of the person who will be responsible for conducting such test(s) for the owner or operator. If a scheduled emissions test needs to be re-scheduled, the owner or operator shall submit to the appropriate air compliance program a revised notification at least seven days prior to the re-scheduled emissions test date or arrange a re-scheduled test date with the appropriate air compliance program by mutual agreement. [Rule 62-297.310(9), F.A.C.]

REPORTS

10. Test Reports:

a. The owner or owner's authorized agent of an emissions unit for which an emissions test is required shall submit a written test report to the compliance authority specified by permit, on the results of each such test as soon as practicable but no later than 45 days after the last run of each test is completed. Test reports may be submitted electronically.

b. If the owner or owner's authorized agent of an emissions unit for which an emissions test is required submits the results of each such test electronically using the EPA Electronic Reporting Tool (ERT), the written report specified in paragraph 62-297.310(10)(a), F.A.C., need not be submitted, provided the conditions of subparagraphs 62-297.310(10)(b)1. through 3., F.A.C., are met:

(1) The owner or owner's authorized agent shall submit the test information using the ERT as soon as practicable but no later than 45 days after the last run of each test is completed;

(2) The test information shall provide, as a minimum, the information specified in subparagraphs 62-297.310(10)(c)1. through 24., F.A.C.; and

(3) The compliance authority specified by permit must receive written notification, no later than 45 days after the last run of each test is completed, of the date that the test data was submitted using the ERT.

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 Method 9 test, shall provide the following information.

(1) The type, location, and identification number of the emissions unit tested.

(2) The facility at which the emissions unit is located.

(3) The owner and, if other than the owner, operator of the emissions unit.

(4) The type and amount of fuels and materials typically used and processed, and the actual types and amounts of fuels used and material processed during each test run.

(5) If necessary in order to compare the emissions test results with an applicable emission limiting standard, the means, raw data, and computations used to determine the amount of fuels used and materials processed.

(6) The type of air pollution control devices installed on the emissions unit, their general condition, their typical operating parameters, and their actual operating parameters during each test run.

(7) A diagram of the sampling location, 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, including any authorized alternative procedures, used.

(10) The number of points sampled, and the 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 or duct, 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) For each sampling run, data on the amount of pollutant collected from each sampling probe.

(17) For each sampling run, data on the amount of pollutant collected from the filters.

(18) For each sampling run, data on the amount of pollutant collected from the impingers.

(19) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.

(20) All measured and calculated data required to be determined by each applicable test procedure for each run.

(21) The detailed calculations for one run that relate the collected data to the calculated emission rate or concentration, as applicable.

(22) The applicable emission standard, and the resulting maximum allowable emission rate or concentration for the emissions unit, as applicable, plus the test result in the same form and unit of measure.

(23) When an emissions 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 owner's authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his or her knowledge.

(24) For non-Title V sources, a certification by the owner or owner's authorized agent that, to his or her knowledge, all data submitted are true and correct.

(25) Any report submitted for a Title V source shall contain certification by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-297.310(10), F.A.C.]

§ 60.1 Applicability.
§ 60.2 Definitions.
§ 60.4 Address.
§ 60.5 Determination of construction or modification.
§ 60.6 Review of plans.
§ 60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

(1) A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) [Reserved]

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(5) [continuous monitoring system performance] NA. (6),

(7) [Opacity] NA

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) - (f) [continuous monitoring device] NA

§ 60.8 Performance tests.

(a) Except as specified in paragraphs (a)(1),(a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(4) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a) (1), (2), and (3) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.
(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days' notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.
(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:
(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
(2) Safe sampling platform(s).
(3) Safe access to sampling platform(s).
(4) Utilities for sampling and testing equipment.
(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

§ 60.9 Availability of information.

§ 60.10 State authority.

§ 60.11 Compliance with standards and maintenance requirements.

(a) – (c) [Blank]
(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(e) – (f) [Blank].
(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

§ 60.12 Circumvention.
§ 60.13 Monitoring requirements. [NSPS Subpart XX does not require continuous monitoring]
§ 60.14 Modification.
§ 60.15 Reconstruction.
§ 60.16 Priority list.
§ 60.17 Incorporations by reference.
§ 60.18 General control device and work practice requirements.
§ 60.19 General notification and reporting requirements.

(a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.

(b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event.

The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f)

(1)

(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

NSPS –Table 3 to Subpart BBBBBB of Part 63 – Applicability and General Provisions

Citation	Subject
40 CFR 63.1	Applicability
40 CFR 63.1(c)(2)	Title V permit
40 CFR 63.2	Definitions
40 CFR 63.3	Units and Abbreviations
40 CFR 63.4	Prohibited Activities and Circumvention
40 CFR 63.5	Construction/Reconstruction
Compliance With Standards/Operation & Maintenance	
40 CFR 63.6(a)	Compliance with Standards/Operation & Maintenance Applicability
40 CFR 63.6(b)(1)–(4)	Compliance Dates for New and Reconstructed Sources
40 CFR 63.6(b)(5)	Notification
40 CFR 63.6(f)(2)–(3)	Methods for Determining Compliance
40 CFR 63.6(g)(1)–(3)	Alternative Standard
40 CFR 63.6(i)(1)–(14)	Compliance Extension
40 CFR 63.6(j)	Presidential Compliance Exemption
Performance Test	
40 CFR 63.7(a)(2)	Performance Test Dates
40 CFR 63.7(a)(3)	Section 114 Authority
40 CFR 63.7(b)(1)	Notification of Performance Test
40 CFR 63.7(b)(2)	Notification of Re-scheduling
40 CFR 63.7(c)	Quality Assurance (QA)/Test Plan
40 CFR 63.7(d)	Testing Facilities
40 CFR 63.7(e)(2)	Conditions for Conducting Performance Tests
40 CFR 63.7(e)(3)	Test Run Duration
40 CFR 63.7(f)	Alternative Test Method
40 CFR 63.7(g)	Performance Test Data Analysis
40 CFR 63.7(h)	Waiver of Tests
Monitoring	
40 CFR 63.8(a)(1)	Applicability of Monitoring Requirements
40 CFR 63.8(a)(2)	Performance Specifications
40 CFR 63.8(b)(1)	Monitoring
40 CFR 63.8(b)(2)–(3)	Multiple Effluents and Multiple Monitoring Systems
40 CFR 63.8(c)(1)	Monitoring System Operation and Maintenance
40 CFR 63.8(c)(1)(ii)	Operation and Maintenance of CMS
40 CFR 63.8(c) (2)–(8)	CMS Requirements
40 CFR 63.8(e)	CMS Performance Evaluation
40 CFR 63.8(f) (1)–(5)	Alternative Monitoring Method
40 CFR 63.8(f)(6)	Alternative to Relative Accuracy Test

Notification Requirements	
40 CFR 63.9(a)	Notification Requirements
40 CFR 63.9(b) (1)–(2), (4)–(5)	Initial Notifications
40 CFR 63.9(c)	Request for Compliance Extension
40 CFR 63.9(d)	Notification of Special Compliance Requirements for New Sources
40 CFR 63.9(e)	Notification of Performance Test
40 CFR 63.9(h)(1)–(6)	Notification of Compliance Status
40 CFR 63.9(i)	Adjustment of Submittal Deadlines
40 CFR 63.9(j)	Change in Previous Information
Record-Keeping/Reporting	
40 CFR 63.10(a)	Record-keeping/Reporting
40 CFR 63.10(b)(1)	Record-keeping/Reporting
40 CFR 63.10(b)(2)(iii)	Maintenance records
40 CFR 63.10(b)(2)(vi)–(xi)	CMS Records
40 CFR 63.10(b)(2)(xii)	Records
40 CFR 63.10(b)(2)(xiii)	Records
40 CFR 63.10(b)(2)(xiv)	Records
40 CFR 63.10(b)(3)	Records
40 CFR 63.10(d)(1)	General Reporting Requirements
40 CFR 63.10(d)(2)	Report of Performance Test Results
40 CFR 63.10(d)(4)	Progress Reports
40 CFR 63.10(e)(3)(i)–(iii)	Reports
40 CFR 63.10(e)(3)(iv)–(v)	Excess Emissions Reports
40 CFR 63.10(e)(3)(vi)–(viii)	Excess Emissions Report and Summary Report40 CFR

[Administrator means the administrator of USEPA or the authorized representative – PPD]

(a) *Time periods*. For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word ``calendar'' is absent, unless otherwise specified in an applicable requirement.

(b) *Submittal deadlines*. For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non- Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.

(c) *Changing deadlines*. Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) *Periodic reports submittals*. If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) *Common submittal schedule*. If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning

1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f) *Changes request*.

(1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f) (2) and (f) (3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f) (2) and (f) (3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

Pursuant to Rule 62-213.440(1)(b)1.a., F.A.C., the CAM plans that are included in this appendix contain the monitoring requirements necessary to satisfy 40 CFR 64. Conditions 1. – 17. are generic conditions applicable to all emissions units that are subject to the CAM requirements. Specific requirements related to each emissions unit are contained in the attached tables, as submitted by the applicant and approved by the Administrator.

40 CFR 64.6 Approval of Monitoring.

1. The attached CAM plan(s), as submitted by the applicant, is/are approved for the purposes of satisfying the requirements of 40 CFR 64.3.
[40 CFR 64.6(a)]

2. The attached CAM plan(s) include the following information:
(i) The indicator(s) to be monitored (such as temperature, pressure drop, emissions, or similar parameter);
(ii) The means or device to be used to measure the indicator(s) (such as temperature measurement device, visual observation, or CEMS); and
(iii) The performance requirements established to satisfy 40 CFR 64.3(b) or (d), as applicable.
[40 CFR 64.6(c)(1)]

3. The attached CAM plan(s) describe the means by which the owner or operator will define an exceedance of the permitted limits or an excursion from the stated indicator ranges and averaging periods for purposes of responding to (see **CAM Conditions 5. - 14.**) and reporting exceedances or excursions (see **CAM Conditions 15. –16.**).
[40 CFR 64.6(c)(2)]

4. The owner or operator is required to conduct the monitoring specified in the attached CAM plan(s) and shall fulfill the obligations specified in the conditions below (see **CAM Conditions 5. -16.**).
[40 CFR 64.6(c)(3)]

40 CFR 64.7 Operation of Approved Monitoring.

5. Commencement of operation. The owner or operator shall conduct the monitoring required under this appendix upon the effective date of this Title V permit.
[40 CFR 64.7(a)]

6. Proper maintenance. At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
[40 CFR 64.7(b)]

7. Continued operation. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable.

The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
[40 CFR 64.7(c)]

8. Response to excursions or exceedances.

a. Upon detecting an excursion or exceedance, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions, if allowed by this permit). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

b. Determination of whether the owner or operator has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

[40 CFR 64.7(d)(1) & (2)]

9. Documentation of need for improved monitoring. If the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the Title V permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
[40 CFR 64.7(e)]

40 CFR 64.8 Quality Improvement Plan (QIP) Requirements.

10. Based on the results of a determination made under **CAM Condition 8.b.,** above, the permitting authority may require the owner or operator to develop and implement a QIP. Consistent with **CAM Condition 4.**, an accumulation of exceedances or excursions exceeding 5 percent duration of a pollutant-specific emissions unit's operating time for a reporting period, may require the implementation of a QIP. The threshold may be set at a higher or lower percent or may rely on other criteria for purposes of indicating whether a pollutant-specific emissions unit is being maintained and operated in a manner consistent with good air pollution control practices.
[40 CFR 64.8(a)]

11. Elements of a QIP:

a. The owner or operator shall maintain a written QIP, if required, and have it available for inspection.

b. The plan initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the owner or operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate.

(i) Improved preventive maintenance practices. (ii)Process operation changes.
(iii) Appropriate improvements to control methods.
(iv) Other steps appropriate to correct control performance.
(v) More frequent or improved monitoring (only in conjunction with one or more steps under **CAM Condition 11.b(i)** through **(iv)**, above). [40 CFR 64.8(b)]

12. If a QIP is required, the owner or operator shall develop and implement a QIP as expeditiously as practicable and shall notify the permitting authority if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.
[40 CFR 64.8(c)]

13. Following implementation of a QIP, upon any subsequent determination pursuant to **CAM Condition 8.b.**, the permitting authority may require that an owner or operator make reasonable changes to the QIP if the QIP is found to have:

a. Failed to address the cause of the control device performance problems; or
b. Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

[40 CFR 64.8(d)]

14. Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act.
[40 CFR 64.8(e)]

40 CFR 64.9 Reporting And Recordkeeping Requirements.

15. General reporting requirements.

a. Commencing from the effective date of this permit, the owner or operator shall submit monitoring reports semi-annually to the permitting authority in accordance with Rule 62-213.440(1)(b)3.a., F.A.C.
b. A report for monitoring under this part shall include, at a minimum, the information required under Rule 62-213.440(1)(b)3.a., F.A.C., and the following information, as applicable:

(i) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
(ii) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
(iii) A description of the actions taken to implement a QIP during the reporting period as specified in **CAM Conditions 10.** through **14.** Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 CFR 64.9(a)]

16. General recordkeeping requirements.

a. The owner or operator shall comply with the recordkeeping requirements specified in Rule 62-

213.440(1)(b)2., F.A.C. The owner or operator shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to **CAM Conditions 10.** through **14.** and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under this part (such as data used to document b. Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements.
[40 CFR 64.9(b)]

40 CFR 64.10 Savings Provisions.

17. It should be noted that nothing in this appendix shall:
a. Excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act. The requirements of this appendix shall not be used to justify the approval of monitoring less stringent than the monitoring which is required under separate legal authority and are not intended to establish minimum requirements for the purpose of determining the monitoring to be imposed under separate authority under the Act, including monitoring in permits issued pursuant to title I of the Act. The purpose of this part is to require, as part of the issuance of a permit under Title V of the Act, improved or new monitoring at those emissions units where monitoring requirements do not exist or are inadequate to meet the requirements of this part.
b. Restrict or abrogate the authority of the administrator or the permitting authority to impose additional or more stringent monitoring, recordkeeping, testing, or reporting requirements on any owner or operator of a source under any provision of the Act, including but not limited to sections 114(a)(1) and 504(b), or state law, as applicable.
c. Restrict or abrogate the authority of the administrator or permitting authority to take any enforcement action under the Act for any violation of an applicable requirement or of any person to take action under section 304 of the Act.
[40 CFR 64.10]

[Note: Table 1 and table 2 present the monitoring approach when using the vapor recovery unit (VRU) and the portable vapor combustion unit (VBU), respectfully]

Emissions Unit 023
Petroleum Liquid Loading Rack with Carbon Adsorption and Continuous Emission Monitor (CEMI)
Vapor Recovery Unit for Controlling TOC Emissions

TABLE 1.a: MONITORING APPROACH (VRU) – Indicator No 1

Indicator No. 1 – TOC Concentration in the VRU Discharge Stack	
I. Indicator	TOC concentration in the VRU discharge stack

Monitoring Approach	Monitor the TOC concentration from the VRU using a CEMS to confirm that it remains at or below 1.85% for a six-hour rolling average. *{Note. The monitored operating parameter value of 1.85% value (equivalency of the emission limit of 35 mg/liter TOC) was determined at the compliance test/RATA on 2/8/2012.}* *{Note. The 1.85% value also meets the GDGACT monitoring requirement for 80 mg/liter TOC emission limit.}*
II. Indicator Range	
Action Level Range	When the TOC concentration reaches 0.9% for a six-hour rolling average, an automated alarm will be triggered and the loading rack will shut-down. Loading will not resume until trouble shooting and repairs are successfully completed, the proper regeneration of the carbon bed is restored, or until a VBU is brought on-line. Table 2 shows the monitoring approach whenever the VBU is online. *{Note. If the CEM system is down for maintenance or malfunction the load rack is shut down and no loading occurs until the CEM system is up and running or the VBU is brought on-line.}* *{Note. The loading rack will also automatically shut down if the bed temperature reaches or exceeds 200 degrees F or if the vacuum on the beds does not reach 25" Hg. during the regeneration cycle.}*
Excursion	An excursion occurs when the TOC concentration exceeds 0.9% for a six-hour rolling average. *{Note. An excursion is possible if the CEMS malfunctions and the automatic alarm is not triggered followed by the shutdown of the loading rack.}*
III. Performance Criteria	
Data Representativeness	TOC % as Propane equivalency of the emission limit (35 mg/liter) is determined by compliance test. It is recorded and maintained electronically.
Verification of Operational Status	Operators conduct inspection of the VRU/CEM during normal business working days using documented inspection and maintenance procedures. .
QA/QC Practices and Criteria	The assigned mechanical Specialist performs and records semi-annual Preventative Maintenance using MPC's *Preventive Maintenance Form Vapor Recovery Unit – Dry Vacuum Pump (PMP).* - Daily calibration is automated
Monitoring Frequency	- Continuous
Data Collection Procedures	Hourly reading into data logger recorded and maintained electronically.
Averaging Period	Per six hours (rolling average)

b. Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements.

[40 CFR 64.9(b)]

40 CFR 64.10 Savings Provisions.

17. It should be noted that nothing in this appendix shall:

a. Excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act. The requirements of this appendix shall not be used to justify the approval of monitoring less stringent than the monitoring which is required under separate legal authority and are not intended to establish minimum requirements for the purpose of determining the monitoring to be imposed under separate authority under the Act, including monitoring in permits issued pursuant to title I of the Act. The purpose of this part is to require, as part of the issuance of a permit under Title V of the Act, improved or new monitoring at those emissions units where monitoring requirements do not exist or are inadequate to meet the requirements of this part.

b. Restrict or abrogate the authority of the administrator or the permitting authority to impose additional or more stringent monitoring, recordkeeping, testing, or reporting requirements on any owner or operator of a source under any provision of the Act, including but not limited to sections 114(a)(1) and 504(b), or state law, as applicable.

c. Restrict or abrogate the authority of the administrator or permitting authority to take any enforcement action under the Act for any violation of an applicable requirement or of any person to take action under section 304 of the Act.

[40 CFR 64.10]

TABLE 1.b: MONITORING APPROACH (VRU) – Indicator No 2

	Indicator No. 2 – Preventative Maintenance Program
I. Indicator	Documentation of inspection, maintenance, biennial carbon bed testing, and operator training program.
Monitoring Approach	N/A
II. Indicator Range	
Action Level Range	N/A
Excursion	An excursion occurs when inspection maintenance, biennial carbon bed testing or operator training does not occur.
III. Performance Criteria	
Data Representativeness	- Proper VRU operation will be verified by trained personnel during normal business working days using documented inspection, and maintenance procedures. - Carbon samples from both beds will be collected in a manner that is representative of the carbon in each bed.
Verification of Operational Status	N/A

QA/QC Practices and Criteria	- New personnel are given 40 hours of hands-on training with a qualified operator, prior to working alone. - Each personnel trains annually with the VRU maintenance contractor on proper maintenance, operation, and repair of the VRU. - Carbon samples are sent to the manufacturer and/or licensed lab.
Monitoring Frequency	- Trained personnel conduct periodic operation and maintenance checks. - The VRU maintenance contractor performs semiannual scheduled maintenance, as noted in Section III QA/QC Practices & Criteria. - The carbon bed is tested biennially. - The VRU Maintenance Contractor completes and records Quarterly Calibration Gas Audits
Data Collection Procedures	- VRU daily inspections are recorded on the VRU Weekly Inspection Report. - When the VRU is taken out of service for routine maintenance, the event is recorded in VRU Downtime Report form. - Semiannual maintenance reports are prepared by the contractor and a copy of the report is submitted to the Terminal. - Quarterly Calibration Gas Audits are conducted by the VRU Maintenance Contractor and submitted to the Terminal. - Biennial carbon bed test results are maintained at the terminal. - Personnel training records are maintained by the Terminal Manager.
Averaging Period	N/A

TABLE 1.c: MONITORING APPROACH (VRU) – Indicator No 3

	Indicator No. 3 - Observations for Emissions
I. Indicator	Loading rack system leaking emissions.
Monitoring Approach	Inspect loading rack system for leaking emissions monthly.
II. Indicator Range	
Action Level Range	A corrective action is triggered if an LEL reading of 10% - <20% confirms leaks detected by opacity, hearing or smell. The corrective action measure is to repair or take out of service leaking equipment within 15 days of discovery. A first attempt to repair shall be made within 5 days of discovery.
Excursion	An excursion occurs when the leaking equipment is not repaired or taken out of service within 15 days of discovery.
III. Performance Criteria	
Data Representativeness	The vapor line should not have any visible, audible or olfactory signs of leaking hydrocarbons coming from the piping and/or associated fittings.
Verification of Operational Status	An operator inspects the vapor line monthly for signs of any leaks.
QA/QC Practices and Criteria	New personnel are given 40 hours of hands-on training with a qualified operator prior to working alone.

Monitoring Frequency	Monthly during active loading operations.
Data Collection Procedures	Manually record information in a Monthly VOC log
Averaging Period	N/A.

Emissions Unit 023

Petroleum Liquid Loading Rack with the Portable Vapor Combustion Unit (VBU)

[Note: Table 2 present the monitoring approach whenever the portable VBU to control VOC emissions from the loading rack]

TABLE 2.a: MONITORING APPROACH (VBU) – Indicator No 1

	Indicator No 1 – Pilot Flame detection
I. Indicator	Presence of pilot flame via an Ultraviolet Flame Scanner (UFS).
Monitoring Approach	The UFS monitors presence of a pilot flame on a continuous basis when the system is operating.
II. Indicator Range	Presence of an UFS signal during loading
Action Level Range	Loss of the UFS signal during loading.
Excursion	An excursion is defined as loss of UFS signal during loading. When there is a loss of the UFS signal the Programmable Logic Controller (PLC) shuts down the load rack and the combustor. The permissive signal prevents trucks from loading at the rack.
III. Performance Criteria	
Data Representativeness	- The UFS is mounted in the burner assembly to detect the presence of a pilot flame. - The UFS generates an electric signal if a flame is present. If the flame is absent, the signal to the PLC is lost and the PLC will shut down the VBU and also removes the permissive signal from the loading rack system, thus preventing truck loading.
Verification of Operational Status	- A UFS flame status indicator light on the VBU control panel indicates whether the UFS detects the presence of a flame. - An operator inspects the UFS indicator light and the presence of a pilot flame each day that loading occurs. The inspection is documented.
QA/QC Practices and Criteria	- Start-up Inspection of VBU, including UFS, conducted each time the VBU is brought on line at the terminal. - UFS scanner and pilot flame will be evaluated for proper operation and replace//repaired as necessary. - VBU brought in has always received a Compliance Test within the last 12 months.
Monitoring Frequency	The UFS, in conjunction with the fault alarm system in the PLC, continuously monitors for a pilot flame.
Data Collection Procedures	- Logging of proper UFS operation during active loading occurs on a daily basis. - Faults/alarms during loading will be re-coded in a fault/alarm log, including date, time, and reason for the fault/alarm and action taken.
Averaging Period	N/A

TABLE 2.b: MONITORING APPROACH (VBU) – Indicator No 2

	Indicator No 2 – Loading Rack Pressure
I. Indicator	Pressure gauge at the loading rack.
Monitoring Approach	Inspect pressure gauge at the loading rack.
II. Indicator Range	Gauge pressure below 17.5 W.C
Action Level Range	
Excursion	An excursion is defined when the reading on the gauge exceeds 17.5 W.C.
III. Performance Criteria	
Data Representativeness	The pressure gauge is connected to the vapor line.
Verification of Operational Status	An operator inspects the pressure/ vacuum vent and pressure gauge for proper operation.
QA/QC Practices and Criteria	- Annual calibration/accuracy verification is performed is accordance with the manufacturer's recommendation. - The Terminal may also choose to replace the gauge with a new factory calibrated gauge annually in lieu of calibration - New personnel are given 40 hours of hands-on training with a qualified person prior to working alone.
Monitoring Frequency	Daily during active loading operations.
Data Collection Procedures	Manually record information in a log.
Averaging Period	N/A

TABLE 2.c: MONITORING APPROACH (VBU) – Indicator No 3

	Indicator No. 3 - Observations for Emissions
I. Indicator	Loading rack system leaking emissions.
Monitoring Approach	Inspect loading rack system for leaking emissions monthly.
II. Indicator Range	
Action Level Range	A corrective action is triggered if an LEL reading of 10% - <20% confirms leaks detected by opacity, hearing or smell. The corrective action measure is to repair or take out of service leaking equipment within 15 days of discovery. A first attempt to repair shall be made within 5 days of discovery.
Excursion	An excursion occurs when the leaking equipment is not repaired or taken out of service within 15 days of discovery.
III. Performance Criteria	
Data Representativeness	The vapor line should not have any visible, audible or olfactory signs of leaking hydrocarbons coming from the piping and/or associated fittings.
Verification of Operational Status	An operator inspects the vapor line monthly for signs of any leaks.
QA/QC Practices and Criteria	New personnel are given 40 hours of hands-on training with a qualified operator prior to working alone.
Monitoring Frequency	Monthly during active loading operations.
Data Collection Procedures	Manually record information in a Monthly VOC log
Averaging Period	N/A.

NSPS - Notification and Recordkeeping (40 CFR 60.7)

[Administrator means the administrator of USEPA or the authorized representative – PPD]

(a) *Notification format*. Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

(1) to (3) NA (new sources)

(4) Physical or operational changes. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(5) to (7) NA (CMS, opacity).

(b) to (e) NA (CMS)

(f) *File maintenance*. Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including performance testing measurements; all monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) to (2) *NA (CEMS).*

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(g) *Similar notification*. If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the company requirements of paragraph (a) of this section.

Facility-Wide Reporting Requirements
(Version Dated 1/10/14)

Reporting Schedule. This table summarizes information for convenience purposes only. It does not supersede any of the terms or conditions of this permit.

Report	Reporting Deadline(s)	Related Condition(s)
Plant Problems/Permit Deviations	Immediately upon occurrence (See RR2.d.)	RR2, RR3
Malfunction Excess Emissions Report	Quarterly (if requested)	RR3
Semi-Annual Monitoring Report	Every 6 months	RR4
Annual Operating Report	April 1	RR5
EAOR Title V Annual Emissions Fee Invoice and Fee Payment	April 1	RR6
Annual Statement of Compliance	Within 60 days after the end of each calendar year (or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement); and Within 60 days after submittal of a written agreement for transfer of responsibility, or Within 60 days after permanent shutdown.	RR7
Notification of Administrative Permit Corrections	As needed	RR8
Notification of Startup after Shutdown for More than One Year	Minimum of 60 days prior to the intended startup date or, if emergency startup, as soon as possible after the startup date is ascertained	RR9
Permit Renewal Application	225 days prior to the expiration date of permit	TV17
Test Reports	Maximum 45 days following compliance tests	TR8

{Permitting Note: See permit Section III. Emissions Units and Specific Conditions, for any additional Emission Unit-specific reporting requirements.}

RR2. Reports of Problems.

a. 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.

b. 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:
   (1) A description of and cause of noncompliance; and
   (2) 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.

c. 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.

d. "Immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of Rule 62-4.160(15) and 40 CFR 70.6(a)(3)(iii)(B), "promptly" or "prompt" shall have the same meaning as "immediately".

[Rule 62-4.130, Rule 62-4.160(8), Rule 62-4.160(15), and Rule 62-213.440(1)(b), F.A.C.; 40 CFR 70.6(a)(3)(iii)(B)]

RR3. Reports of Deviations from Permit Requirements. The permittee shall report in accordance with the requirements of Rule 62-210.700(6), F.A.C. (below), and Rule 62-4.130, F.A.C. (condition RR2.), deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.
Rule 62-210.700(6): 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. (See condition RR2.). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rules 62-213.440(1)(b)3.b., and 62-210.700(6)F.A.C.]

RR4. Semi-Annual Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports. [Rule 62-213.440(1)(b)3.a., F.A.C.]

RR5. Annual Operating Report. The information required by the Annual Operating Report for Air Pollutant Emitting Facility [Including Title V Source Emissions Fee Calculation] (DEP Form No. 62-210.900(5)) shall be submitted by April 1 of each year, for the previous calendar year, to the Department of Environmental Protection's Division of Air Resource Management. Each Title V source shall submit the annual operating report using the DEP's Electronic Annual Operating Report (EAOR) software, unless the Title V source claims a technical or financial hardship by submitting DEP Form No. 62-210.900(5) to the DEP Division of Air Resource Management instead of using the reporting software. Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C. [Rules 62-210.370(2) & (3), 62-210.900 and 62-213.440(3)(a)2., F.A.C.]

RR6. EAOR Title V Annual Emissions Fee Invoice and Fee Payment. Each Title V source permitted to operate in Florida must pay between January 15 and April 1 of each year, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

a. If the Department has not received the fee by March 1 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by April 1. If the fee is not postmarked or electronically submitted by April 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than one percent of the fee due, up to $50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

b. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five years and shall be made available to the Department upon request.

c. A copy of the EAOR Title V Annual Emissions Fee Invoice generated by the electronic annual operating report (EAOR) application, must be submitted along with the annual emissions fee payment.

[Rules 62-210.370(3), 62-210.900 and 62-213.205, F.A.C.]

Facility-Wide Reporting Requirements
(Version Dated 1/10/14)

RR7. Annual Statement of Compliance.

a. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:
   (1) Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
   (2) Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.

b. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.

c. The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.

[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

RR8. Notification of Administrative Permit Corrections.

A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:

a. Typographical errors noted in the permit;
b. Name, address or phone number change from that in the permit;
c. A change requiring more frequent monitoring or reporting by the permittee;
d. A change in ownership or operational control of a facility, subject to the following provisions:
   (1) The Department determines that no other change in the permit is necessary;
   (2) The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
   (3) The new permittee has notified the Department of the effective date of sale or legal transfer.
e. Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
f. Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
g. Any other similar minor administrative change at the source.

[Rule 62-210.360, F.A.C.]

RR9. Notification of Startup. The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

a. The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

b. If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

RR10. Report Submission. The permittee shall submit all compliance related notifications and reports required of this permit to the Compliance Authority. {See front of permit for address and phone number.}

RR11. EPA Report Submission. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to: Air, Pesticides & Toxics Management Division, United States Environmental Protection Agency, Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, GA 30303-8960. Phone: 404/562-9077.

RR12. Acid Rain Report Submission. Acid Rain Program Information shall be submitted, as necessary, to: Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #5510, Tallahassee, Florida 32399-2400. Phone: 850/488-6140. Fax: 850/922-6979.

RR13. Report Certification. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C. [Rule 62-213.440(1)(b)3.c, F.A.C.]

RR14. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]

RR15. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. Any permittee may claim confidentiality of any data or other information by complying with this procedure. [Rules 62-213.420(2), and 62-213.440(1)(d)6., F.A.C.]

RR16. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The forms are listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, by contacting the appropriate permitting authority or by accessing the Department's web site at: http://www.dep.state.fl.us/air/rules/forms.htm.

a. Annual Operating Report for Air Pollutant Emitting Facility [Including Title V Source Emissions Fee Calculation] (DEP Form No. 62-210.900(5)) (Effective 12/31/2013)
b. Statement of Compliance Form (Effective 06/02/2002).
c. Responsible Official Notification Form (Effective 06/02/2002).

[Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

APPENDIX TV - TITLE V GENERAL CONDITIONS

Operation

TV1. General Prohibition. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit. [Rule 62-4.030, Florida Administrative Code (F.A.C.)]

TV2. Validity. 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. [Rule 62-4.160(2), F.A.C.]

TV3. Proper Operation and Maintenance. 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. [Rule 62-4.160(6), F.A.C.]

TV4. Not Federally Enforceable. Health, Safety and Welfare. To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. [Rule 62-4.050(3), F.A.C.]

TV5. Continued Operation. An applicant making timely and complete application for permit, or for permit renewal, shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program and applicable requirements of the CAIR Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of subparagraphs 62-213.420(1)(b)3., F.A.C. [Rules 62-213.420(1)(b)2., F.A.C.]

TV6. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:

a. Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;

b. A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;

(1) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;

(2) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;

c. Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C. [Rule 62-213.410, F.A.C.]

TV7. 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.]

Compliance

TV8. Compliance with Chapter 403, F.S., and Department Rules. Except as provided at Rule 62-213.460, Permit Shield, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules. [Rule 62-4.070(7), F.A.C.]

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TV9. Compliance with Federal, State and Local Rules. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]

TV10. Binding and enforceable. 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. [Rule 62-4.160(1), F.A.C.]

TV11. Timely information. 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. [Rule 62-4.160(15), F.A.C.]

TV12. Halting or reduction of source activity. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity. [Rule 62-213.440(1)(d)3., F.A.C.]

TV13. Final permit action. Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C. [Rule 62-213.440(1)(d)4., F.A.C.]

TV14. Sudden and unforeseeable events beyond the control of the source. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference. [Rule 62-213.440(1)(d)5., F.A.C.]

TV15. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in this condition or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program or the CAIR Program. [Rule 62-213.460, F.A.C.]

TV16. Compliance With Federal Rules. 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. Nothing in this chapter shall relieve a facility or emissions unit from complying with such standard or requirement, provided, however, that where a facility or emissions unit is subject to a standard established in Rule 62-296, F.A.C., such standard shall also apply. [Rule 62-296.100(3), F.A.C.]

Permit Procedures

TV17. Permit Revision Procedures. The permittee shall revise its permit as required by Rules 62-213.400, 62-213.412, 62-213.420, 62-213.430 & 62-4.080, F.A.C.; and, in addition, the Department shall revise permits as provided in Rule 62-4.080, F.A.C. & 40 CFR 70.7(f).

TV18. Permit Renewal. The permittee shall renew its permit as required by Rules 62-4.090, 62.213.420(1) and 62-213.430(3), F.A.C. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) [Application for Air Permit - Long Form], 62-213.420(3) [Required

information], 62-213.420(6) [CAIR Part Form], F.A.C. Unless a Title V source submits a timely and complete application for permit renewal in accordance with the requirements this rule, the existing permit shall expire and the source's right to operate shall terminate. For purposes of a permit renewal, a timely application is one that is submitted 225 days before the expiration of a permit that expires on or after June 1, 2009. No Title V permit will be issued for a new term except through the renewal process. [Rules 62-213.420 & 62-213.430, F.A.C.]

TV19. Insignificant Emissions Units or Pollutant-Emitting Activities. The permittee shall identify and evaluate insignificant emissions units and activities as set forth in Rule 62-213.430(6), F.A.C.

TV20. Savings Clause. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect. [Rule 62-213.440(1)(d)1., F.A.C.]

TV21. Suspension and Revocation.

a. Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

b. Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation. c. A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:

(1) Submitted false or inaccurate information in his application or operational reports.
(2) Has violated law, Department orders, rules or permit conditions.
(3) Has failed to submit operational reports or other information required by Department rules.
(4) Has refused lawful inspection under Section 403.091, F.S.

d. No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(5), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

[Rule 62-4.100, F.A.C.]

TV22. Not federally enforceable. Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

TV23. Emissions Unit Reclassification.

a. Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.

b. If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

TV24. Transfer of Permits. Per Rule 62-4.160(11), F.A.C., this permit is transferable only upon Department approval in accordance with Rule 62-4.120, 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. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility. The permittee shall also comply with the requirements of Rule 62-210.300(7), F.A.C., and use DEP Form No. 62-210.900(7). [Rules 62-4.160(11), 62-

4.120, and 62-210.300(7), F.A.C.]

Rights, Title, Liability, and Agreements

TV25. Rights. 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. [Rule 62-4.160(3), F.A.C.]

TV26. Title. 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. [Rule 62-4.160(4), (F.A.C.]

TV27. Liability. 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 F.S. and Department rules, unless specifically authorized by an order from the Department. [Rule 62-4.160(5), F.A.C.]

TV28. Agreements.

a. 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:
(1) Have access to and copy any records that must be kept under conditions of the permit;
(2) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and, (3) 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.

b. 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.

c. 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.

[Rules 62-4.160(7), (9), and (10), F.A.C.]

Recordkeeping and Emissions Computation

TV29. Permit. The permittee shall keep this permit or a copy thereof at the work site of the permitted activity. [Rule 62-4.160(12), F.A.C.]

TV30. Recordkeeping.

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 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 five (5) 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, and the operating conditions at the time

of sampling or measurement;

(2) The person responsible for performing the sampling or measurements;

(3) The dates analyses were performed;

(4) The person and company that performed the analyses;
(5) The analytical techniques or methods used;
(6) The results of such analyses.
[Rules 62-4.160(14) and 62-213.440(1)(b)2., F.A.C.]

TV31. Emissions Computation. Pursuant to Rule 62-210.370, F.A.C., the following required methodologies are 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 Rule 62-210.370, F.A.C. Rule 62-210.370, F.A.C., is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.

For any of the purposes specified above, the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.
a. *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.
(1) 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.
(2) 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.
(3) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(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 b. *Continuous Emissions Monitoring System (CEMS)*.
(1) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
(a) 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,
(b) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
(2) 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:
(a) A calibrated flowmeter that records data on a continuous basis, if available; or

(b) 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.

(3) 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.

c. *Mass Balance Calculations.*

(1) 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:

(a) 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,

(b) 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.

(2) 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 the range is more accurate.

(3) 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.

d. *Emission Factors.*

(1) 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.

(a) 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.

(b) 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.

(c) 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.

(2) 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.

e. *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.

f. *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.

g. *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 extent quantifiable, associated with such facility or emissions unit.

h. *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(1) & (2), F.A.C.]

Responsible Official

TV32. Designation and Update. The permittee shall designate and update a responsible official as required by Rule 62-213.202, F.A.C.

Prohibitions and Restrictions

TV33. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source. [40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

TV34. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Chapter 62-281, F.A.C.

TV35. Open Burning Prohibited. Open burning is prohibited unless performed in accordance with the provisions of Rule 62-296.320(3) or Chapter 62-256, F.A.C.