

**NOTICE OF FINAL PERMIT**

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**CERTIFIED MAIL: 91 7108 2133 3939 2123 4351**

*In the Matter of an  
Application for Permit by:*

Toufayan Bakeries of Florida, Inc.  
175 Railroad Avenue  
Ridgefield, NJ 07657

*Responsible Official:*

Gregory Toufayan, Vice President

Permit No. 0951282-005-AV  
Toufayan Bakeries of Florida, Inc.  
Initial Title V Air Operation Permit  
Orange County

Enclosed is the final permit package for the initial Title V air operation permit for Toufayan Bakeries of Florida, Inc. The existing facility is located in Orange County at 3826 Bryn Mawr Street, Orlando, Florida. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Office of the Orange County Attorney, 201 South Rosalind Avenue, Third Floor, Orlando, Florida 32801 (Telephone 407-836-7320) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the EPD.

Executed in Orlando, Florida.



Renee H. Parker  
Environmental Program Supervisor

BMB/JMK/RHP:bmb

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit and Final Determination), or a link to these documents available electronically on a publicly accessible server, was sent by certified and electronic mail with received receipt requested to the persons listed below:

Gregory Toufayan, Toufayan Bakeries of Florida, Inc., gregt@toufayan.com

Steve Goldstein, Toufayan Bakeries of Florida, Inc., steve@toufayan.com

Joseph Stine, P.E., stinejoe@bellsouth.com

Tom Lubozynski, P.E., Florida DEP, tom.lubozynski@dep.state.fl.us

Renee H. Parker, OCEPD, renee.parker@ocfl.net

Barbara Friday, DEP OPC, barbara.friday@dep.state.fl.us (for posting with U.S. EPA Region 4)

Lynn Scearce, DEP OPC, lynn.scarce@dep.state.fl.us (for posting with U.S. EPA Region 4)

Clerk Stamp

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



## FINAL DETERMINATION

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### PERMITTEE

Gregory Toufayan  
Vice President  
Toufayan Bakeries of Florida, Inc.  
3826 Bryn Mawr Street  
Orlando, FL 32808

### PERMITTING AUTHORITY

Orange County Environmental Protection Division  
3165 McCrory Place, Suite 200  
Orlando, FL 32803

### PROJECT

Initial Title V Air Operation Permit  
Permit No. 0951282-005-AV  
Toufayan Bakeries of Florida, Inc.

The purpose of this permitting project is for the initial Title V air operation permit for the above referenced facility to authorize the facility to increase VOC emissions above Title V thresholds. The facility has experienced an increase in demand for yeast bread products, which is resulting in increased VOC emissions.

### NOTICE AND PUBLICATION

The EPD distributed an Intent to Issue Air Permit package on March 17, 2016. The applicant published the Public Notice of Intent to Issue Air Permit in the Orlando Sentinel on March 25, 2016. The EPD received the proof of publication on April 6, 2016. A proposed permit was issued for EPA review on April 26, 2016.

### COMMENTS

No comments on the proposed permit were received from the EPA Region 4 Office.

### CONCLUSION

The final action of the EPD is to issue the permit with no changes.



**ENVIRONMENTAL PROTECTION DIVISION**

**Lori Cunniff, CEP, CHMM, Deputy Director**

**Community, Environmental and Development Services Department**

3165 McCrory Place, Suite 200

Orlando, FL 32803-3727

407-836-1400 • Fax 407-836-1499

www.ocfl.net

**Toufayan Bakeries of Florida, Inc.**

**Facility ID No. 0951282**

**Orange County**

**Initial Title V Air Operation Permit**

**Permit No. 0951282-005-AV**

**Permitting and Compliance Authority:**

**Orange County Environmental Protection Division**

**3165 McCrory Place, Suite 200**

**Orlando, Florida 32803**

**Telephone: 407-836-1400**

**Fax: 407-836-1499**

# Initial Title V Air Operation Permit

Permit No. 0951282-005-AV

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**ENVIRONMENTAL PROTECTION DIVISION**  
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**PERMITTEE:** Toufayan Bakeries of Florida, Inc.  
3826 Bryn Mawr Street  
Orlando, FL 32808

Permit No. 0951282-005-AV  
Facility ID No. 0951282  
Initial Title V Air Operation Permit

The purpose of this permit is to issue the initial Title V air operation permit for the above referenced facility. The existing Toufayan Bakeries of Florida, Inc. facility is located in Orange County at 3826 Bryn Mawr Street, Orlando. UTM Coordinates are: Zone 17, 458.45 km East, 3160.36 km North. Latitude is: 28°34'24" North; and, Longitude is: 81°25'30" West.

The Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to operate the facility in accordance with the terms and conditions of this permit.

0951282-005-AV Effective Date: **June 20, 2016**  
Renewal Application Due Date: **November 7, 2020**  
Expiration Date: **June 20, 2021**

A handwritten signature in blue ink that reads "Renee H. Parker".

Reneé H. Parker  
Environmental Program Supervisor

(6) BMB/JMK/RHP:bmb

**SECTION I. FACILITY INFORMATION.**

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**SECTION I. FACILITY INFORMATION.**

**Subsection A. Facility Description.**

Toufayan Bakeries of Florida, Inc. is a bakery facility (Standard Industrial Classification Number 2051 for Bread and other Bakery Products, except Cookies and Crackers). The facility is located in Orange County at 3826 Bryn Mawr Street in Orlando, Florida.

Toufayan Bakeries of Florida, Inc., bakes a number of different types of bread products using many recipes in a variety of ovens. Some products are baked using yeast that makes the bread rise and produces VOC, primarily ethanol. Other products are baked with chemical agents to make the bread rise but do not produce VOC. Only breads producing VOC are regulated. All of these operations are located in one main building. All ovens and boilers are fired with natural gas, and are considered individual, insignificant sources. The facility is authorized to emit VOC above the Title V threshold. The highest VOC potential emission rate given in the application is 217 tons of VOC per year (TPY). This provides EPD with reasonable assurance that the facility will not exceed the VOC PSD threshold of 250 TPY VOC

Based upon the Title V permit application received December 29, 2015, this facility is not a major source of hazardous air pollutants (HAPs). There are no HAP emissions from this facility.

**Subsection B. Summary of Emissions Units.**

<b>EU No.</b>	<b><i>Brief Description</i></b>
<i>Regulated Emissions Units</i>	
002	Bread Baking Processes Using Yeast

Also included in this permit are miscellaneous insignificant emissions units and/or activities (see Appendix I, List of Insignificant Emissions Units and/or Activities).

**Subsection C. Applicable Regulations.**

Based on the Title V air operation permit renewal application received January 29, 2016, this facility is not a major source of hazardous air pollutants (HAP). A summary of applicable regulations is shown in the following table.

<b>Regulation</b>	<b>EU No.</b>
<i>Federal Rule Citations</i>	
None	
<i>State Rule Citations</i>	
62-4.070, Standards for Issuing or Denying Permits; Issuance; Denial	002
62-210.200, Definitions	002
62-210.300, Permits Required	002
62-210.370, Emissions Computation and Reporting	002
<i>Orange County Ordinance Citations</i>	
Orange County Code of Ordinances, including Chapter 15, Article III, Air Quality Control	002

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## SECTION II. FACILITY-WIDE CONDITIONS.

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### **The following conditions apply facility-wide to all emission units and activities:**

**FW1. Appendices.** The permittee shall comply with all documents identified in Section IV, Appendices, listed in the Table of Contents. Each document is an enforceable part of this permit unless otherwise indicated. [Rule 62-213.440, F.A.C.]

### **Emissions and Controls**

**FW2. 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. [Rule 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

**FW3. General Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions.** The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed-necessary and ordered by the EPD. To comply, procedures to minimize pollutant emissions shall include the following:

- a. Tightly cover or close all VOC containers when they are not in use,
- b. Tightly cover, where possible, all open troughs, basins, baths, tanks, etc. when they are not in use,
- c. Maintain all piping, valves, fittings, etc. in good operating condition,
- d. Prevent excessive air turbulence across exposed VOC's,
- e. Immediately confine and clean up VOC spills and make sure certain wastes are placed in closed containers for reuse, recycling or proper disposal.

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

**FW4. 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), F.A.C.]

**FW5. Unconfined Particulate Matter.** No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- c. Application of water or chemicals to control emissions from such activities as demolition of buildings and construction.
- d. Landscaping or planting of vegetation.

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

### **Annual Reports and Fees**

See Appendix RR, Facility-wide Reporting Requirements for additional details.

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**SECTION II. FACILITY-WIDE CONDITIONS.**

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**FW6. Electronic Annual Operating Report and Title V Annual Emissions Fees.** 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 (DEP) 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. Each Title V source must pay between January 15 and April 1 of each year an annual emissions fee in an amount determined as set forth in subsection 62-213.205(1), F.A.C. The annual fee shall only apply to those regulated pollutants, except carbon monoxide and greenhouse gases, for which an allowable numeric emission-limiting standard is specified in the source's most recent construction permit or operation permit. Upon completing the required EAOR entries, the EAOR Title V Fee Invoice can be printed by the source showing which of the reported emissions are subject to the fee and the total Title V Annual Emissions Fee that is due. The submission of the annual Title V emissions fee payment is also due (postmarked) by April 1<sup>st</sup> of each year. A copy of the system-generated EAOR Title V Annual Emissions Fee Invoice and the indicated total fee shall be submitted to: **Major Air Pollution Source Annual Emissions Fee, Post Office Box 3070, Tallahassee, Florida 32315-3070.** Additional information is available by accessing the Title V Annual Emissions Fee On-line Information Center at the following Internet web site:  
<http://www.dep.state.fl.us/air/emission/tvfee.htm>. [Rules 62-210.370(3), 62-210.900 & 62-213.205, F.A.C.; and, §403.0872(11), Florida Statutes (2013)]

*{Permitting Note: Resources to help you complete your AOR are available on the electronic AOR (EAOR) website at: <http://www.dep.state.fl.us/air/emission/eaor>. If you have questions or need assistance after reviewing the information posted on the EAOR website, please contact the Department by phone at (850) 717-9000 or email at [eaor@dep.state.fl.us](mailto:eaor@dep.state.fl.us).}*

*{Permitting Note: The Title V Annual Emissions Fee form (DEP Form No. 62-213.900(1)) has been repealed. A separate Annual Emissions Fee form is no longer required to be submitted by March 1st each year.}*

**FW7. Annual Statement of Compliance.** The permittee shall submit an annual statement of compliance to the compliance authority at the address shown on the cover of this permit and to the US. EPA at the address shown below within 60 days after the end of each calendar year during which the Title V air operation permit was effective. [Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

U.S. Environmental Protection Agency, Region 4  
Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
Attn: Air Enforcement Branch

**FW8. Prevention of Accidental Releases (Section 112(r) of CAA).** If, and when, the facility becomes subject to 112(r), the permittee shall:

- a. Submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent electronically through EPA's Central Data Exchange system at the following address: <https://cdx.epa.gov>. Information on electronically submitting risk management plans using the Central Data Exchange system is

**SECTION II. FACILITY-WIDE CONDITIONS.**

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available at: <http://www2.epa.gov/rmp>. The RMP Reporting Center can be contacted at: RMP Reporting Center, Post Office Box 10162, Fairfax, VA 22038, Telephone: (703) 227-7650.

- b. Submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.

[40 CFR 68]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Unit 002**

The specific conditions in this section apply to the following emissions unit:

<b>EU No.</b>	<b>Brief Description</b>
002	<u>Bread Baking Processes Using Yeast</u> The bread baking processes using yeast produce VOC emissions as described in AP-42 section 9.9.6., Bread Baking. The VOC emissions from the baking processes are due to fermentation of yeast that produces primarily ethanol. These VOC emissions are separate from the VOC emissions due to the combustion of natural gas.

**Essential Potential to Emit (PTE) Parameters**

- A.1. Permitted Capacity:** The facility-wide yeast bread production is limited to 45,000 tons of bread using yeast per consecutive 12-month period. [Rule 62-210.200(PTE), F.A.C.; Permit 0951282-004-AC]
- A.2. Hours of Operation:** The hours of operation are not limited (8760 hours per year). [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Permit 0951282-004-AC]

**Emission Limitations and Standards**

- A.3. VOC Emission Factors:** VOC emission factors for the bread production process shall be determined from AP-42 section 9.9.6. using the following equation. Emission factors will be determined for each type of bread produced using yeast.

$$\text{VOC E.F.} = 0.95Y_i + 0.195t_i - 0.51S - 0.86t_s + 1.90$$

where

VOC E.F. = pounds VOC per ton of baked bread

$Y_i$  = initial baker's percent of yeast

$t_i$  = total yeast action time in hours

$S$  = final (spike) baker's percent of yeast

$t_s$  = spiking time in hours

[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

**Recordkeeping Requirements**

- A.4. Recordkeeping log:** In order to demonstrate compliance with specific condition number A.1 for emissions tracking purposes, the permittee shall maintain a log. The log shall be completed within 30 days of the end of the month reported, and shall be retained on file at the facility for at least five years from the date the data is recorded. The log shall contain the following for each month:
- Designation of month and year of operation for which records are being tabulated.
  - Monthly totals of each type of bread produced using yeast, in tons.
  - Emissions of VOC from the bread production process, using the emission factors for each bread type as determined in specific condition A.3, in tons per month.
  - Monthly and consecutive 12-month totals for all bread produced using yeast, in tons.
  - Emissions of VOC from the bread production process for all bread produced in tons per month and tons per consecutive 12-month period.
- [Rule 62-4.070(3), F.A.C., Permit 0951282-004-AC]

Note: A consecutive 12 month total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12 month total treats each month

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

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**Subsection A. Emissions Unit 002**

of the year as the end of a 12 month period. A 12 month total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12 month totals using whatever number of months of data are available until such a time as a consecutive 12 month total can be maintained each month.

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**APPENDIX A**

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**ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS**

**Abbreviations and Acronyms:**

**°F:** degrees Fahrenheit  
**acfm:** actual cubic feet per minute  
**AOR:** Annual Operating Report  
**ARMS:** Air Resource Management System (Department's database)  
**BACT:** best available control technology  
**BHP:** brake horsepower  
**Btu:** British thermal units  
**CAA:** Clean Air Act  
**CAAA:** Clean Air Act Amendments of 1990  
**CAM:** compliance assurance monitoring  
**CEMS:** continuous emissions monitoring system  
**cfm:** cubic feet per minute  
**CFR:** Code of Federal Regulations  
**CI:** compression ignition  
**CO:** carbon monoxide  
**COMS:** continuous opacity monitoring system  
**DARM:** Division of Air Resource Management  
**DCA:** Department of Community Affairs  
**DEP:** Department of Environmental Protection  
**Department:** Department of Environmental Protection  
**dscfm:** dry standard cubic feet per minute  
**EF:** emission factor  
**EPA:** Environmental Protection Agency  
**EPD:** Orange County Environmental Protection Division  
**ESP:** electrostatic precipitator (control system for reducing particulate matter)  
**EU:** emissions unit  
**F.A.C.:** Florida Administrative Code  
**F.D.:** forced draft  
**F.S.:** Florida Statutes  
**FGR:** flue gas recirculation  
**Fl:** fluoride  
**ft<sup>2</sup>:** square feet  
**ft<sup>3</sup>:** cubic feet  
**g:** grams  
**gpm:** gallons per minute  
**gr:** grains  
**HAP:** hazardous air pollutant  
**HP:** horsepower  
**Hg:** mercury  
**ICE:** internal combustion engine  
**I.D.:** induced draft  
**ID:** identification  
**ISO:** International Standards Organization (refers to those conditions at 288 Kelvin, 60% relative humidity and 101.3 kilopascals pressure.)  
**kPa:** kilopascals  
**kW:** kilowatts

**LAT:** Latitude  
**lb:** pound  
**lbs/hr:** pounds per hour  
**LONG:** Longitude  
**MACT:** maximum achievable technology  
**mm:** millimeter  
**MMBtu:** million British thermal units  
**MSDS:** material safety data sheets  
**MW:** megawatt  
**NESHAP:** National Emissions Standards for Hazardous Air Pollutants  
**NO<sub>x</sub>:** nitrogen oxides  
**NSPS:** New Source Performance Standards  
**O&M:** operation and maintenance  
**O<sub>2</sub>:** oxygen  
**ORIS:** Office of Regulatory Information Systems  
**OS:** Organic Solvent  
**Pb:** lead  
**PM:** particulate matter  
**PM<sub>10</sub>:** particulate matter with a mean aerodynamic diameter of 10 microns or less  
**PSD:** prevention of significant deterioration  
**psi:** pounds per square inch  
**PTE:** potential to emit  
**RACT:** reasonably available control technology  
**RATA:** relative accuracy test audit  
**RICE:** reciprocating internal combustion engine  
**RMP:** Risk Management Plan  
**RO:** Responsible Official  
**SAM:** sulfuric acid mist  
**scf:** standard cubic feet  
**scfm:** standard cubic feet per minute  
**SI:** spark ignition  
**SIC:** standard industrial classification code  
**SNCR:** selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)  
**SOA:** Specific Operating Agreement  
**SO<sub>2</sub>:** sulfur dioxide  
**TPH:** tons per hour  
**TPY:** tons per year  
**UTM:** Universal Transverse Mercator coordinate system  
**VE:** visible emissions  
**VOC:** volatile organic compounds  
**x:** By or times

**APPENDIX A**

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**ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS**

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**Citations:**

*The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers and ID numbers.*

**Code of Federal Regulations:**

*Example:* [40 CFR 60.334]

Where:

40	refers to Title 40
CFR	refers to Code of Federal Regulations
60	refers to Part 60
60.334	refers to Regulation 60.334

**Florida Administrative Code (F.A.C.) Rules:**

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

Where:

62	refers to Title 62
62-213	refers to Chapter 62-213
62-213.205	refers to Rule 62-213.205, F.A.C.

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**Identification Numbers:**

**Facility Identification (ID) Number:**

*Example:* Facility ID No.: 1050221

Where:

105	=	3-digit number code identifying the facility is located in Polk County
0221	=	4-digit number assigned by state database.

**Permit Numbers:**

*Example:* 1050221-002-AV, or  
1050221-001-AC

Where:

AC	=	Air Construction Permit
AV	=	Air Operation Permit (Title V Source)
105	=	3-digit number code identifying the facility is located in Polk County
0221	=	4-digit number assigned by permit tracking database
001 or 002	=	3-digit sequential project number assigned by permit tracking database

*Example:* PSD-FL-185  
PA95-01  
AC53-208321

Where:

PSD	=	Prevention of Significant Deterioration Permit
PA	=	Power Plant Siting Act Permit
AC53	=	old Air Construction Permit numbering identifying the facility is located in Polk County

## APPENDIX I

### LIST OF INSIGNIFICANT EMISSIONS UNITS AND/OR ACTIVITIES

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, or that meet the criteria specified in Rule 62-210.300(3)(b)1., F.A.C., Generic Emissions Unit Exemption, are exempt from the permitting requirements of Chapters 62-210, 62-212 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

#### Brief Description of Emissions Units and/or Activities

1. One 6.28 MMBTU/hr natural gas-fired steam boiler.
2. One 1.2 MMBTU/hr natural gas-fired water heater for Line 3.
3. One 1.2 MMBTU/hr natural gas-fired water heater for Line 4.
4. Batch ovens with a total of 3.375 MMBTU/hr natural gas-fired capacity for Lines 1 and 2.
5. One 6.2 MMBTU/hr natural gas-fired oven for Line 3.
6. One 6.2 MMBTU/hr natural gas-fired oven for Line 4.
7. One 3.648 MMBTU/hr natural gas-fired oven for Line 6.
8. One 3.3 MMBTU/hr natural gas-fired oven for Line 7.
9. One 4.275 MMBTU/hr natural gas-fired oven for Line 8.
10. One 1.0 MMBTU/hr natural gas-fired oven for the Tortilla Line.
11. Batch ovens
12. Flour silos with fabric tops located inside the production building.
13. Fire fighting equipment.
14. Refrigeration Equipment.
15. HVAC systems.
16. Applicable items on the EPA list of trivial and insignificant activities.

**APPENDIX RR**

**FACILITY-WIDE REPORTING REQUIREMENTS**

(Version Dated 2/13/2014)

**RR1. Reporting Schedule.** This table summarizes information for convenience purposes only. It does not supersede any of the terms or conditions of this permit.

<b>Report</b>	<b>Reporting Deadline(s)</b>	<b>Related Condition(s)</b>
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)]

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**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.]

**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(2). 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

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- (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(2) 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.

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- 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)]

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**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, applicable requirements of the CAIR Program, and applicable requirements of the Hg Budget Trading 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, 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

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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(7), 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

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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 extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least 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 the 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.]

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**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 accurate.
- 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

**APPENDIX TV**  
**TITLE V GENERAL CONDITIONS**

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- 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

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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.** Unless otherwise authorized by Rule 62-296.320(3) or Chapter 62-256, F.A.C., open burning is prohibited.

**ATTACHMENTS**  
**(INCLUDED FOR CONVENIENCE)**

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The following attachments are included for convenient reference:

Table H, Permit History.

Table 1, Summary of Air Pollutant Standards and Terms.

Table 2, Summary of Compliance Requirements.

**TABLE H**  
**PERMIT HISTORY**

For convenience purposes only, this table summarizes the history of air construction and Title V air operation permits:

<u>E.U. No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Project Type</u>
002	Initial Title V	0951282-005-AV	06/20/2016	06/20/2021	Initial Title V
002	Increase Production for Title V	0951282-004-AC	03/18/2016	03/31/2017	Construction
002	Separate baking process from exempt ovens, boilers	0951282-003-AC	12/06/2010	06/30/2011	Construction
002	Revised AF for separate processes and ovens, boilers	0951282-002-AF	03/04/2011	03/04/2016	Renew/Revise AF
001	Initial FESOP for 9 baking lines	0951282-001-AF	06/02/2005	03/30/2010	FESOP

Note: This facility was initially permitted as a synthetic minor source, but increased production capacity and became a Title V source.

**POLLUTANT STANDARDS AND COMPLIANCE REQUIREMENTS**

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Table 1, Summary of Air Pollutant Standards and Terms.

EU	Brief Description	Hrs/Yr	Pollutant Name	Standard Allowable Emissions	Equivalent Emissions		See Permit Condition(s)
					lbs/hr	TPY	
002	Bread Baking Processes	8760	VOC	N/A	N/A	N/A	A.2, A.3

Table 2, Compliance Requirements.

EU	Brief Description	Pollutant Name	Emission Control	Compliance Method	Testing Time Frequency	Compliance Test Duration	See Permit Condition(s)
002	Bread Baking Processes	VOC	None	Recordkeeping	N/A	N/A	A.4

## STATEMENT OF BASIS

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Initial Title V Air Operation Permit  
Permit No. 0951282-005-AV

### APPLICANT

The applicant for this project is Toufayan Bakeries of Florida, Inc. The applicant's responsible official and mailing address are: Gregory Toufayan, Vice President, Toufayan Bakeries of Florida, Inc., 175 Railroad Avenue, Ridgefield, NJ 07657.

### FACILITY DESCRIPTION

Toufayan Bakeries of Florida, Inc. is a bakery facility located in Orange County at 3826 Bryn Mawr Street in Orlando, Florida.

Toufayan Bakeries of Florida, Inc., bakes a number of different types of bread products using many recipes in a variety of ovens. Some products are baked using yeast that makes the bread rise and produces VOC, primarily ethanol. Other products are baked with chemical agents to make the bread rise but do not produce VOC. Only breads producing VOC are regulated. All of these operations are located in one main building. All ovens and boilers are fired with natural gas, and are considered individual, insignificant sources. The facility is authorized to emit VOC above the Title V threshold. The highest VOC potential emission rate given in the application is 217 tons of VOC per year (TPY). This provides EPD with reasonable assurance that the facility will not exceed the VOC PSD threshold of 250 TPY VOC.

This facility also includes miscellaneous unregulated/insignificant emissions units and/or activities.

### PROJECT DESCRIPTION

The purpose of this permitting project is to issue the initial Title V permit for the above referenced facility.

### PROCESSING SCHEDULE AND RELATED DOCUMENTS

Initial FESOP issued June 2, 2005.

Revised FESOP issued March 4, 2011.

Construction permit issued December 6, 2010.

Application for Construction Permit received December 29, 2015 (Concurrent Processing).

Application for Initial Title V Air Operation Permit received December 29, 2015 (Concurrent Processing).

### PRIMARY REGULATORY REQUIREMENTS

Standard Industrial Classification (SIC) Code: 2051, Bread and Other Bakery Products, Except Cookies and Crackers.

North American Industry Classification System (NAICS): 311812, Commercial Bakeries.

HAP: The facility is not identified as a major source of hazardous air pollutants (HAP).

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, Florida Administrative Code (F.A.C.).

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility because there are no control devices at the facility. Compliance is demonstrated by recordkeeping only.

GHG: The facility is not identified as a major source of green house gas (GHG) pollutants.

## STATEMENT OF BASIS

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### **PROJECT REVIEW**

This permit is the initial Title V operation permit for this facility. This Title V operation permit was processed concurrently with construction permit 0951282-004-AC. The EPD has used the latest FDEP permit formats for this project.

### **CONCLUSION**

This project issues the initial Title V air operation permit No. 0951282-005-AV. This initial Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, and 62-213, F.A.C.