



**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

*Electronic Mail – Received Receipt Requested*

Alexander Lacsamana, District Manager - Closed Sites  
Waste Management  
1850 Parkway Place, Suite 600  
Marietta, GA 30067

Re: DRAFT Permit No. 0951334-005-AV  
Waste Management Inc. of Florida  
Title V Permit Revision and Renewal

Dear Mr. Lacsamana:

Enclosed is the draft permit package to renew the Title V air operation permit for Waste Management Inc. of Florida. This facility is located in Orange County at 255 West Keene Road, Apopka, Florida. The permit package includes the following documents:

- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and the changes since the last Title V renewal.
- The renewed draft Title V air operation permit, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the draft permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Title V Air Permit must be published as soon as possible and the proof of publication must be provided to the Orange County Environmental Protection Division (EPD) within seven days of the date of publication.

If you have any questions, please contact the Project Engineer, John Kasper, by telephone at 407-836-1400 or by email at [john.kasper@ocfl.net](mailto:john.kasper@ocfl.net).

Executed in Orlando, Florida.

A handwritten signature in blue ink, appearing to read "Renee H. Parker".

Renee H. Parker  
Environmental Program Supervisor

(4) JMK/RHP:jk  
Enclosures

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**WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT**

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*In the Matter of an  
Application for Title V Air Operation Permit by:*

Waste Management Inc. of Florida  
2700 Wiles Road  
Pompano Beach, FL 33073

Permit No. 0951334-005-AV  
Facility ID No. 0951334  
Keene Road Landfill – Vista Landfill

*Responsible Official:*  
Alexander Lacsamana  
District Manager - Closed Sites

Revise and Renew Operation Permit  
Orange County, Florida

**Facility Location:** Waste Management Inc. of Florida operates the existing Keene Road Landfill – Vista Landfill, which is located in Orange County at 255 West Keene Road in Apopka, Florida.

**Project:** The purpose of this project is to revise and renew Title V air operation permit No. 0951334-002-AV. The permit is revised to incorporate modifications authorized by construction permit 0951334-004-AC. The modifications included construction of one new flare and gas collection system (EU 004) and increasing the facility SO<sub>2</sub> emission limit to 477 TPY, making this facility a PSD major source. Details of the project are provided in the application and the referenced Statement of Basis.

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Orange County Environmental Protection Division (EPD) is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 3165 McCrory Place, Suite 200, Orlando, Florida 32803. The Permitting Authority's mailing address is: 3165 McCrory Place, Suite 200, Orlando, Florida 32803. The Permitting Authority's telephone number is 407-836-1400, and the e-mail address is AirPermitsOrangeCounty@ocfl.net.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: <https://fldep.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a Title V air operation permit revision and renewal to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a proposed permit and subsequent final permit in accordance with the conditions of the draft permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The

## WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

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newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the draft Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Register (FAR). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft permit, the Permitting Authority shall issue a revised draft permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this written notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Office of the Orange County Attorney, 201 South Rosalind Avenue, Third Floor, Orlando, Florida 32801 (Telephone 407-836-7320) before the deadline. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or

**WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT**

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statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this written notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available in this proceeding.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. Environmental Protection Agency, Office of the Administrator, 1200 Pennsylvania Avenue, N.W., Mail Code: 1101A, Washington, DC 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/florida.htm>.

Executed in Orange County, Florida.



\_\_\_\_\_  
Renee H. Parker  
Environmental Program Supervisor  
Air Quality Management  
Orange County Environmental Protection Division

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

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CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this written notice of Intent to Issue the Title V Air Operation Permit Revision and Renewal (including the Public Notice, the Statement of Basis, and the draft permit), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:

Alexander Lacsamana, Waste Management, [alacsama@wm.com](mailto:alacsama@wm.com)  
Eric Parker, Waste Management Inc. of Florida, [Eparker1@wm.com](mailto:Eparker1@wm.com)  
Maurice Hogg, P.E., SCS Engineers, [rhogg@scsengineers.com](mailto:rhogg@scsengineers.com)  
Tom Lubozynski, P.E., Florida DEP, [tom.lubozynski@dep.state.fl.us](mailto:tom.lubozynski@dep.state.fl.us)  
Ms. Barbara Friday, DEP OPC, [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us)  
Ms. Lynn Scarce, DEP OPC, [lynn.scarce@dep.state.fl.us](mailto:lynn.scarce@dep.state.fl.us)

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.

  
\_\_\_\_\_  
(Clerk)

9-14-2016  
(Date)

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

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Florida Department of Environmental Protection  
Orange County Environmental Protection Division  
Draft Air Permit No. 0951334-005-AV  
Waste Management Inc. of Florida, Keene Road Landfill – Vista Landfill  
Orange County, Florida

**Applicant:** The applicant for this project is Waste Management Inc. of Florida. The applicant's responsible official and mailing address are: Alexander Lacsamana, District Manager - Closed Sites, Waste Management, 1850 Parkway Place, Suite 600, Marietta, GA 30067.

**Facility Location:** Waste Management Inc. of Florida operates the existing Keene Road Landfill – Vista Landfill, which is located in Orange County at 255 West Keene Road in Apopka, Florida.

**Project:** The applicant applied on July 22, 2016 to the EPD for a Title V air operation permit to revise and renew Title V air operation permit No. 0951334-002-AV. The permit is revised to incorporate modifications authorized by construction permit 0951334-004-AC. The modifications included construction of one new flare and gas collection system (EU 004) and increasing the facility SO<sub>2</sub> emission limit to 477 TPY, making this facility a PSD major source. The existing facility consists of two landfills in Apopka: the Keene Road Landfill north of Keene Road; and the Vista Landfill south of Keene Road. Both are Class III landfills that accept construction and demolition and yard waste, but do not accept municipal solid waste.

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Orange County Environmental Protection Division (EPD) is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 3165 McCrory Place, Suite 200, Orlando, Florida 32803. The Permitting Authority's mailing address is: 3165 McCrory Place, Suite 200, Orlando, Florida 32803. The Permitting Authority's telephone number is 407-836-1400, and the e-mail address is AirPermitsOrangeCounty@ocfl.net.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: <https://fldep.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a revised and renewed Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a proposed permit and subsequent final permit in accordance with the conditions of the draft permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

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(Public Notice to be Published in the Newspaper)

## **PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT**

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also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Register (FAR). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft permit, the Permitting Authority shall issue a revised draft permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

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**Mediation:** Mediation is not available in this proceeding.

## **PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT**

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**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. Environmental Protection Agency, Office of the Administrator, 1200 Pennsylvania Avenue, N.W., Mail Code: 1101A, Washington, DC 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/florida.htm>.



**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

# **Waste Management Inc. of Florida Keene Road Landfill – Vista Landfill**

Facility ID No. 0951334  
Orange County

**Title V Air Operation Permit Revision and Renewal**

**Permit No. 0951334-005-AV**

(Renewal and Revision of Title V Air Operation Permit No. 0981334-002-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

# Title V Air Operation Permit Revision and Renewal

Permit No. 0951334-005-AV

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**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

<b>PERMITTEE:</b>	Permit No. 0951334-005-AV
Waste Management Inc. of Florida	Keene Road Landfill – Vista Landfill
2700 Wiles Road	Facility ID No. 0951334
Pompano Beach, FL 33073	Title V Air Operation Permit Renewal and Revision

The purpose of this permit is to revise and renew the Title V air operation permit for the above referenced facility. The existing Keene Road Landfill – Vista Landfill is located in Orange County at 255 West Keene Road, Apopka. UTM Coordinates are: Zone 17, 449.54 East and 3168.54 North. Latitude is: 28°38'34.6" North; and, Longitude is: 81°30'58.7" 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.

0951334-005-AV Effective Date: DATE, 20xx  
Renewal Application Due Date: Exp. DATE -225, 20zz  
Expiration Date: Eff. DATE + 5 years, 20zz

**(DRAFT)**

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Reneé H. Parker  
Environmental Program Supervisor

(2)JMK/RHP:kw

## SECTION I. FACILITY INFORMATION.

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### **Subsection A. Facility Description.**

This facility consists of two landfills in Apopka: the Keene Road Landfill north of Keene Road at 255 West Keene Road; and the Vista Landfill south of Keene Road at 242 West Keene Road. The landfills are contiguous and controlled by Waste Management of Florida, Inc., making them one source for air permitting purposes. The Keene Road Landfill – Vista Landfill facility is a Class III landfill that accepts construction and demolition waste, along with wood, plastic, metal, yard waste, and asbestos containing material. This landfill facility does not accept municipal solid waste (Class I waste).

Keene Road Landfill has three closed cells (Parcels 1, 2 and 3) that are capped and no additional waste can be added to them. Parcels 1 and 2, just north of Keene Road, were closed on June 30, 2010. Parcel 3, located north of Parcels 1 and 2, was closed on August 31, 2009. The landfill gas (LFG) capture systems and flares at Keene Road Landfill for EU 001 and EU 002 were installed between 2006 and July of 2010. Waste is being deposited into Vista Landfill, and a LFG collection system is being constructed as the waste is being deposited. LFG generated at Vista Landfill is piped to the flares for EU 001 and EU 004.

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

<b>EU No.</b>	<b>Brief Description</b>
<i>Regulated Emissions Units</i>	
001	Parcels 1 and 2 Gas Collection and Flare System
002	Parcel 3 Gas Collection and Flare System
003	Emergency Generators
004	Vista Gas Collection and Flare System

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

**SECTION I. FACILITY INFORMATION.**

**Subsection C. Applicable Regulations.**

Based on the Title V air operation permit renewal and revision application received July 22, 2016, this facility is not a major source of hazardous air pollutants (HAP). The existing facility is a prevention of significant deterioration (PSD) major source of air pollutants in accordance with Rule 62-212.400, F.A.C. A summary of applicable regulations is shown in the following table.

<b>Regulation</b>	<b>EU No(s).</b>
<i>Federal Rule Citations</i>	
40 CFR 60, Subpart A, NSPS General Provisions	003
40 CFR 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines	003
<i>State Rule Citations</i>	
62-4.030 General Prohibition	001, 002, 003, 004
62-4.050 Procedures to Obtain Permits and Other Authorizations; Applications	001, 002, 003, 004
62-4.070 Standards for Issuing or Denying Permits; Issuance; Denial	001, 002, 003, 004
62-4.080 Modification of Permit Conditions	001, 002, 003, 004
62-4.130 Plant Operation – Problems	001, 002, 003, 004
62-4.220 Operation Permit for New Sources	001, 002, 003, 004
62-204.800 Federal Regulations Adopted by Reference	001, 002, 003, 004
62-210.200 Definitions	001, 002, 003, 004
62-210.300 Permits Required	001, 002, 003, 004
62-210.370 Emissions Computation and Reporting	001, 002, 003, 004
62-210.650 Circumvention	001, 002, 003, 004
62-210.700 Excess Emissions	001, 002, 003, 004
62-212.300 General Preconstruction Review Requirements	001, 002, 003, 004
62-212.400 Prevention of Significant Deterioration (PSD)	001, 002, 003, 004
62-213.205 Annual Emissions Fee	001, 002, 003, 004
62-213.440 Permit Content	001, 002, 003, 004
62-296.320 General Pollutant Emission Limiting Standards	001, 002, 003, 004
62-297.310 General Emissions Test Requirements	001, 002, 003, 004
<i>Orange County Rule Citations</i>	
Orange County Ordinances, Chapter 15 – Article III, Air Quality Control	001, 002, 003, 004

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

*{Permitting Note: Nothing is deemed necessary and ordered at this time.}*

**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. Enforcing proper speed limits on all roads.
  - b. Paving and watering of unpaved roads; watering frequency varies with weather conditions
- [Rule 62-296.320(4)(c), F.A.C.; and, proposed by applicant in Title V air operation permit renewal application received June 22, 2016]

### **Annual Reports and Fees**

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

**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

## SECTION II. FACILITY-WIDE CONDITIONS.

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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 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]

### **Other Requirements**

**FW9. Not Federally Enforceable. Orange County Ordinances:** All air pollution sources located in Orange County are subject to the Orange County Code of Ordinances, including Chapter 15, Article III, Air Quality Control.

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

**Subsection A. Emissions Units 001, 002 and 004, Gas Collection Systems and Flares**

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

EU No.	Brief Description
001	<p><u>Parcels 1 and 2 Gas Collection and Flare System</u>                      EU 001 is a 2,800 SCFM LFG collection system and one candlestick flare for Parcels 1 and 2 at the Keene Road Landfill and for part of Vista Landfill. This open flare is a Model CF1232110 manufactured by LFG Specialties, Inc. The flare’s maximum heat input rate is 85 MMBTU/hr, and the design combustion temperature is 1,400°F. Propane is used to ignite the flare. The stack is 36 feet high and 1 foot in diameter. LFG from the Vista Landfill is piped across Keene Road and mixed with LFG from Parcels 1 and 2 of the Keene Road Landfill. This flare is located north of Keene Road on the south side of the Keene Road Landfill. The LFG line to the EU 004 flare is connected to the LFG line to the EU 001 flare, so both flares may be used to control LFG from Keene Road Landfill – Vista Landfill.</p>
002	<p><u>Parcel 3 Gas Collection and Flare System</u>                      EU 002 is a 400 SCFM LFG collection system and one candlestick flare for Parcel 3 only at the Keene Road Landfill – Vista Landfill. This open flare is manufactured by Parnel Biogas, Inc. The flare’s heat input at the rated flow is 12 MMBTU/hr, and the design combustion temperature is 1,400°F. Propane is used to ignite the flare. The stack is approximately 20 ft high and 6 inches in diameter.</p>
004	<p><u>Vista Gas Collection and Flare System</u>                      EU 004 is a 1,500 SCFM LFG collection system and one open, utility landfill gas flare for Vista Landfill. The heat input at the rated gas flow is 45 MMBTU/hr, and the design combustion temperature is 1400°F. Propane is used to ignite the flare. The stack is 34 feet high and 10 inches in diameter. This flare is located on the northeast corner of the Vista Landfill. The LFG line to the EU 004 flare is connected to the landfill gas line to the EU 001 flare, so both flares may be used to control LFG from Keene Road Landfill – Vista Landfill.</p>

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

**A.1. Permitted Capacity.** The maximum allowable landfill gas flow rates are as follows:

EU Number	Maximum Landfill Gas Flow Rate, SCFM
001	2800
002	400
004	1500

[Rules 62-4.160(2), 62-210.200(PTE), F.A.C.; Permit Nos. 0951334-001-AC and 0951334-004-AC.]

**A.2. Gas Flow.** The total LFG flow to all flares shall be continuously monitored. The permittee shall install and maintain a LFG flow meter to continuously measure the total LFG flow to all flares. [Rule 62-4.070(3), F.A.C., Permit No. 0951334-004-AC.]

**A.3. Hours of Operation:** The facility is permitted to operate continuously (8,760 hours/year). [Rule 62-210.200, F.A.C., Permit Nos. 0951334-001-AC and 0951334-004-AC.]

**A.4. Flare Operation:** All flares shall be operated with a flame present at all times, as determined by a thermocouple or other equivalent device to detect the presence of a flame. The facility shall operate and maintain the flares according to the manufacturer’s recommended practices. The flares’

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

#### Subsection A. Emissions Units 001, 002 and 004, Gas Collection Systems and Flares

operation and maintenance manuals and records shall be kept on site for review by EPD staff. [Rule 62-4.070(3), F.A.C., Permit No. 0951334-004-AC]

- A.5. Temporary Flare, EU 004:** The permittee may operate one temporary open flare that may be used to flare landfill gas until such time that the permanent flare described in Permit No. 0951334-004-AC specific condition 1 is installed.
- This temporary flare may be used for a period that shall not exceed six months from the July 25, 2016 issue date of permit 0951334-004-AC, or January 25, 2017.
  - The temporary flare shall be an LFG Specialities Utility Flare, Model PCF122810, with a rated capacity of 3,000 SCFM and a stack height of 34 feet.
  - LFG flow shall be restricted to 1,500 SCFM in two ways.
    - The valve located near the condensate knockout pot at the flare station shall be partially closed to restrict flow.
    - The temporary flare shall be equipped with a Red Lion automatic electric shutdown device to shut off the flare 60 seconds after the flow on the flow meter reaches its set point. The set point shall be adjusted to 1,500 SCFM before the flare arrives on site.
- [Permit No. 0951334-004-AC]

#### **Emission Limitations and Standards**

- A.6. Emissions Standards:** Visible emissions from the flares are limited to periods not to exceed a total of 5 minutes during any two consecutive hours. [Rule 62-4.070(3), F.A.C., Permit No. 0951334-004-AC]
- A.7. Facility-wide SO<sub>2</sub> Emissions:** The maximum permitted SO<sub>2</sub> emissions are 477 tons per consecutive 12-month period. [Rules 62-4.070(3) and 62-210.200 (PTE), F.A.C., Permit No. 0951334-004-AC]

#### **Excess Emissions**

- A.8. Excess Emissions Allowed.** Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by EPD for longer duration. [Rule 62-210.700(1), F.A.C. and Permit No. 0951334-001-AC]
- A.9. Excess Emissions Prohibited.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C. and Permit No. 0951334-001-AC]

#### **Test Methods and Procedures**

- A.10. Compliance Test Prior To Renewal.** Compliance tests shall be performed for EU 001 and EU 002 once every 5 years. The tests shall occur prior to obtaining a renewed operation permit to demonstrate compliance with the emission limits in Specific Condition **A.6.** The permittee shall submit the compliance test results with the operation permit renewal application. [Rules 62-4.070(3) and 62-297.310(8)(b), F.A.C. and Permit No. 0951334-001-AC]
- A.11. Test Requirements:** The permittee shall notify EPD in writing at least 15 days prior to any required tests and sampling. Tests shall be conducted in accordance with the applicable requirements specified in Appendix TR, Facility-Wide Testing Requirements of this permit. [Rule 62-297.310(9), F.A.C.]

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

**Subsection A. Emissions Units 001, 002 and 004, Gas Collection Systems and Flares**

**A.12. Test Methods:** Required tests shall be performed in accordance with the following reference method. The required minimum period of observation for a compliance test shall be two hours.

Method	Description of Method and Comments
22	Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares

The above method is described in Appendix A of 40 CFR 60 and is adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from EPD. [Rules 62-204.800 and 62-297.310, F.A.C., Appendix A of 40 CFR 60]

**A.13. Total Sulfur Concentration Sampling:**

- a. Sample the LFG at the EU 001 flare quarterly and analyze for total sulfur concentration. Calculate a monthly SO<sub>2</sub> emission rate using the total LFG flow to EU 001 for each month and the latest measured total sulfur concentration.
- b. Sample the LFG at the EU 002 flare quarterly and analyze for total sulfur concentration. Calculate a monthly SO<sub>2</sub> emission rate using the total LFG flow to EU 002 for each month and the latest measured total sulfur concentration. If the total sulfur concentration for EU 002 is less than 500 ppm for three consecutive quarters, the sampling frequency for EU 002 may be reduced from quarterly to annually. If an annual LFG sample from EU 002 exceeds 500 ppm total sulfur, the sampling frequency shall be increased from annually to quarterly.
- c. Sample the LFG at the EU 004 flare quarterly and analyze for total sulfur concentration. Calculate a monthly SO<sub>2</sub> emission rate using the LFG flow to EU 004 for each month and the latest measured total sulfur concentration.
- d. If the calculated consecutive 12-month total SO<sub>2</sub> emission exceeds 250 tons for all three flares combined, sample EU 001 and EU 004 monthly and calculate a monthly emission rate based on the latest available flow and concentration data. Monthly sampling of EU 001 and EU 004 shall be continued as long as the consecutive 12-month SO<sub>2</sub> emission remains above 250 tons. When the consecutive 12-month SO<sub>2</sub> emission falls below 250 tons, the permittee may resume quarterly sampling.

[Rule 62-4.070(3), F.A.C.; Permit No. 0951334-004-AC]

**Recordkeeping and Reporting Requirements**

**A.14. Test Reports:** The permittee shall prepare and submit reports for all required tests and laboratory analyses in accordance with the requirements specified in Appendix TR (Facility-Wide Testing Requirements) of this permit. [Rule 62-297.310(10), F.A.C.]

**A.15. Recordkeeping Log:** A log shall be kept for this facility to document compliance with the limitations of specific condition **A.7**. 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 at a minimum shall contain the following for each month:

- a. Designation of month and year of operation for which records are being tabulated;
- b. Total LFG flow to each flare;
- c. Total sulfur concentration at each flare as determined in specific condition **A.13**;
- d. Monthly and consecutive 12-month totals of SO<sub>2</sub> emissions for each flare and all three flares combined.

[Rule 62-4.070(3), F.A.C.; Permit No. 0951334-004-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 of the year as the end of a 12-month period. A 12-month total is not a year-to-date total. Facilities

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

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**Subsection A. Emissions Units 001, 002 and 004, Gas Collection Systems and Flares**

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.

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

**Subsection B. Emissions Unit 003, Emergency Generators**

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

EU No.	Brief Description
003	<u>Emergency Generators</u> The facility has two emergency generators, one rated at 60 kW for the EU 001 flare and the other rated at 20 kW for the EU 002 flare. Both have spark ignition engines installed in 2010 and subject to 40 CFR Part 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The fuel for these engines is propane or LP gas.

*{Permitting Note: These spark ignition engines are subject to 40 CFR Part 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, and therefore subject to 40 CFR Part 60 Subpart A, General Requirements. The EPD has tried to take the applicable requirements from both regulations and put them in this subsection. However, the facility is subject to both, entire federal regulations whether in this permit or not.}*

**B.1. Compliance Requirements:** The permittee shall demonstrate compliance with the emission standards in 40 CFR Part 60 Subpart JJJJ by purchasing engines certified to the emission standards in 40 CFR Part 60 Subpart JJJJ §60.4231(c) for the same engine class and maximum engine power. [Rule 62-4.070(3)(a), F.A.C.; and 40 CFR Part 60 Subpart JJJJ §60.4243(a)]

**B.2. Maintenance Requirements:** The permittee shall operate and maintain the engines according to the manufacturer's emission-related written instructions and keep records of conducted maintenance to demonstrate compliance. [Rule 62-4.070(3)(a), F.A.C.; and 40 CFR Part 60 Subpart JJJJ §60.4243(a)(1)]

**B.3. Continuous Compliance for Emergency RICE:** The permittee shall operate the engines according to the requirements in conditions **B.3.a.** through **B.3.c.** In order for the engine to be considered an emergency stationary ICE, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in conditions **B.3.a.** through **B.3.c.** is prohibited.

- a. There is no time limit on the use of emergency stationary ICE in emergency situations.
- b. The permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraphs (i) through (ii) below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by condition B.3.c counts as part of the 100 hours per calendar year.
  - (i) Emergency stationary ICE may be operated for maintenance checks and readiness testing. The permittee may petition the EPD for approval of additional hours to be used for maintenance checks and readiness testing.
  - (ii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
- c. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response. [Rule 62-4.070(3)(a), F.A.C.; and 40 CFR Part 60 Subpart JJJJ §60.4243(d)]

**B.4. Notification, Reports and Records:** The permittee shall keep records of the following information.

- a. All notifications submitted to comply with Subpart JJJJ and all documentation supporting any notification.
- b. Maintenance conducted on the emergency stationary ICE.

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

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**Subsection B. Emissions Unit 003, Emergency Generators**

- c. Documentation from the manufacturer that the emergency stationary ICE is certified to meet the emission standards and information as required.

[Rule 62-4.070(3)(a), F.A.C.; and 40 CFR Part 60 Subpart JJJJ §60.4245(a)]

## **Appendices**

Appendix A, Glossary.

Appendix I, List of Insignificant Emissions Units and/or Activities.

Appendix CP, Compliance Plan.

Appendix RR, Facility-wide Reporting Requirements.

Appendix TR, Facility-wide Testing Requirements.

Appendix TV, Title V General Conditions.

Referenced Attachments.

Table H, Permit History.

Statement of Basis.

## APPENDIX A

### ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS

#### Abbreviations and Acronyms:

<b>°F:</b> degrees Fahrenheit	<b>LAT:</b> Latitude
<b>acfm:</b> actual cubic feet per minute	<b>lb:</b> pound
<b>AOR:</b> Annual Operating Report	<b>lbs/hr:</b> pounds per hour
<b>ARMS:</b> Air Resource Management System (Department's database)	<b>LFG:</b> landfill gas
<b>BACT:</b> best available control technology	<b>LONG:</b> Longitude
<b>BHP:</b> brake horsepower	<b>MACT:</b> maximum achievable technology
<b>Btu:</b> British thermal units	<b>mm:</b> millimeter
<b>CAA:</b> Clean Air Act	<b>MMBtu:</b> million British thermal units
<b>CAAA:</b> Clean Air Act Amendments of 1990	<b>MSDS:</b> material safety data sheets
<b>CAM:</b> compliance assurance monitoring	<b>MW:</b> megawatt
<b>CEMS:</b> continuous emissions monitoring system	<b>NESHAP:</b> National Emissions Standards for Hazardous Air Pollutants
<b>cfm:</b> cubic feet per minute	<b>NO<sub>x</sub>:</b> nitrogen oxides
<b>CFR:</b> Code of Federal Regulations	<b>NSPS:</b> New Source Performance Standards
<b>CI:</b> compression ignition	<b>O&amp;M:</b> operation and maintenance
<b>CO:</b> carbon monoxide	<b>O<sub>2</sub>:</b> oxygen
<b>COMS:</b> continuous opacity monitoring system	<b>ORIS:</b> Office of Regulatory Information Systems
<b>DARM:</b> Division of Air Resource Management	<b>OS:</b> Organic Solvent
<b>DCA:</b> Department of Community Affairs	<b>Pb:</b> lead
<b>DEP:</b> Department of Environmental Protection	<b>PM:</b> particulate matter
<b>Department:</b> Department of Environmental Protection	<b>PM<sub>10</sub>:</b> particulate matter with a mean aerodynamic diameter of 10 microns or less
<b>dscfm:</b> dry standard cubic feet per minute	<b>PSD:</b> prevention of significant deterioration
<b>EPA:</b> Environmental Protection Agency	<b>psi:</b> pounds per square inch
<b>EPD:</b> Orange County Environmental Protection Division	<b>PTE:</b> potential to emit
<b>ESP:</b> electrostatic precipitator (control system for reducing particulate matter)	<b>RACT:</b> reasonably available control technology
<b>EU:</b> emissions unit	<b>RATA:</b> relative accuracy test audit
<b>F.A.C.:</b> Florida Administrative Code	<b>RICE:</b> reciprocating internal combustion engine
<b>F.D.:</b> forced draft	<b>RMP:</b> Risk Management Plan
<b>F.S.:</b> Florida Statutes	<b>RO:</b> Responsible Official
<b>FGR:</b> flue gas recirculation	<b>SAM:</b> sulfuric acid mist
<b>Fl:</b> fluoride	<b>scf:</b> standard cubic feet
<b>ft<sup>2</sup>:</b> square feet	<b>scfm:</b> standard cubic feet per minute
<b>ft<sup>3</sup>:</b> cubic feet	<b>SI:</b> spark ignition
<b>g:</b> grams	<b>SIC:</b> standard industrial classification code
<b>gpm:</b> gallons per minute	<b>SNCR:</b> selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)
<b>gr:</b> grains	<b>SOA:</b> Specific Operating Agreement
<b>HAP:</b> hazardous air pollutant	<b>SO<sub>2</sub>:</b> sulfur dioxide
<b>HP:</b> horsepower	<b>TPH:</b> tons per hour
<b>Hg:</b> mercury	<b>TPY:</b> tons per year
<b>ICE:</b> internal combustion engine	<b>UTM:</b> Universal Transverse Mercator coordinate system
<b>I.D.:</b> induced draft	<b>VE:</b> visible emissions
<b>ID:</b> identification	<b>VOC:</b> volatile organic compounds
<b>ISO:</b> International Standards Organization (refers to those conditions at 288 Kelvin, 60% relative humidity and 101.3 kilopascals pressure.)	<b>x:</b> By or times
<b>kPa:</b> kilopascals	
<b>kW:</b> kilowatts	

**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**

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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. Light towers
2. Parts cleaning and solvent degreasing associated with equipment maintenance
3. Vista Organics Composting Facility; organic waste is processed into compost at this facility

**APPENDIX CP**  
**COMPLIANCE PLAN MILESTONES**

**COMPLIANCE PLAN**

Permit 0951334-004-AC issued July 25, 2016 authorized the addition of the EU-004 flare. Specific condition 8 of that permit required an initial compliance test for visible emissions using EPA Method 22. The flare selected by the facility for the permanent EU 004 flare was not available when that permit was issued, and would not be available until the end of 2016, after this permit is issued. That construction permit also authorized a temporary flare to be used until such time that the permanent flare is available and installed (specific condition 2). This temporary flare may be used for a period that shall not exceed six months from the date that permit was issued (specific condition 2.a.), or January 25, 2017. The permanent flare must pass the visible emission compliance test for normal operation of the flare, and it must pass the visible emission compliance test by January 25, 2017. No compliance test was required for the temporary flare, only the permanent flare.

The following table shows the tasks necessary to demonstrate compliance with the visible emission test requirements, and a projected date for completion. The EPD requires the permittee to report milestone completion dates in writing to EPD within 15 days of milestone completion.

Table CP-1. Schedule milestones to demonstrate compliance with initial Method 22 visible emission test requirements for the EU 004 flare.

<b>Schedule Milestone</b>	<b>Completion Date</b>
1. Date for acquiring the permanent flare for EU 004	No later than December 31, 2016
2. Date for installing the permanent EU 004 flare at Vista Landfill	No later than January 10, 2017
3. Date for notifying EPD of the Method 22 compliance test	No fewer than 15 days before test
4. Date for passing the Method 22 compliance test	No later than January 25, 2017
5. Date for submitting the compliance test report to EPD	No later than 45 days after the test.

**APPENDIX RR**

**FACILITY-WIDE REPORTING REQUIREMENTS**

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**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	TV18
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 EPD. 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 EPD 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 EPD 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 EPD for penalties or for revocation of this permit.
  - c. When requested by the EPD, 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 EPD, 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 EPD 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 EPD.

[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 EPD 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 EPD 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 EPD 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 EPD has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
  - (3) The new permittee has notified the EPD 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 EPD 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 EPD 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.

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- 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 EPD 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 TR**  
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Unless otherwise specified in a specific rule, this permit, or other order, the following testing requirements apply to each emissions unit for which testing is required. An emissions test is an emissions rate test, a concentration test, or an opacity test.

**TR1. 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 condition **TR5**. [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.]

**TR2. 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.

- a. Combustion Turbines. (Reserved)
- b. All Other Sources. Testing capacity is defined as at least 90 percent of the maximum operation rate specified by the permit.

[Rule 62-297.310(3), F.A.C.]

**TR3. 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.]

**TR4. 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.]

**TR5. 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 percent of its true value.

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

**TR6. 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 EPD elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the EPD and remain on the emissions unit until the test is completed.

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

**TR7. 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 paragraph a.(5), below [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 paragraph a.(5), below [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 paragraph a.(5), below [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 paragraphs a.(2), (3) and (4), above [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 paragraphs a.(2), (3) and (4), above [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

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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 this condition **TR7**. [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 this condition **TR7**. [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 paragraph b.(3), below [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 paragraph b.(1), above [subparagraph 62-297.310(8)(b)1., F.A.C.], for any emissions unit by submitting the most recent emissions test, as specified in condition **TR9**. [Subsection 62-297.310(10), F.A.C.], provided such test occurred within the term of the current operation permit.
  - (3) Exemptions from paragraph b.(1), above [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

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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 this condition **TR7**. [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 this condition **TR7**. [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 EPD, 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 EPD 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 EPD 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 EPD in accordance with the provisions of condition **TR9**. [Subsection 62-297.310(10), F.A.C.].  
[Rule 62-297.310(8), F.A.C.]

**TR8. 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.]

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**TR9. 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) (<http://www.epa.gov/ttnchie1/ert/>), the written report specified in paragraph a., above [paragraph 62-297.310(10)(a), F.A.C.], need not be submitted, provided the conditions of paragraphs (1) – (3), below [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 paragraphs c.(1) – (24), below [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 EPD 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 EPD 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.

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- (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.]

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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 EPD. [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 EPD 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 EPD 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 EPD and EPA with at least 7 days written notice prior to implementation. The source and the EPD 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 EPD 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 EPD 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 EPD 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 EPD 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 EPD, 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 EPD, 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 EPD 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 EPD 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 EPD 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 EPD.
- 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 EPD 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, EPD orders, rules or permit conditions.
  - (3) Has failed to submit operational reports or other information required by EPD 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 EPD 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 EPD 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 EPD 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 EPD, 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 EPD 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 EPD 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 EPD. 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 EPD 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 EPD rules, unless specifically authorized by an order from the EPD. [Rule 62-4.160(5), F.A.C.]

**TV28. Agreements.**

- a. The permittee, by accepting this permit, specifically agrees to allow authorized EPD 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 EPD 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 EPD may be used by the EPD as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or EPD 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 EPD 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 EPD 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 EPD rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the EPD.
- 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 EPD 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

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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 EPD 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 EPD 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 EPD 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 compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.

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- (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 EPD 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 EPD 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.

**APPENDIX TV**

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**TITLE V GENERAL CONDITIONS**

(Version Dated 02/16/2012)

**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 H**  
**PERMIT HISTORY**

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

<b>EU No.</b>	<b>Description</b>	<b>Permit No.</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Project Type</b>
All	Facility	0951334-005-AV	xx/xx/xxxx	xx/xx/xxxx	Revision
-004	Gas Collection System and Flare	0951334-004-AC	07/25/2016	03/04/2017	Construction(new)
-002	Gas Collection System and Flare	0951334-003-AV	07/24/2014	03/04/2017	Administrative Correction
All	Facility	0951334-002-AV	03/05/2012	03/04/2017	Initial Operation
-001, -002	Gas Collection System and Flares	0951334-001-AC	02/07/2011	03/01/2012	Initial Construction

**STATEMENT OF BASIS**

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Title V Air Operation Permit Renewal and Revision  
Permit No. 0951334-005-AV

**APPLICANT**

The applicant for this project is Waste Management Inc. of Florida. The applicant’s Responsible Official and mailing address is: Alexander Lacsamana, District Manager - Closed Sites, Waste Management, 1850 Parkway Place, Suite 600, Marietta, GA 30067.

**FACILITY DESCRIPTION**

Waste Management Inc. of Florida operates the existing Keene Road Landfill – Vista Landfill, which is located in Orange County at 255 West Keene Road in Apopka, Florida.

This facility consists of two landfills in Apopka: the Keene Road Landfill north of Keene Road at 255 West Keene Road; and the Vista Landfill south of Keene Road at 242 West Keene Road. The landfills are contiguous and controlled by Waste Management of Florida, Inc., making them one source for air permitting purposes. The Keene Road Landfill – Vista Landfill facility is a Class III landfill that accepts construction and demolition waste, along with wood, plastic, metal, yard waste, and asbestos containing material. This landfill facility does not accept municipal solid waste (Class I waste).

Keene Road Landfill has three closed cells (Parcels 1, 2 and 3) that are capped and no additional waste can be added to them. Parcels 1 and 2, just north of Keene Road, were closed on June 30, 2010. Parcel 3, located north of Parcels 1 and 2, was closed on August 31, 2009. The landfill gas (LFG) capture systems and flares at Keene Road Landfill for EU 001 and EU 002 were installed between 2006 and July of 2010. Waste is being deposited into Vista Landfill, and a LFG collection system is being constructed as the waste is being deposited. LFG generated at Vista Landfill is piped to the flares for EU 001 and EU 004

**REGULATED EMISSIONS UNIT IDENTIFICATION NUMBERS AND DESCRIPTIONS**

<b>EU No.</b>	<b>Brief Description</b>
001	Parcels 1 and 2 Gas Collection and Flare System
002	Parcel 3 Gas Collection and Flare System
003	Emergency Generators
004	Vista Gas Collection and Flare System

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

**APPLICABLE REGULATIONS**

Based on the Title V air operation permit renewal and revision application received July 22, 2016, this facility is not a major source of hazardous air pollutants (HAP). The existing facility is a prevention of significant deterioration (PSD) major source of air pollutants in accordance with Rule 62-212.400, F.A.C. A summary of applicable regulations is shown in the following table.

<b>Regulation</b>	<b>EU No(s).</b>
<i>Federal Rule Citations</i>	
40 CFR 60, Subpart A, NSPS General Provisions	003
40 CFR 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines	003

**STATEMENT OF BASIS**

<i>State Rule Citations</i>	
62-4.030 General Prohibition	001, 002, 003, 004
62-4.050 Procedures to Obtain Permits and Other Authorizations; Applications	001, 002, 003, 004
62-4.070 Standards for Issuing or Denying Permits; Issuance; Denial	001, 002, 003, 004
62-4.080 Modification of Permit Conditions	001, 002, 003, 004
62-4.130 Plant Operation – Problems	001, 002, 003, 004
62-4.220 Operation Permit for New Sources	001, 002, 003, 004
62-204.800 Federal Regulations Adopted by Reference	001, 002, 003, 004
62-210.200 Definitions	001, 002, 003, 004
62-210.300 Permits Required	001, 002, 003, 004
62-210.370 Emissions Computation and Reporting	001, 002, 003, 004
62-210.650 Circumvention	001, 002, 003, 004
62-210.700 Excess Emissions	001, 002, 003, 004
62-212.300 General Preconstruction Review Requirements	001, 002, 003, 004
62-212.400 Prevention of Significant Deterioration (PSD)	001, 002, 003, 004
62-213.205 Annual Emissions Fee	001, 002, 003, 004
62-213.440 Permit Content	001, 002, 003, 004
62-296.320 General Pollutant Emission Limiting Standards	001, 002, 003, 004
62-297.310 General Emissions Test Requirements	001, 002, 003, 004
<i>Orange County Rule Citations</i>	
Orange County Ordinances, Chapter 15 – Article III, Air Quality Control	001, 002, 003, 004

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

**PROJECT DESCRIPTION**

The purpose of this project is to revise and renew Title V air operation permit No. 0951334-002-AV. The permit is revised to incorporate modifications authorized by construction permit 0951334-004-AC. The modifications included construction of one new flare and gas collection system (EU 004) and increasing the facility SO<sub>2</sub> emission limit to 477 TPY, making this facility a PSD major source.

**PROCESSING SCHEDULE AND RELATED DOCUMENTS**

Initial Title V Air Operation Permit issued March 5, 2012.  
 Title V Air Operation Permit Administrative Correction issued July 7, 2014.  
 Construction Permit 0951334-004-AC issued July 25, 2016.  
 Application for a Title V Air Operation Permit Renewal received July 22, 2016.

**PRIMARY REGULATORY REQUIREMENTS**

Standard Industrial Classification (SIC) Code: 4953 – Refuse System.

North American Industry Classification System (NAICS): 562212, Solid Waste Landfill

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

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**STATEMENT OF BASIS**

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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.).

PSD: The facility is a Prevention of Significant Deterioration (PSD) major source of air pollution in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility operates units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60.

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility. No continuous monitoring is required because there is no control device.

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

**PROJECT REVIEW**

Changes to permit 0951334-002-AV made as part of this revision are shown in ~~strike through~~ format for deletions and in double underline format for additions. For ease of identification, changes have also been highlighted in yellow.

1. Condition **A.1**. Permitted Capacity was changed as follows:

<b>EU Number</b>	<b>Maximum Landfill Gas Flow Rate, SCFM</b>
001	2800
002	400
<u>004</u>	<u>1500</u>

2. Condition **A.2**. regarding gas flow monitoring was added by permit 0951334-004-AC.
3. Condition **A.5**. for a temporary flare was added by permit 0951334-004-AC.
4. SO<sub>2</sub> emission limits were increased by permit 0951334-004-AC from 237 TPY to 477 TPY, making this facility a PSD major source.
5. The sulfur sampling condition was modified by permit 0951334-004-AC as follows from:

**A.8. Total Sulfur Concentration.** Sample the landfill gas in EU 001 and EU 002 landfill gas collection systems quarterly and analyze for total sulfur concentration. If the total sulfur concentration for EU 002 is less than 500 ppm for three consecutive quarters, the sampling frequency for EU 002 may be reduced from quarterly to annually. If an annual landfill gas sample from EU 002 exceeds 500 ppm total sulfur, the sampling frequency shall be increased from annually to quarterly. [Rule 62-4.070(3), F.A.C, and Permit No. 0951334-001-AC]

To:

**A.13. Total Sulfur Concentration Sampling:**

- a. Sample the LFG at the EU 001 flare quarterly and analyze for total sulfur concentration. Calculate a monthly SO<sub>2</sub> emission rate using the total LFG flow to EU 001 for each month and the latest measured total sulfur concentration.
- b. Sample the LFG at the EU 002 flare quarterly and analyze for total sulfur concentration. Calculate a monthly SO<sub>2</sub> emission rate using the total LFG flow to EU 002 for each month and the latest measured total sulfur concentration. If the total sulfur concentration for EU 002 is less than 500 ppm for three consecutive quarters, the sampling frequency for EU 002 may be reduced from quarterly to annually. If an annual LFG sample from EU 002 exceeds 500 ppm total sulfur, the sampling frequency shall be increased from annually to quarterly.

## STATEMENT OF BASIS

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- c. Sample the LFG at the EU 004 flare quarterly and analyze for total sulfur concentration. Calculate a monthly SO<sub>2</sub> emission rate using the LFG flow to EU 004 for each month and the latest measured total sulfur concentration.
  - d. If the calculated consecutive 12-month total SO<sub>2</sub> emission exceeds 250 tons for all three flares combined, sample EU 001 and EU 004 monthly and calculate a monthly emission rate based on the latest available flow and concentration data. Monthly sampling of EU 001 and EU 004 shall be continued as long as the consecutive 12-month SO<sub>2</sub> emission remains above 250 tons. When the consecutive 12-month SO<sub>2</sub> emission falls below 250 tons, the permittee may resume quarterly sampling.
6. Specific conditions **A.15.b., c., and d.** were changed by permit 0951334-004-AC, as follows.
    - b. Total gas flow **and maximum flow rate** to each flare;
    - c. Total sulfur concentration at each flare **as determined in specific condition 11**;
    - d. Monthly and consecutive 12-month totals of SO<sub>2</sub> emissions **using the latest laboratory analysis results for total sulfur** for each flare and all three flares combined.
  7. The latest FDEP permit formats were used for this permit.
  8. The old Appendix TV-6 was replaced with the new Appendix TV.
  9. Subsection A was revised to reflect the addition of EU 004 Vista Gas Collection and Flare System.
  10. Appendix ICE for RICE was removed and the engines of EU 003 were put into Subsection B.
  11. Appendix NSPS, Subpart JJJJ was removed and the applicable requirements of 40 CFR Part 60 Subpart JJJJ were put into the specific conditions of Subsection B.
  12. References to NESHAP 40 CFR Part 63 Subpart ZZZZ were removed because the facility has no sources subject to that NESHAP.

### CONCLUSION

This project revises and renews Title V air operation permit No. 0951334-002-AV, which was effective on March 5, 2012. This Title V air operation permit revision and renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, and 62-213, F.A.C.