



Charlie Crist  
Governor

Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General

**FEBRUARY 19, 2009**

**ELECTRONIC CORRESPONDENCE**

sast@luxuryresorts.com

**NOTICE OF TITLE V AIR OPERATION PERMIT RENEWAL**

**PERMITTEE:**

Boca Raton Resort and Club  
501 East Camino Real  
Boca Raton, FL 33431

*Responsible Official:*  
Stephen J. Ast, President

<b>ARMS No.:</b> 0990015
<b>Permit No:</b> 0990015-006-AV
<b>Issued:</b> February 19, 2009
<b>Expires:</b> February 18, 2014

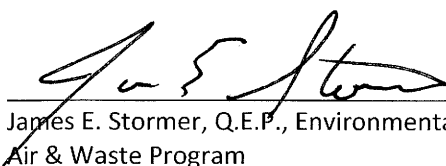
*Renewal Application Due Date: July 08, 2013*

Dear Mr. Ast:

Enclosed is Air Permit No. 0990015-006-AV for the operation of a source of air pollution located in Palm Beach County. This permit is issued pursuant to Chapter 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code. Any party to this Order (Permit) has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order (Permit) is filed with the Clerk of the Health Department.

*Executed in West Palm Beach, Florida*  
PALM BEACH COUNTY HEALTH DEPARTMENT

For the Division Director  
Environmental Health and Engineering

  
James E. Stormer, Q.E.P., Environmental Administrator  
Air & Waste Program  
Division of Environmental Health and Engineering

*For any questions, contact:*

Laxmana Tallam, P.E.  
Air & Solid Waste Permit Supervisor  
Air & Waste Program  
Palm Beach County Health Department  
P.O. Box 29 (901 Evernia Street)  
West Palm Beach, Florida, 33402-0029



Post Office Box 29 / 901 Evernia Street, West Palm Beach, FL. 33402  
Jean M. Malecki, M.D., MPH, FACPM, Director  
[www.pbchd.com](http://www.pbchd.com)

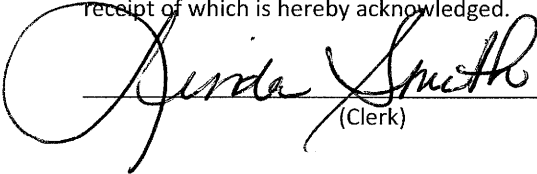
**CERTIFICATE OF SERVICE**

The undersigned duly designated agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by electronic mail (with received receipt) before the close of business on 2/19/2009 to the permittee.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by electronic mail (with received receipt) on the same date to the following persons:

James Burkhardt, P.E., Environmental Control, Inc	Email	jim@environmentalcontrol.com
Walter C. Youll Boca Raton Resort & Club	Email	wyoull@luxuryresorts.com
Lennon Anderson, P.E., Air Program Administrator DEP/SED	Email	Lennon.Anderson@dep.state.fl.us
Thomas Tittle, PBCHD	Email	Thomas_Tittle@doh.state.fl.us
<b>Barbara Friday</b> , DEP-DARM (for posting with Region 4 , U.S. EPA)	Email	barbara.friday@dep.state.fl.us

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

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

2/19/09  
(Date)

## **I. Public Notice.**

An "INTENT TO ISSUE DRAFT/PROPOSED TITLE V AIR OPERATION PERMIT RENEWAL" to **Boca Raton Resort & Club** located at 501 East Camino Real, Boca Raton in Palm Beach County, Florida was clerked on **December 19, 2008**.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was published in **The Palm Beach Post** on **December 24, 2008**. The DRAFT /PROPOSED Permit was available for public inspection at the **Palm Beach County Health Department** in **West Palm Beach**. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was received on **January 08, 2009**.

## **II. Public Comment.**

No comments were received during the 30 (thirty) day public comment period.

## **III. EPA comments**

Proposed permit was issued along with the draft permit (parallel review). No comments were received from the US. EPA related to the proposed permit.

## **IV. Conclusion**

Since there were no comments received from the US EPA, the permitting authority hereby issues the FINAL Permit.

**TITLE V**  
**AIR POLLUTION OPERATION PERMIT RENEWAL**

BOCA RATON RESORT & CLUB

**FINAL Permit Project No.: 0990015-006-AV**

**Permitting & Compliance Authority:**

Air Pollution Control Section  
Palm Beach County Health Department  
P.O. Box 29 (901 Evernia Street)  
West Palm Beach, FL 33402-0029  
Telephone: (561) 355-3136  
Fax: (561) 804-9405

# **Title V Air Operation Permit Renewal**

## **Boca Raton Resort & Club FINAL Permit Project No.: 0990015-006-AV**

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Charlie Crist  
Governor

Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General

**ISSUED TO:**

**Permittee**

Boca Raton Resort & Club  
501 East Camino Real  
Boca Raton, FL 33431

**FINAL Permit No.:** 0990015-006-AV

**Facility ARMS ID No.:** 0990015

**SIC No.:** 7011

**Project:** Title V Air Operation Permit Renewal

**Responsible Official:**

Stephen J. Ast, President

Effective Date: **February 18, 2009**

Expiration Date: **February 18, 2014**

Renewal Application Due Date: **July 08, 2013**

The purpose of this permit is to renew the Title V Air Operation Permit, No. 0990015-005-AV. The facility is located at 501 East Camino Real, Boca Raton in Palm Beach County, Florida. UTM Coordinates: Zone 17; 592.0 km E; 2913.7 km N; Latitude: 26° 25' 30" North / Longitude: 80° 01' 47" West.

This Title V Air Pollution Operation Permit Renewal is issued under 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 above named permittee is authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.


The Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under Chapter 403.087, F.S. However, in accordance with Section 403.182, F.S., the FDEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, the FDEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County.

**Referenced attachments made a part of this permit:**

Appendix I: List of Insignificant Emissions Units and/or Activities  
APPENDIX U-1: List of Unregulated Emissions Units and/or Activities  
Appendix SS-1: Stack Sampling Facilities (version dated 10/07/96)  
Table 297.310-1: Calibration Schedule (version dated 10/07/96)  
APPENDIX TV-6: TITLE V CONDITIONS (version dated 06/23/06)

**ISSUED BY:**

For the Division Director  
Environmental Health and Engineering

  
James E. Stormer, Q.E.P., Environmental Administrator  
Air & Waste Program  
Division of Environmental Health and Engineering



Post Office Box 29 / 901 Evernia Street, West Palm Beach, FL 33402  
Jean M. Malecki, M.D., MPH, FACPM, Director  
[www.pbchd.com](http://www.pbchd.com)

**SECTION I. FACILITY INFORMATION****SUBSECTION A. FACILITY DESCRIPTION**

This facility is a hotel and resort. It includes several sources of air pollution: a dry cleaning operation (EU008), two 10.46 MMBtu/hr fossil fuel steam generating units (EU 007), six (6) natural gas fired hot water heaters (EU001), ten (10) emergency generators (EU006), and two spray booths for furniture refinishing (EU009). Units EU001 and EU009 are designated as insignificant sources. The facility also operates a number of chillers that use refrigerants R-11, R-22, R-134, and R-500.

The dry cleaning operation consists of two (2) perchloroethylene dry-to-dry machines (EU008) controlled by a refrigerated condenser. These units are manufactured by Union (model no. U2000-L765) and were installed on December 21, 2000. This emission unit is subject to the regulations of 40 CFR Part 63 Subpart M. The emissions unit is designated as a large area source based upon the federally-enforceable cap on perchloroethylene use. The facility's annual consumption of approximately 200 gallons of perchloroethylene per year is much lower than the 2100-gallon threshold set for a major source.

Two fossil fuel steam generating units (EU007) are located in the main boiler room, and are manufactured by Cleaver Brooks (model no. CEW 700 250). Each boiler has a heat input rate of 10.46 MMBtu/hr and is subject to the requirements of 40 CFR Part 60 Subpart Dc. The units are cycled and do not operate simultaneously. Best Available Control Technology (BACT) requirements are satisfied by using pipeline quality natural gas as the only fuel and by following good combustion practices.

The tower has six (6) natural gas fired hot water heaters (EU001). These boilers are all manufactured by Ray-Pak, and have heat input ratings ranging from 0.9 – 1.2 MMBtu/hr. They are considered an insignificant source of air pollution per F.A.C. 62-213.430(6). Two of these boilers are in constant operation to provide hot water to the resort. Three of these boilers are used for forced hot water to heat rooms during the winter. The remaining boiler is a standby unit.

Emission Unit 006 consists of ten (10) emergency generators, eight (8) of which are emergency electrical generators and two (2) of which are generators for fire pumps. They range in size from 75 to 500 KW rating. One (1) generator is fired by natural gas, seven (7) of the generators are fired by diesel fuel, and the two (2) generators for fire pumps are also fired by diesel fuel.

Furniture refinishing activities are conducted at two spray booths (EU002). Approximately 408 gallons of a variety of coatings and varnishes are used in the spray booths each year. Mineral spirits is the primary solvent used for surface preparation. Small quantities of a paint and varnish remover containing a mixture of methylene chloride, ethylene glycol butyl ether, methanol and toluene are also used. The furniture refinishing activities have been re-classified as an insignificant source of air pollution based on updated estimates of the potential to emit of volatile organic compounds and hazardous air pollutants.

Also included in the insignificant emissions units and/or activities are five gas-fired dryers for laundry operations.

Based on both the Title V permit renewal application received June 23, 2003, this facility is not a major source of hazardous air pollutants (HAPs). There are no emission units subject to Compliance Assurance Monitoring (CAM) requirements at this facility.

**SUBSECTION B. EMISSIONS UNITS SUMMARY AND BRIEF DESCRIPTION**

EU No.	R / U*/I**	BRIEF DESCRIPTION
001	I	Six boilers (0.9 to 1.2 MMBtu/hr)
006	U	Ten emergency generators, eight for electricity generation and two for fire pumps
007	R	Two Cleaver Brooks boilers (10.46 MMBtu/hr) in main boiler room
008	R	Perchloroethylene dry cleaning operation consisting of two dry-to-dry units and condenser
009	I	Surface Coating operations
002	Shut Down and Removed from facility	400 HP Boiler #2 w/dust collector
003		400 HP Boiler #3 w/dust collector
004		Renzacci Perchloroethylene dry cleaning operations
005		Refuse Incinerator 1385 lb/hr; Cleaver Brooks # 1280/72

\* (R)egulated and (U)nregulated - An unregulated emissions unit is an emissions unit which emits no "emissions-limited pollutant" and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards. Such emissions units and/or activities are neither "regulated emissions units" nor "exempt emissions units."

\*\* Insignificant emission unit

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**SECTION I. FACILITY INFORMATION****SUBSECTION C. RELEVANT DOCUMENTS**

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action. These documents are on file with the permitting authority.

These documents are provided to the permittee for information purposes only:

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix S, Summary of Air Pollutant Standards and Terms (Table 1-1) and Compliance Requirements (Table 2-1)

Appendix H-1, Permit History

Statement of Basis

These documents are on file with the permitting authority:

Application for Title V permit renewal received: June 23, 2008

DRAFT/Proposed Intent to Issue December 19, 2008

Public Notice published December 24, 2008

EPA Comment Period ends February 17, 2009

*{Note: Please indicate the Permit Number, Facility ARMS ID Number, and appropriate Emissions Unit ID Numbers on all correspondence, report submittals, applications, etc.}*



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**SECTION II. FACILITY-WIDE CONDITIONS*****The following conditions apply facility-wide:***

- II.A.1**     Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department at P.O. Box 29 (901 Evernia Street), West Palm Beach, Florida, 33402-0029, and phone number (561) 355-3136. In addition, *copies* of all documents shall be submitted to the Air Program, Southeast District Office, Florida Department of Environmental Protection (FDEP) at 400 North Congress Avenue, West Palm Beach, Florida, 33401. **[PBC Specific Operating Agreement (SOA)]**
- II.A.2.**     Appendix TV-6, Title V Conditions, is a part of this permit.
- II.A.3.**     Appendix U, List of Unregulated Emissions Units and/or Activities, is a part of this permit. **[Rule 62-213.440(1), F.A.C.]**
- II.A.4.**     Appendix I, Insignificant Emissions Units and/or Activities, is a part of this permit. **[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]**
- II.A.5.**     General Particulate Emission Limiting Standards: General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, the permittee shall not:
- (1) Cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as No. 1 on the Ringelmann Chart (20 percent opacity). **[Rule 62-296.320(4)(b)1., F.A.C.]**
  - (2) If the presence of uncombined water is the only reason for failure to meet the visible emissions standards given in Rule 62-296.320(4)1, F.A.C., such failure shall not be a violation of the rule. **[Rule 62-296.320(4)(b)3, F.A.C.]**
  - (3) All visible emissions test performed pursuant to the requirements of Rule 62-296.320(b)(4)1, F.A.C. shall use EPA Reference Method 9, and shall meet all applicable requirements of Chapter 62-297, F.A.C.. **[Rule 62-296.320(4)(b)4, F.A.C.]**
- II.A.6.**     Excess Emissions Requirements: Unless specified elsewhere in this permit, excess emissions shall be regulated in accordance with the following: **[Rule 62-210.700, F.A.C.]**
- (1) Excess emissions resulting from startup, shutdown, or malfunction of any emission unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. **[Rule 62-210.700(1), F.A.C.]**
  - (2) 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.]**
  - (3) Considering operational variations in types of industrial equipment operations affected by this rule, the Department may adjust the maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest. **[Rule 62-210.700(5), F.A.C.]**

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**SECTION II. FACILITY-WIDE CONDITIONS**

- (4) In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Compliance Authority in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted to the Compliance Authority in a quarterly report, if requested by the Permitting or Compliance Authority. **[Rule 62-210.700(6), F.A.C.]**

**II.A.7.** Prevention of Accidental Releases (Section 112(r) of CAA): Prevention of Accidental Releases (Section 112(r) of CAA).

- a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:

**RMP Reporting Center**  
Post Office Box 1515  
Lanham-Seabrook, MD 20703-1515  
Telephone: 301/429-5018

and,

- b. The permittee shall 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]**

**II.A.8.** Notifications and Reports: The permittee shall submit all compliance-related notifications and reports required by this permit to the Palm Beach County Health Department and the Florida Department of Environmental Protection's (FDEP) Southeast District Office at:

**Palm Beach County Health Department**

Air Pollution Control Section  
Post Office Box 29  
West Palm Beach, Florida 33402-0029  
Telephone: (561) 355-3136  
Fax: (561) 804-9405

**Florida Department of Environmental Protection**

Air Program, Southeast District Office  
400 N. Congress Avenue Suite 200  
West Palm Beach, Florida, 33401  
Telephone: (561) 681-6600  
Fax: (561) 681 - 6790

**II.A.9.** U.S. Environmental Protection Agency, Report & Notifications: Any reports, data, notification, certifications, and requests required to be sent to the U. S. EPA should be sent to:

**United States Environmental Protection Agency**

Region 4  
Air and EPCRA Enforcement Branch, Air Enforcement Section  
61 Forsyth Street  
Atlanta, GA 30303  
Telephone: 404/562-9155  
Fax: 404/562-9163 or 404/562-9164

- II.A.10.** Title V Effective Date: When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one. **[Rule 62-213.440, F.A.C.]**
- II.A.11.** Annual Statement of Compliance: The permittee shall provide an annual statement of compliance to the Permitting Authority on or before March 1<sup>st</sup> each year covering the period for the previous calendar year. **[40 CFR 70.6 & Rule 62-213.440, F.A.C.]**  
*{Permitting note: See Condition No. 51, Appendix TV-6, Title V Conditions}*
- II.A.12.** Permit Renewal and Expiration: The permittee shall apply for a renewal of permit on or before the "Renewal Application Due Date" listed on page one of this permit. 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) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the permittee's right to operate shall terminate. **[Rule 62-213.430(3), F.A.C.]**
- II.A.13.** Annual Operating Report: The annual operating report shall be submitted to the Health Department or by April 1 of the following year, except that the annual operating report for year 2008 shall be submitted by May 1, 2009. If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to any DEP or local air program office. Emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C., for purposes of the annual operating report. **[Rule 62-210.370(3), F.A.C.]**

### SECTION III. EMISSION UNIT SPECIFIC CONDITIONS

**SUBSECTION A.** This subsection addresses the following emissions unit:

EMISSION UNIT NO	EMISSIONS UNIT DESCRIPTION.
007	Two (2) fossil fuel steam generating units firing natural gas each with a maximum heat input rate of 10.46 MMBtu/hr.

*{Permitting Note: The permit application indicated that the maximum annual consumption of natural gas is 171 mmcf which is greater than consumption threshold of 150 mmcf/yr, allowed for fossil fuel steam generators under categorical exemptions according to Rule 62-210.300(30)(a)34., F.A.C.*

*These boilers are subject to the requirements of (a) Rule 62-296.406, F.A.C. "Fossil Fuel Steam Generators with Less than 250 million Btu per Hour Heat Input, New and existing emission units" & (b) 40 CFR Subpart Dc "Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units."}*

#### AIR POLLUTION CONTROL EQUIPMENT

III.A.1 No control equipment is mandated by the Health Department. The BACT determination for the construction permit mandated the use of pipeline quality natural gas and implementation of good combustion practices.

**[Air Permit No. 0990015-002-AV]**

#### EMISSION LIMITING AND PERFORMANCE STANDARDS

*{Permitting Note: Table I-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

III.A.2 BACT Determination: The Permittee shall comply with the November 3, 2000 BACT Determination. BACT for this emission unit is firing pipeline quality natural gas. **[Rules 62-296.406(2) & (3), F.A.C. and Air Permit No. 0990015-002-AC]**

III.A.3 Visible Emissions: 20 percent opacity except for one two-minute period per hour during which opacity shall not exceed 40 percent. **[Rule 62-296.406(1), F.A.C. and Air Permit No. 0990015-002-AC]**

III.A.4 Particulate Matter (PM): Best available control technology. **[Rule 62-296.406(2), F.A.C., November 3, 2000 BACT Determination and Air Permit No. 0990015-002-AC]**

III.A.5 Sulfur Dioxide (SO<sub>2</sub>): Best available control technology. **[Rule 62-296.406(3), F.A.C., November 3, 2000 BACT Determination and Air Permit No. 0990015-002-AC]**

III.A.6 Permitted Capacity: The permittee shall not allow, cause, suffer or permit the operation of the units in excess of the following capacities without prior authorization from the Permitting Authority:

(h) Maximum Heat Input: 10.46 MMBtu/hr (3-hour average)

**[40 CFR 60.7(a)(4), Rules 62-4.160(2), 62-210.200(228), and 62-210.300, F.A.C., November 3, 2000 BACT Determination and Air Permit No. 0990015-002-AC]**

*{Permitting Note: The above limit is to be used in monitoring the operating capacity during the compliance test}*

III.A.7 Methods of Operation: The permittee shall not allow, cause, suffer or permit any change in the method(s) of operation resulting in increased short-term or long-term emissions, without prior authorization from the Permitting Authority. The authorized methods of operation include the following:

(a) Steam Generator Operation: The permittee is authorized to operate the emissions units as fossil fuel steam generators.

- (b) **Fossil Fuels:** The permittee is authorized to fire only clean pipeline quality natural gas. **[40 CFR 60.7(a)(4), Rule 62-4.160(2), 62-210.200(228), and 62-210.300, and 62-4.070(3), F.A.C., November 3, 2000 BACT Determination and Air Permit No. 0990015-002-AC]**

III.A.8 **Hours of Operation:** The permittee is authorized to operate the units continuously. **[Air Permit No. 0990015-002-AC]**

III.A.9 **Circumvention:** The permittee shall not circumvent any air pollution control equipment or methods nor allow the emission of air pollutants without this equipment functioning properly or following the prescribed methods. **[Rule 62-210.650, F.A.C. & Air Permit No. 0990015-002-AC]**

## COMPLIANCE MONITORING REQUIREMENTS

*{Permitting Note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

III.A.10 **Visible Emissions:** The permittee shall have an initial formal compliance test conducted on each unit within 60 (sixty) days of the effective date of this permit and annual during each federal fiscal year (October 1 – September 30) at intervals of no more than 12 months to demonstrate compliance with the opacity limitation. **[Rule 62-297.310(7)(a)4.a, F.A.C.]** The test shall meet the following requirements:

- (a) The permittee shall use DEP Method 9, *Visual Determination of the Opacity of Emissions from Stationary Sources*, 40 CFR 60, Appendix A. **[Rule 62-297.401(9)(c), F.A.C. and Air Permit No. 0990015-002-AC]**
- (b) The observation period of the EPA Method 9 shall be at least sixty (60) minutes in duration. **[Rule 62-297.310(4)(a)2, F.A.C. and Air Permit No. 0990015-002-AC]**

## RECORDKEEPING AND REPORTING – 40 CFR PART 60 SUBPARTS A AND DC

III.A.11 **Operating Records:** The permittee shall maintain the following daily records for at least five (5) years on the following:

- (a) Date.
- (b) Start-up, Shutdown, or Malfunction Occurrences and Duration,
- (c) Natural Gas Consumption (mmSCF/day).

**[40 CFR 60.7(b) and 40 CFR 60.48c(g) and Air Permit No. 0990015-002-AC]**

III.A.12 **Common Conditions:** This emissions unit is also subject to **Specific Conditions III.C.1 through III.C.20** contained in **Subsection C. Common Conditions**.

**SECTION III: EMISSION UNIT SPECIFIC CONDITIONS****SUBSECTION B. This subsection addresses the following emissions unit:**

EMISSION UNIT No.	EMISSIONS UNIT DESCRIPTION
008	<b>Perchloroethylene (Perc) Dry Cleaning Equipment</b> ----- Two dry-to-dry machines controlled by a refrigerated condenser. The emissions unit is designated as an area source based upon the federally-enforceable cap on annual perchloroethylene use.

*Permitting Note: This Emissions Unit is subject to the requirements of 40 CFR Part 63 Subpart M – “National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities upon startup and is permitted as a large area source.”*

**40 CFR PART 63 SUBPART M – APPLICABILITY**

- III.B.1 Perc Consumption Cap: The permittee is authorized to construct a new dry cleaning facility that consists of two dry-to-dry machines with a total yearly perchloroethylene consumption of 8,000 liters (2,100 gallons) or less. This emission is subject to the regulations of 40 CFR Part 63 Subpart M. **[40 CFR 63.320(g) and (h) and Air Permit No. 0990015-003-AC]**

**40 CFR PART 63 SUBPART M – STANDARDS**

- III.B.2 Air Pollution Control Requirements: The permittee shall not allow, cause, suffer or permit the operation of the dry cleaning facility without:
- (1) Routing the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a refrigerated condenser. **[40 CFR 63.322(b)(1) and Air Permit No. 0990015-003-AC]**
  - (2) Closing the door of each dry cleaning machine immediately after transferring articles to/or from the machine, and shall keep the door closed at all other times. **[40 CFR 63.322(c) and Air Permit No. 0990015-003-AC]**
  - (3) Operating and maintaining the system according to the manufacturers’ specifications and recommendations. **[40 CFR 63.322(d) and Air Permit No. 0990015-003-AC]**
  - (4) Draining all cartridge filters in their housing, or other sealed container, for a minimum of 24 hours, or shall treat such filters in an equivalent manner, before removal from the dry cleaning facility. **[40 CFR 63.322(i) and Air Permit No. 0990015-003-AC]**
  - (5) Storing all perchloroethylene and wastes that contain perchloroethylene in solvent tanks or solvent containers with no perceptible leaks. The exception to this requirement is that containers for separator water may be uncovered, as necessary, for proper operation of the machine and still. **[40 CFR 63.322(j) and Air Permit No. 0990015-003-AC]**
- III.B.3 Control Equipment Requirements: The permittee shall ensure that each refrigerated condenser used for the purposes of complying with **Condition III.B.2 (1)** of this permit is:
- (1) Operated to not vent or release the air-perchloroethylene gas-vapor stream contained within the dry cleaning machine to the atmosphere while the dry cleaning machine drum is rotating;
  - (2) Monitored according to **Condition III.B.7** of this permit; and
  - (3) Operated to prevent air drawn into the dry cleaning machine when the door of the machine is open from passing through the refrigerated condenser. **[40 CFR 63.322(e)(1), (2), and (3) and Air Permit No. 0990015-003-AC]**

- III.B.4 Leak Detection Program: The permittee shall inspect the following components weekly for perceptible leaks while the dry cleaning system is operating and enter the results into an Inspection and Repair Log to be maintained on site. Inspection with a halogenated hydrocarbon detector or PCE gas analyzer also fulfills the requirement for inspection for perceptible leaks.

The permittee shall also inspect the components listed below for vapor leaks monthly while the component is in operation. The inspection shall be conducted using a halogenated hydrocarbon detector or PCE gas analyzer that is operated according to the manufacturer's instructions. The operator shall place the probe inlet at the surface of each component interface where leakage could occur and move it slowly along the interface periphery.

- (1) Hose and pipe connections, fittings, couplings, and valves;
- (2) Door gaskets and seatings;
- (3) Filter gaskets and seatings;
- (4) Pumps;
- (5) Solvent tanks and containers;
- (6) Water separators;
- (7) Muck cookers;
- (8) Stills;
- (9) Exhaust dampers;
- (10) Diverter valves; and
- (11) All filter housings.

**[40 CFR 63.322(k)(1)-(11) & (O)(1) and Air Permit No. 0990015-003-AC]**

- III.B.5 Leak Repair Program: The permittee shall repair all perceptible leaks detected under **Condition III.B.4** of this permit within 24 hours. If repair parts must be ordered, either a written or a verbal order for those parts shall be initiated within 2 working days of detecting such a leak. Such repair parts shall be installed within 5 working days after receipt. **[40 CFR 63.322(m)]**
- III.B.6 O/M Repair Program: If parameter values monitored under **Condition III.B.3** do not meet the values specified in **Condition III.B.7** and **Condition III.B.8** the permittee shall make adjustments or repairs to the dry cleaning system or control device to meet those values within 24 hours. If repair parts must be ordered, either a written or verbal order for such parts shall be initiated within 2 working days of detecting such a parameter value. Such repair parts shall be installed within 5 working days after receipt. **[40 CFR 63.322(n) and Air Permit No. 0990015-003-AC]**

**40 CFR PART 63 SUBPART M – TEST METHODS AND MONITORING**

- III.B.7 Control Equipment Pressure & Outlet Temperature Requirements: The permittee shall monitor, on weekly basis, the refrigeration system high pressure and low pressure during the drying phase to determine if they are in the range specified in the manufacturer's operations instructions.
- The permittee shall measure and record the temperature, on weekly basis, of the air-perchloroethylene gas-vapor stream on the outlet side of the refrigerated condenser weekly with a temperature sensor to determine if it is equal to or less than 7.2 °C (45 °F) before the end of the cool-down or drying cycle while the gas-vapor stream is flowing through the condenser. The temperature sensor shall be used according to the manufacturer's instructions and shall be designed to measure a temperature of 7.2 °C (45 °F) to an accuracy of ± 1.1 °C (± 2 °F). **[40 CFR 63.323(a)(1) and Air Permit No. 0990015-003-AC]**
- III.B.8 Control Equipment Inlet/Outlet Temperature Requirements: The permittee shall calculate the difference between the temperature of the air-perchloroethylene gas-vapor stream entering the refrigerated condenser on a washer and the temperature of the air-perchloroethylene gas-vapor stream exiting the

refrigerated condenser on the washer weekly to determine that the difference is greater than or equal to 11.1 °C (20 °F).

- (1) Measurements of the inlet and outlet streams shall be made with a temperature sensor and recorded. Each temperature sensor shall be used according to the manufacturer's instructions, and designed to measure at least a temperature range from 0 °C (32 °F) to 48.9 °C (120 °F) to an accuracy of  $\pm 1.1$  °C ( $\pm 2$  °F).
- (2) The difference between the inlet and outlet temperatures shall be calculated and recorded weekly from the measured values. **[40 CFR 63.323(a)(2)(i) and (ii) and Air Permit No. 0990015-003-AC]**

III.B.9 Perchloroethylene Consumption Calculations: The permittee shall, when calculating yearly perchloroethylene consumption for demonstrating compliance with **Condition III.B.1** of this permit, perform the following calculation on the first day of every month:

- (1) Sum the volume of all perchloroethylene purchases made in each of the previous 12 months, as recorded in the log described in **Condition III.B.11** of this permit.
- (2) If no perchloroethylene purchases were made in a given month, then the perchloroethylene consumption for that month is zero gallons.
- (3) The total sum calculated by **Condition III.B.9(1)** shall be the yearly perchloroethylene consumption at the facility.

**[40 CFR 63.323(d)(1), (2), and (3) and Air Permit No. 0990015-003-AC]**

#### **40 CFR PART 63 SUBPART M - REPORTING AND RECORDKEEPING REQUIREMENT**

III.B.10 Initial and semiannual Certifications: The permittee shall submit to the Health Department by registered mail on or before the 30th day following startup, and semiannual thereafter, a notification of compliance status providing the following information and signed by the responsible official who shall certify its accuracy:

- (a) The yearly perchloroethylene solvent consumption limit based upon the yearly solvent consumption calculated according **Condition III.B.9** of this permit;
- (b) Whether or not the equipment is in compliance with the applicable requirements of this permit; and
- (c) All information contained in the statement is accurate and true. **[40 CFR 63.324(b) and Air Permit No. 0990015-003-AC]**

III.B.11 Perchloroethylene Purchases Records: The permittee shall keep receipts of perchloroethylene purchases and a log of the following information and maintain such information on site and show it upon request for a period of 5 years:

- (1) The volume of perchloroethylene purchased each month by the dry cleaning facility as recorded from perchloroethylene purchases; if no perchloroethylene is purchased during a given month then the owner or operator would enter zero gallons into the log;
- (2) The calculation and result of the yearly perchloroethylene consumption determined on the first day of each month as specified in **Condition III.B.9** of this permit;
- (3) The dates when the dry cleaning system components are inspected for perceptible leaks, as specified in **Condition III.B.4** of this permit., and the name or location of dry cleaning system components where perceptible leaks are detected;
- (4) The dates of repair and records of written or verbal orders for repair parts to demonstrate compliance with **Condition III.B.5** and **Condition III.B.6** of this permit;



- (5) The date and temperature sensor monitoring results, as specified in **III.B.7** and **Condition III.B.8** of this permit. **[40 CFR 63.324(d)(1) – (5) and Air Permit No. 0990015-003-AC]**

III.B.12 Manufacturers Data: The permittee shall retain onsite a copy of the design specifications and the operating manuals for each dry cleaning system and each emission control device located at the dry cleaning facility. **[40 CFR 63.324(e) and Air Permit No. 0990015-003-AC]**

#### **40 CFR PART 63 SUBPART A – GENERAL PROVISIONS**

III.B.13 Compliance Requirements: The permittee shall comply with the provisions of 40 CFR Part 63 Subpart A. **[40 CFR 63.1(a)(4) and Air Permit No. 0990015-003-AC]**

III.B.14 40 CFR Part 63, Subpart A- Applicability and Definitions:

- (1) Terms, Units, and Abbreviations: Terms used through-out this permit are defined in 40 CFR 63.2 or in the Clean Air Act (Act) as amended in 1990. **[40 CFR 63.1(a)(1), 40 CFR 63.2, and 40 CFR 63.3 and Air Permit No. 0990015-003-AC]**
- (2) For the purposes of these emissions units, time periods specified in days shall be measured in calendar days, even if the word “calendar” is absent, unless otherwise specified. **[40 CFR 63.1(a)(10) and Air Permit No. 0990015-003-AC]**
- (3) For the purposes of these emissions units, if an explicit postmark deadline is not specified in a permit condition for the submittal of a notification, application, test plan, report, or other written communication to the Permitting Authority, the permittee shall postmark the submittal on or before the number of days specified in the applicable requirement. **[40 CFR 63.1(a)(11) and Air Permit No. 0990015-003-AC]**

III.B.15 40 CFR Part 63, Subpart A – Prohibited Activities and Circumvention

- (1) Records: The permittee shall not fail to keep records, notify, report, or revise reports as required under this permit. **[40 CFR 63.4(a)(2) and Air Permit No. 0990015-003-AC]**
- (2) Circumvention: The permittee shall not build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to the following **[40 CFR 63.4(b)(1), (2), and (3) and Air Permit No. 0990015-003-AC]**:
  - (a) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere
  - (b) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and
  - (c) The fragmentation of an operation such that the operation avoids regulation by a relevant standard

III.B.16 40 CFR Part 63, Subpart A – Construction and Reconstruction: Upon construction the emissions units are subject to 40 CFR Part 63, Subpart M for new sources, including compliance dates.

When an area source becomes a major source by the addition of equipment or operations that meet the definition of new affected source in the relevant standard, the portion of the existing facility that is a new affected source must comply with all requirements of that standard applicable to new sources. The source owner or operator must comply with the relevant standard upon startup.

**[40 CFR 63.5(b)(1) & (7) and Air Permit No. 0990015-003-AC]**

III.B.17 40 CFR Part 63, Subpart A – Compliance with Standards and Maintenance Requirements:

- (1) Startup, Shutdown and Malfunction: The following operation and maintenance requirements shall apply **[40 CFR 63.6(e)(1)(i), (ii), and (iii) and Air Permit No. 0990015-003-AC]**:
  - (a) At all times, including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain the emissions unit, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Permitting Authority which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan), review of operation and maintenance records, and inspection of the source.
  - (b) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the start-up, shutdown, and malfunction plan required by this permit.
  - (c) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.
- (2) Startup, Shutdown, and Malfunction Plan: The permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the emissions units during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard. **[40 CFR 63.6(e)(3)(i) and Air Permit No. 0990015-003-AC]**

*{Permit Note: Compliance with the requirements of 40 CFR 63.324(e) for maintaining copies of the design specifications and operating manuals shall meet the requirements of Condition III.B.17(3) for a Startup, Shutdown, and Malfunction Plan unless the Permitting Authority requests a formal Plan.}*
- (3) Operating Restrictions: During periods of startup, shutdown, and malfunction, the permittee shall operate and maintain the emissions units (including associated air pollution control equipment) in accordance with the procedures specified in the startup, shut-down, and malfunction plan. **[40 CFR 63.6(e)(1)(ii)]**
- (5) Records - Plan Compliance: When actions taken by the permittee during a startup, shutdown, or malfunction (including plan, the permittee shall keep records for that event that demonstrate that the procedures were followed. These records may take the form of a "checklist," or other effective form of recordkeeping, that confirms conformance with the startup, shutdown, and malfunction plan for that event. In addition, the permittee shall keep records of these events, including records of the occurrence and duration of each startup, shutdown, or malfunction of operation and each malfunction of the air pollution control equipment. Furthermore, the permittee shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the startup, shutdown, and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report. **[40 CFR 63.6(e)(3)(iii) and Air Permit No. 0990015-003-AC]**
- (6) Records – Plan non-Compliance: If an action taken by the permittee during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the startup, shutdown, and malfunction plan, the permittee shall record the actions taken for that event and shall report such actions within 2 working days after commencing actions inconsistent with the startup, shutdown, and malfunction plan, followed by a letter within 7 working days after the end of the event. **[40 CFR 63.6(e)(3)(iv) and Air Permit No. 0990015-003-AC]**
- (7) Plan and Record Retention: The permittee shall keep the startup, shutdown, and malfunction plan on record and available for inspection, upon request, by the Permitting Authority for the life of the

emissions units or until the emissions units are no longer subject to the provisions of 40 CFR 63 Subpart M. In addition, if the plan is revised, the permittee shall keep previous (i.e., superseded) versions on record, to be made available for inspection, upon request, by the permitting Authority, for a period of 5 years after each revision to the plan. **[40 CFR 63.6(e)(3)(v) and Air Permit No. 0990015-003-AC]**

- (8) Plan Changes – Permitting Authority: The Permitting Authority may require that the permittee make changes to the startup, shutdown, and malfunction plan for that source or other reasonable revisions to a startup, shutdown, and malfunction plan, if the Permitting Authority finds that the plan **[40 CFR 63.6(e)(3)(vii) and Air Permit No. 0990015-003-AC]**:
- (a) Does not address a startup, shutdown, or malfunction event that has occurred;
  - (b) Fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards; or
  - (c) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable.
- (9) Plan Changes – Permittee: If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the start-up, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator shall revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment. **[40 CFR 63.6(e)(3)(viii) and Air Permit No. 0990015-003-AC]**
- (10) Excess Emissions: The emission standards set forth in this permit shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in 40 CFR Part 63 Subpart M. **[40 CFR 63.6(f)(1) and Air Permit No. 0990015-003-AC]**
- (11) Compliance Determinations – Permitting Authority: The Permitting Authority will determine compliance with design, equipment, work practice, or operational emission standards in this permit by review of records, inspection of the source, and other procedures specified in this permit and the permittee's conformance with operation and maintenance requirements. **[40 CFR 63.6(f)(2)(iv), (v) and Air Permit No. 0990015-003-AC]**

III.B.18 40 CFR Part 63, Subpart A – Notification Requirements

- (1) Compliance Notifications: Prior to revising the Title V permit and each time a notification of compliance status is required by this permit, the permittee shall submit to the Permitting Authority a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. **[40 CFR 63.9(h)(2)(i) and Air Permit No. 0990015-003-AC]** The notification shall include the following:
- (a) The methods that were used to determine compliance;
  - (b) The results of any performance tests, and/or other monitoring procedures or methods that were conducted;
  - (c) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;

- (d) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;
  - (e) An analysis demonstrating whether the affected source is a major source or an area source (using the emissions data generated for this notification); A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and
  - (f) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.
- (2) Notification Submittal Dates: The notification of **Condition III.B.18(1)** shall be sent before the close of business on the 30<sup>th</sup> day for the initial notification and the 60<sup>th</sup> day for all others following the completion of the relevant compliance demonstration activity (Temperature measurements) specified in this permit. **[40 CFR 63.9(h)(2)(ii) and Air Permit No. 0990015-003-AC]**

**III.B.19** 40 CFR Part 63, Subpart A –Recordkeeping and Reporting Requirements:

- (1) Report Submittals: The permittee shall submit all reports, required by this permit, to the Permitting Authority (Health Department). In addition, the permittee shall send a copy of each report submitted to the appropriate Regional Office of the EPA. **[40 CFR 63.10(a)(4)(ii) and Air Permit No. 0990015-003-AC]**
- (2) File Maintenance: The permittee shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche. **[40 CFR 63.10(b)(1) and Air Permit No. 0990015-003-AC]**
- (3) File Records: The permittee shall maintain the following relevant records **[40 CFR 63.10(b)(2)(i)-(v), (ix) and (xiv) and Air Permit No. 0990015-003-AC]**:
  - (a) The occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment);
  - (b) The occurrence and duration of each malfunction of the air pollution control equipment;
  - (c) All maintenance performed on the air pollution control equipment;
  - (d) Actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan;
  - (e) All information necessary to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)) when all actions taken during periods of start-up, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "check-list," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);

- (f) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations; and
  - (g) All documentation supporting initial notifications and notifications of compliance status.
- (4) Startup, Shutdown, and Malfunction Reports: If actions taken by the permittee during a startup, shutdown, or in the source's startup, shutdown, and malfunction plan, the permittee shall state such information in a startup, shutdown, and malfunction report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy that ***shall be submitted to the Permitting Authority semiannually***. The startup, shutdown, and malfunction report shall be delivered or postmarked **by the 30th day following the end of each calendar half** (or other calendar reporting period, as appropriate). The permittee may submit the excess emissions report and the startup, shutdown, and malfunction report simultaneously. **[40 CFR 63.10(d)(5)(i)]**
- (5) Plan Variation Reports: Any time an action taken by the permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the startup, shut-down, and malfunction plan, the permittee shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph shall consist of a telephone call (or facsimile (FAX) transmission) to the Permitting Authority within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shut-down, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred. **[40 CFR 63.10(d)(5)(ii)]**
- (6) Excess Emissions Report: The permittee shall submit an excess emissions report to the Permitting Authority semiannually, except when the Permitting Authority determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source. **[40 CFR 63.10(e)(3)(i)]**
- (7) Report Submittals: All excess emissions reports and all summary reports, if required, shall be delivered or post-marked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in 40 CFR Part 63 Subpart M and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, such information shall be stated in the report. **[40 CFR 63.10(e)(3)(v)]**
- (8) Summary Report: As required by **Conditions III.B.19(9) & (10)**, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source. The summary report shall be entitled "Summary Report—Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance" and shall contain the following information **[40 CFR 63.10(e)(3)(vi)]**:
- (a) The company name and address of the affected source;
  - (b) An identification of each hazardous air pollutant monitored at the affected source;
  - (c) The beginning and ending dates of the reporting period;
  - (d) A brief description of the process units;

- (e) The emission and operating parameter limitations specified in the relevant standard(s);
  - (f) The total operating time of the affected source during the reporting period;
  - (g) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period, the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;
  - (h) A description of any changes in processes, or controls since the last reporting period;
  - (i) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and
  - (j) The date of the report.
- (9) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions report need not be submitted unless required by the Permitting Authority. **[40 CFR 63.10(e)(3)(vii)]**
- (10) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions report shall be submitted. **[40 CFR 63.10(e)(3)(viii) and Air Permit No. 0990015-003-AC]**

### **III.B.20 DEFINITIONS OF 4- CFR 63 SUBPART M “NATIONAL PERCHLOROETHYLENE AIR EMISSION STANDARDS FOR DRY CLEANING FACILITIES”**

*Administrator* means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

*Ancillary equipment* means the equipment used with a dry cleaning machine in a dry cleaning system including, but not limited to, emission control devices, pumps, filters, muck cookers, stills, solvent tanks, solvent containers, water separators, exhaust dampers, diverter valves, interconnecting piping, hoses, and ducts.

*Area source* means any perchloroethylene dry cleaning facility that meets the conditions of §63.320(h).

*Articles* mean clothing, garments, textiles, fabrics, leather goods, and the like, that are dry cleaned.

*Biweekly* means any 14-day period of time.

*Carbon adsorber* means a bed of activated carbon into which an air-perchloroethylene gas-vapor stream is routed and which adsorbs the perchloroethylene on the carbon.

*Coin-operated dry cleaning machine* means a dry cleaning machine that is operated by the customer (that is, the customer places articles into the machine, turns the machine on, and removes articles from the machine).

*Colorimetric detector tube* means a glass tube (sealed prior to use), containing material impregnated with a chemical that is sensitive to perchloroethylene and is designed to measure the concentration of perchloroethylene in air.

*Construction*, for purposes of this subpart, means the fabrication (onsite), erection, or installation of a dry cleaning system subject to this subpart.

*Desorption* means regeneration of a carbon adsorber by removal of the perchloroethylene adsorbed on the carbon.

*Diverter valve* means a flow control device that prevents room air from passing through a refrigerated condenser when the door of the dry cleaning machine is open.

*Dry cleaning* means the process of cleaning articles using perchloroethylene.

*Dry cleaning cycle* means the washing and drying of articles in a dry-to-dry machine or transfer machine system.

*Dry cleaning facility* means an establishment with one or more dry cleaning systems.

*Dry cleaning machine* means a dry-to-dry machine or each machine of a transfer machine system.

*Dry cleaning machine drum* means the perforated container inside the dry cleaning machine that holds the articles during dry cleaning.

*Dry cleaning system* means a dry-to-dry machine and its ancillary equipment or a transfer machine system and its ancillary equipment.

*Dryer* means a machine used to remove perchloroethylene from articles by tumbling them in a heated air stream (see reclaimer).

*Dry-to-dry machine* means a one-machine dry cleaning operation in which washing and drying are performed in the same machine.

*Exhaust damper* means a flow control device that prevents the air-perchloroethylene gas-vapor stream from exiting the dry cleaning machine into a carbon adsorber before room air is drawn into the dry cleaning machine.

*Existing* means commenced construction or reconstruction before December 9, 1991.

*Filter* means a porous device through which PCE is passed to remove contaminants in suspension. Examples include, but are not limited to, lint filter, button trap, cartridge filter, tubular filter, regenerative filter, prefilter, polishing filter, and spin disc filter.

*Halogenated hydrocarbon detector* means a portable device capable of detecting vapor concentrations of PCE of 25 parts per million by volume and indicating a concentration of 25 parts per million by volume or greater by emitting an audible or visual signal that varies as the concentration changes.

*Heating coil* means the device used to heat the air stream circulated from the dry cleaning machine drum, after perchloroethylene has been condensed from the air stream and before the stream reenters the dry cleaning machine drum.

*Major source* means any dry cleaning facility that meets the conditions of §63.320(g).

*Muck cooker* means a device for heating perchloroethylene-laden waste material to volatilize and recover perchloroethylene.

*New* means commenced construction or reconstruction on or after December 9, 1991.

*PCE gas analyzer* means a flame ionization detector, photoionization detector, or infrared analyzer capable of detecting vapor concentrations of PCE of 25 parts per million by volume.

*Perceptible leaks* mean any perchloroethylene vapor or liquid leaks that are obvious from:

- (1) The odor of perchloroethylene;
- (2) Visual observation, such as pools or droplets of liquid; or
- (3) The detection of gas flow by passing the fingers over the surface of equipment.

*Perchloroethylene consumption* means the total volume of perchloroethylene purchased based upon purchase receipts or other reliable measures.

*Reclaimer* means a machine used to remove perchloroethylene from articles by tumbling them in a heated air stream (see dryer).

*Reconstruction*, for purposes of this subpart, means replacement of a washer, dryer, or reclaimer; or replacement of any components of a dry cleaning system to such an extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source.

*Refrigerated condenser* means a vapor recovery system into which an air-perchloroethylene gas-vapor stream is routed and the perchloroethylene is condensed by cooling the gas-vapor stream.

*Refrigerated condenser coil* means the coil containing the chilled liquid used to cool and condense the perchloroethylene.

*Residence* means any dwelling or housing in which people reside excluding short-term housing that is occupied by the same person for a period of less than 180 days (such as a hotel room).

*Responsible official* means one of the following:

- (1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more dry cleaning facilities;
- (2) For a partnership: A general partner;
- (3) For a sole proprietorship: The owner; or
- (4) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking official.

*Room enclosure* means a stationary structure that encloses a transfer machine system, and is vented to a carbon adsorber or an equivalent control device during operation of the transfer machine system.

*Source*, for purposes of this subpart, means each dry cleaning system.

*Still* means any device used to volatilize and recover perchloroethylene from contaminated perchloroethylene.

*Temperature sensor* means a thermometer or thermocouple used to measure temperature.



*Transfer machine system* means a multiple-machine dry cleaning operation in which washing and drying are performed in different machines. Examples include, but are not limited to:

- (1) A washer and dryer(s);
- (2) A washer and reclaimer(s); or
- (3) A dry-to-dry machine and reclaimer(s).

*Vapor barrier enclosure* means a room that encloses a dry cleaning system and is constructed of vapor barrier material that is impermeable to perchloroethylene. The enclosure shall be equipped with a ventilation system that exhausts outside the building and is completely separate from the ventilation system for any other area of the building. The exhaust system shall be designed and operated to maintain negative pressure and a ventilation rate of at least one air change per five minutes. The vapor barrier enclosure shall be constructed of glass, plexiglass, polyvinyl chloride, PVC sheet 22 mil thick (0.022 in.), sheet metal, metal foil face composite board, or other materials that are impermeable to perchloroethylene vapor. The enclosure shall be constructed so that all joints and seams are sealed except for inlet make-up air and exhaust openings and the entry door.

*Vapor leak* means a PCE vapor concentration exceeding 25 parts per million by volume (50 parts per million by volume as methane) as indicated by a halogenated hydrocarbon detector or PCE gas analyzer.

*Washer* means a machine used to clean articles by immersing them in perchloroethylene. This includes a dry-to-dry machine when used with a reclaimer.

*Water separator* means any device used to recover perchloroethylene from a water-perchloroethylene mixture.

*Year or Yearly* means any consecutive 12-month period of time.

**SUBSECTION C. COMMON CONDITIONS**

This section addresses the common conditions for the following emissions units as noted within each emission unit's section.

EU ID Number	Emissions Unit
007	Fossil-Fuel Fired Steam Generators

- III.C.1** Required Number of Test Runs: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. 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, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. **[Rule 62-297.310(1), F.A.C.]**
- III.C.2** Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. **[Rule 62-297.301(2), F.A.C.]**
- III.C.3** Permitted Capacity: Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. **[Rule 62-297.310(2)(b), F.A.C.]**
- III.C.4** Calculation of Emission Rate: The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. **[Rule 62-297.310(3), F.A.C.]**
- III.C.5** Required Sampling Time: Unless otherwise specified in the applicable rule, 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. **[Rule 62-297.310(4)(a)1, F.A.C.]**
- III.C.6** Opacity Compliance Tests: When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
- (a) For batch, cyclical processes, or other operations, which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

- (b) The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard. **[Rule 62-297.310(4)(a)2, F.A.C.]**

- III.C.7** Minimum Sample Volume: Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet. **[Rule 62-297.310(4)(b), F.A.C.]**
- III.C.8** Required Flow Rate Range: For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained. **[Rule 62-297.310(4)(c), F.A.C.]**
- III.C.9** Allowed Modification to EPA Method 5: When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube. **[Rule 62-297.310(4)(e), F.A.C.]**
- III.C.10** Required Equipment: The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards. **[Rule 62-297.310(5)(a), F.A.C.]**
- III.C.11** Calibration of Sampling Equipment: Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1. **[Rule 62-297.310(4)(d), F.A.C.]**

**Table 62-297.310-1  
Calibration Schedule**

Item	Minimum Calibration Frequency	Reference Instrument	Tolerance
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. Thermometer or equivalent, or thermometric points	± 2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	± 1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	±0.001" mean of at least three readings. Max. deviation between readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually	Spirometer or calibrated wet test or dry gas test meter	2%
	2. One Point: Semiannually 3. Check after each test series	Comparison check	5%

III.C.12 Accuracy of Equipment: Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value. **[Rule 62-297.310(5)(b), F.A.C.]**

III.C.13 Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct a special compliance test. The special compliance test shall be conducted within 15 days of operation of the E.U. outside the design criteria of the AQCS (air quality control system). The special compliance test shall be conducted to document compliance with the emission limitations and to establish a normal range of operation. **[Rule 62-297.310(7)(b), F.A.C.]**

III.C.14 Waiver of Compliance Test Requirements: If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure,

such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply. **[Rule 62-297.310(7)(c), F.A.C.]**

III.C.15 **Compliance Test Notification:** The permittee shall notify the Compliance Authority fifteen (15) days prior to Emission Unit (E.U.) testing. **[Rule 62-297.310(7)(a)(9), F.A.C.]**

III.C.16 **Compliance Test Submittal:** Copies of the test report(s) shall be submitted to the Permitting Authority and the Compliance Authority within forty-five (45) days of completion of testing. **[Rule 62-297.310(8)(b), F.A.C.]**

III.C.17 **Test Reports:** The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information: **[Rule 62-297.310(8)(c), F.A.C.]**

- (a) The type, location, and designation of the emissions unit tested.
- (b) The facility at which the emissions unit is located.
- (c) The owner or operator of the emissions unit.
- (d) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
- (e) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission-limiting standard.
- (f) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
- (g) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
- (h) The date, starting time, and duration of each sampling run.
- (i) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
- (j) The number of points sampled and configuration and location of the sampling plane.
- (k) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
- (l) The type, manufacturer, and configuration of the sampling equipment used.
- (m) Data related to the required calibration of the test equipment.
- (n) Data on the identification, processing, and weights of all filters used.
- (o) Data on the types and amounts of any chemical solutions used.
- (p) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
- (q) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
- (r) All measured and calculated data required to be determined by each applicable test procedure for each run.
- (s) The detailed calculations for one run that relate the collected data to the calculated emission rate.
- (t) The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
- (u) A certification that, to the knowledge of the owner or his authorized agent, all data submitted is true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures

used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

- III.C.18 Recordkeeping: The permittee shall ensure that all records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses. **[Rule 62-213.440(1)(b)2.a., F.A.C.]**
- III.C.19 Record Retention: The permittee shall retain records of all monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. **[Rule 62-213.440(1)(b)2.b., F.A.C.]**
- III.C.20 Alternate Sampling Procedure: The owner or operator of any emissions unit subject to the provisions of this chapter may request in writing a determination by the Secretary or his/her designee that any requirement of this chapter (except for any continuous monitoring requirements) relating to emissions test procedures, methodology, equipment, or test facilities shall not apply to such emissions unit and shall request approval of an alternate procedures or requirements. The request shall set forth the following information, at a minimum:
- (a) Specific emissions unit and permit number, if any, for which exception is requested.
  - (b) The specific provision(s) of this chapter from which an exception is sought.
  - (c) The basis for the exception, including but not limited to any hardship which would result from compliance with the provisions of this chapter.
  - (d) The alternate procedure(s) or requirement(s) for which approval is sought and a demonstration that such alternate procedure(s) or requirement(s) shall be adequate to demonstrate compliance with applicable emission limiting standards contained in the rules of the Department or any permit issued pursuant to those rules.

The Secretary or his/her designee shall specify by order each alternate procedure or requirement approved for an individual emissions unit source in accordance with this section or shall issue an order denying the request for such approval. The Department's order shall be final agency action, reviewable in accordance with Section 120.57, Florida Statutes. **[Rule 62-297.620, F.A.C.]**

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## SECTION IV. Appendix A

### Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

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#### Abbreviations and Acronyms:

°F: Degrees Fahrenheit  
**BACT:** Best Available Control Technology  
**CFR:** Code of Federal Regulations  
**DEP:** State of Florida, Department of Environmental Protection  
**DARM:** Division of Air Resource Management  
**EPA:** United States Environmental Protection Agency  
**F.A.C.:** Florida Administrative Code  
**F.S.:** Florida Statute  
**ISO:** International Standards Organization  
**LAT:** Latitude  
**LONG:** Longitude  
**MMBtu:** million British thermal units  
**MW:** Megawatt  
**ORIS:** Office of Regulatory Information Systems  
**SOA:** Specific Operating Agreement  
**UTM:** Universal Transverse Mercator

#### Citations:

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

##### Code of Federal Regulations:

*Example:*    **[40 CFR 60.334]**

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

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

*Example:*    **[Rule 62-213, F.A.C.]**

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

**ISO:** International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

#### Identification Numbers:

##### Facility Identification (ID) Number:

*Example:*    Facility ID No.: 0990221

*Where:*

099 = 3-digit number code identifying the facility is located in Palm Beach County  
0221 = 4-digit number assigned by state database.

Permit Numbers:

*Example:* 0990221-002-AV, or  
0990221-001-AC

*Where:*

AC = Air Construction Permit  
AV = Air Operation Permit (Title V Source)  
099 = 3-digit number code identifying the facility is located in Palm Beach 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  
AC = old Air Construction Permit numbering



**SECTION IV. Appendix H**  
**Permit History and Summary of Identification Number Transfer**

<b>EU ID No.</b>	<b>DESCRIPTION</b>	<b>AIR PERMIT NUMBER</b>	<b>ISSUE DATE</b>	<b>EXPIRATION DATE</b>	<b>EXTENDED DATE</b>
001	Six Boilers	AO50-119788	Nov. 24, 1986	Not renewed - exempted	NA
004	Renzacci Dry Cleaner	AO50-139162	Oct. 20, 1987	Not renewed - exempted	NA
005	Refuse Incinerator	AO50-024831	Mar. 7, 1994	Aug. 2, 1996	NA
001, 004, 006 009	Emergency generators Surface Coating	0990015-001-AV	Aug. 19, 1998	Aug. 19, 2003	NA
007	Fossil-Fuel Fired Steam Generators	0990015-002-AC	Dec. 5, 2000	Dec. 31, 2001	NA
008	New Dry Cleaner	0990015-003-AC	Dec. 5, 2000	Dec. 31, 2001	NA
001 006, 007 008 009	Title V Permit Revision	0990015-004-AV	Dec. 4, 2001	Aug. 19, 2003	NA
001 006 007 008 009	Title V permit renewal	0990015-005-AV	Dec. 23, 2003	Dec. 22, 2008	NA

**Notes:**

This facility had separate air pollution permits to operate a refuse incinerator, a dry cleaner and process steam boilers. The permitting histories are given below.

*Refuse Incinerator (EU 005):*

04-29-87: Air construction permit AC 50-128875 issued.

09-14-88: Air operation permit AO50-149271 issued.

03-07-94: Air operation permit AO50-243831 issued.

08-02-96: The refuse incinerator was removed.

*Dry Cleaner (EU 004):*

12-15-82: Air operation permit AO50-55070 issued.

08-09-83: Transfer of permit to "PCC Hotel, Inc."

12-22-83: Transfer of permit to "Boca Raton Hotel and Club."

10-20-87: Air operation permit AO50-139162 issued. This permit was not renewed due to a DEP rule change exempting small perchloroethylene dry cleaners.

This dry cleaner was replaced with a new dry cleaner (EU 008) in December 2000.

*Process Steam Boilers (EU 001):*

11-24-86: Air operation permit AO50-119788 issued. Again, this permit was allowed to expire because a DEP rule change exempted small natural gas fired boilers.

## SECTION IV. Appendix I

### List of Insignificant Emissions Units and/or Activities

*The equipment and activities listed below are exempt pursuant to Rules 62-213.430(6), and 62-4.040(1)(b), F.A.C. and are considered to emit insignificant amounts of air pollution.*

BRIEF DESCRIPTION OF EMISSIONS UNIT AND/OR ACTIVITY	JUSTIFICATION FOR EXEMPTION
Six natural gas fired boilers each with heat input rate 1 MMBtu/hr (EU001)	Rule 62-213.430(6), F.A.C.
Two non-RACT paint spray booths for refinishing furniture (EU002)	Rule 62-210.300(3)(a)23, F.A.C.
Five gas-fired dryers in the laundry	Rule 62-210.300(3)(a)21, F.A.C.

{Note: There are no applicable requirements for the above equipment/operations.}

Although emissions from the unregulated spray booth equipment are considered insignificant, the potential emissions are included below for completeness.

#### Maximum Potential Emissions

Emission Unit	Potential Emissions (Tons per Year)					
	PM	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC	HAPs
2 paint spray booths for furniture refinishing activities (EU :009)					2.81	0.02
Six Natural gas fired boilers (EU: 001) *	0.19	0.015	2.50	2.1	0.14	

\* Six boilers are rated at ~ 1 MMBtu / hr. Heat input of natural gas is 1050 MMBtu/MMCF. Six boilers combined consume 6/1050 \* 8760 = 50 MMCF of natural gas per yr.

#### Emission Factors for Boilers (natural gas)

Pollutant	Boilers (lb/mmcf)
PM	7.6
SO <sub>2</sub>	0.6
NO <sub>x</sub>	100
CO	84
VOC	5.5
REFERENCE	AP 42 Tables 1.4-1 & 1.4-2

## Appendix U

### List of Unregulated Emissions Units and/or Activities.

Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

#### **Brief Description of Emissions Units and/or Activity**

10 Emergency generators (EU 006)

#### **Maximum Potential Emissions**

Emission Unit	Potential Emissions (Tons per Year)					
	PM	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC	HAPs
10 Emergency generators (EU 006) *	0.69	0.65	9.88	2.13	0.79	

\* The permittee limit the diesel fuel consumption to 32000 gallons per year (all generators combined) so that the generators are within the fuel consumption limits of categorical exemption thresholds (Rule 62-210.300(3)(a), F.A.C.). Heat Input of diesel fuel = 140 MMBtu/ 1000 gallons. Total heat input from all generators is 32000 \* 140/1000 = 4480 MMBtu.

#### **Emission Factors for emergency generators (diesel fuel)**

Pollutant	Generators (lb/MMBtu)
PM	0.31
SO <sub>2</sub>	0.29
NO <sub>x</sub>	4.41
CO	0.95
VOC	0.35
REFERENCE	AP 42 Table 3.3-1

**SECTION IV. Appendix S****Table 1-1: Summary of Air Pollutant Standards and Terms and Compliance Requirements****Table 1-1, Summary of Air Pollutant Standards and Terms**

Boca Raton Resort &amp; Club

**FINAL Permit No.: 0990015-006-AV****E.U. ID Nos.      Brief Description**

<b>-007</b>		<b>Fossil-fuel Fired Steam Generators</b>							
			Allowable Emissions	Equivalent Emissions					
Pollutant Name	Fuel(s)	Hours/Year	Standards	lbs./hr	TPY	lbs./hr	TPY	Regulatory Citation(s)	See permit condition(s)
Visible Emissions	NG	8,760	≤20% Opacity (3 min/hr)	-	-	-	-	Rule 62-296.405(1), F.A.C.	III.A.1.
Sulfur Dioxide	NG	8,760	Fuel Quality	-	-	0.3	1.250	BACT	III.A.3.
Particulate Matter	NG	8,760	Fuel Quality	-	-	0.2	0.680	BACT	III.A.2.
<b>-008</b>		<b>Dry Cleaning Equipment</b>							
			Allowable Emissions	Equivalent Emissions					
Pollutant Name	Fuel(s)	Hours/Year	Standards	lbs./hr	TPY	lbs./hr	TPY	Regulatory Citation(s)	See permit condition(s)
Perchloroethylene	N/A	8,760	2,100 gallons per year	-	-	N/a	<10	40 CFR 63.320(g) & (h)	III.B.1

**SECTION IV. Appendix S**  
**Summary of Air Pollutant Standards and Terms and Compliance Requirements**

Table 2-1, Summary of Compliance Requirements

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

<b><u>E.U. ID No. Brief Description</u></b>							
-007                      2 Boilers rated at 10.46mmBTU/hr							
Requirement	Fuels	Method(s)	Frequency	Date <sup>(1)</sup>	Duration	CMS <sup>(2)</sup>	See permit condition(s)
		Compliance Method	Reporting Frequency	Base Date	Test Duration	CMS**	
Annual Operating Report	Natural Gas	Report	Annual	April 1st, each year	NA	NA	Section II
Visible Emissions	Natural Gas	Compliance Test	Initial, Yearly	Initial, Yearly	60 min.	NA	Section III. A
Sulfur Content	Natural Gas	Purchase Receipts	Annual	Each purchase	NA	NA	Section III. A
<b><u>E.U. ID No. Brief Description</u></b>							
-008                      Dry Cleaning Equipment							
Pollutant Name or Parameter	Fuels	Compliance Method(s)	Testing Time Frequency	Frequency Base Date <sup>(1)</sup>	Min. Compliance Test Duration	CMS <sup>(2)</sup>	See permit condition(s)
Annual Operating Report	PCE	Report	Annual	April 1st, each year	NA	NA	Section II
NESHAP	PCE	Various	Various	Various	NA	NA	Section III.C

**APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)**

Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section described the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

- (a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.
- (b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.
- (c) Sampling Ports.
  - 1. All sampling ports shall have a minimum inside diameter of 3 inches.
  - 2. The ports shall be capable of being sealed when not in use.
  - 3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
  - 4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.
  - 5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.
- (d) Work Platforms.
  - 1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.
  - 2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.
  - 3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.
  - 4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toe board, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

- (e) Access to Work Platform.
  - 1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.
  - 2. Walkways over free-fall areas shall be equipped with safety rails and toe boards.
- (f) Electrical Power.
  - 1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.
  - 2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.
- (g) Sampling Equipment Support.
  - 1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.
    - a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.
    - b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.
    - c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.
  - 2. A complete monorail or dual rail arrangement may be substituted for the eyebolt and bracket.
  - 3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

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

**APPENDIX TV-6**  
**TITLE V CONDITIONS (version dated 06/23/06)**

**Chapter 62-4, F.A.C.**

1. **Not federally enforceable. General Prohibition.** Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, constructed, expanded, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated there under. 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.); and, Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable. Procedures to Obtain Permits and Other Authorizations; Applications.**

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) 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. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except, when the application is for renewal of an air pollution operation permit at a non-Title V source as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(b) When an application is received without the required fee, the Department shall acknowledge receipt of the application and shall immediately notify the applicant by certified mail that the required fee was not received and advise the applicant of the correct fee. The Department shall take no further action until the correct fee is received. If a fee was received by the Department which is less than the amount required, the Department shall return the fee along with the written notification.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application for the same time duration except for modification under Chapter 62-45, F.A.C.

[Rule 62-4.050, F.A.C.]

3. **Standards for Issuing or Denying Permits.** Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]

4. **Modification of Permit Conditions.**

(1) For good cause and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee the Department may grant additional time. For the purpose of this section, good cause shall include, but not be limited to, any of the following: **(also, see Condition No. 38.)**

(a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.



(b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.

(c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.

(e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(v), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

5. Renewals. Prior to 180 days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090, F.A.C.]

6. Suspension and Revocation.

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

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:

(a) Submitted false or inaccurate information in his application or operational reports.

(b) Has violated law, Department orders, rules or permit conditions.

(c) Has failed to submit operational reports or other information required by Department rules.

(d) Has refused lawful inspection under Section 403.091, F.S.

(4) No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

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

7. **Not federally enforceable.** Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules.

[Rule 62-4.110, F.A.C.]

8. Transfer of Permits.

(1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee. For air permits, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted.

(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the

proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.

(3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.

(4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.

(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. 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.

[Rule 62-4.120, F.A.C.]

9. **Plant Operation-Problems.** If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. (**Also, see Condition No. 10.**)

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

10. For purposes of notification to the Department pursuant to Condition No. 9., Condition No. 12.(8), and Rule 62-4.130, F.A.C., Plant Operation-Problems, "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 40 CFR 70.6(a)(3)(iii)(B), "prompt" shall have the same meaning as "immediately". (**Also, see Conditions Nos. 9. and 12. (8).**)

[40 CFR 70.6(a)(3)(iii)(B)]

11. **Not federally enforceable. Review.** Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

12. **Permit Conditions.** All permits issued by the Department shall include the following general conditions:

(1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

(2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

(3) As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

(4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

(5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.

(6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as

required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

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

- (a) Have access to and copy any records that must be kept under conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

(8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information: **(also, see Condition No. 10.)**

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

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

(10) The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

(11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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

(14) The permittee shall comply with the following:

- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- (c) Records of monitoring information shall include:
  1. The date, exact place, and time of sampling or measurements;
  2. The person responsible for performing the sampling or measurements;
  3. The dates analyses were performed;
  4. The person responsible for performing the analyses;
  5. The analytical techniques or methods used;
  6. The results of such analyses.

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

[Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

### 13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air ~~or water~~ pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
  1. Plant description and operations,
  2. Types and quantities of all waste material to be generated whether liquid, gaseous or solid,

3. Proposed waste control facilities,
4. The treatment objectives,
5. The design criteria on which the control facilities are based, and
6. Other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

(c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S., and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

14. **Not federally enforceable.** Operation Permit for New Sources. To properly apply for an operation permit for new sources the applicant shall submit the appropriate fee and certification that construction was completed, noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

#### **Chapters 28-106 and 62-110, F.A.C.**

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rules 62-110.106 and 62-210.350, F.A.C.

[Rules 62-110.106, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.

[Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.]

#### **Chapter 62-204, F.A.C.**

17. 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.]

#### **Chapter 62-210, F.A.C.**

18. Permits Required. Unless exempted from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., or unless specifically authorized by provision of Rule 62-210.300(4), F.A.C., or Rule 62-213.300, F.A.C., the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, modification, or the addition of pollution control equipment; or to authorize initial or continued operation of the emissions unit; or to establish a PAL or Air Emissions Bubble. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits.

(a) Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new, reconstructed, or modified facility or emissions unit, or any new pollution control equipment prior to the beginning of construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, or modification of the facility or emissions unit or addition of the pollution control equipment; or to establish a PAL; in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. Except as provided under Rule 62-213.415, F.A.C., the owner or operator of any facility seeking to create or change an air emissions bubble shall obtain an air construction permit in accordance with all the applicable provisions of Chapter 62-210, F.A.C., Chapters 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction, reconstruction or modification of the facility or emissions unit or addition of the air pollution control equipment; and operation while the owner or operator of the new, reconstructed or modified facility or emissions unit or the new pollution control equipment is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(b) Notwithstanding the expiration of an air construction permit, all limitations and requirements of such permit that are applicable to the design and operation of the permitted facility or emissions unit shall remain in effect until the facility or emissions unit is permanently shut down, except for any such limitation or requirement that is obsolete by its nature (such as a requirement for initial compliance testing) or any such limitation or requirement that is changed in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C. Either the applicant or the Department can propose that certain conditions be considered obsolete. Any conditions or language in an air construction permit that are included for informational purposes only, if they are transferred to the air operation permit, shall be transferred for informational purposes only and shall not become enforceable conditions unless voluntarily agreed to by the permittee or otherwise required under Department rules.

1. Except for those limitations or requirements that are obsolete, all limitations and requirements of an air construction permit shall be included and identified in any air operation permit for the facility or emissions unit. The limitations and requirements included in the air operation permit can be changed, and thereby superseded, through the issuance of an air construction permit, federally enforceable state air operation permit, federally enforceable air general permit, or Title V air operation permit; provided, however, that:

- a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;
- b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; and
- c. Any change in a permit limitation or requirement that originates from a permit issued pursuant to 40 CFR 52.21, Rule 62-204.800(11)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or Rule 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under Rule 62-204.800(11)(d)2., Rule 62-212.400 or Rule 62-212.500, F.A.C., as appropriate.

2. The force and effect of any change in a permit limitation or requirement made in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C., shall be the same as if such change were made to the original air construction permit.

3. Nothing in Rule 62-210.300(1)(b), F.A.C., shall be construed as to allow operation of a facility or emissions unit without a valid air operation permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification, or subsequent to the creation of or change to a bubble, and demonstration of compliance with the conditions of the construction permit for any new or modified facility or emissions unit, any air emissions bubble, or as otherwise provided in Chapter 62-210, F.A.C., or Chapter 62-213, F.A.C., the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit or air general permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-213, F.A.C., and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;
2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.
3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.

a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.

b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:

(i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and

(ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and

(iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.

c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(8), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. **Not federally enforceable. Notification of Startup.** The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

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

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

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

20. **Emissions Unit Reclassification.**

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

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

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

## 21. Transfer of Air Permits.

(a) An air permit is transferable only after submission of an Application for Transfer of Air Permit (DEP Form 62-210.900(7)) and Department approval in accordance with Rule 62-4.120, F.A.C. For Title V permit transfers only, a complete application for transfer of air permit shall include the requirements of 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Within 30 days after approval of the transfer of permit, the Department shall update the permit by an administrative permit correction pursuant to Rule 62-210.360, F.A.C.

(b) For an air general permit, the provision of Rules 62-210.300(7)(a) and 62-4.120, F.A.C., do not apply. Thirty (30) days before using an air general permit, the new owner must submit an air general permit notification to the Department in accordance with Rule 62-210.300(4), F.A.C., or Rule 62-213.300(2)(b), F.A.C.  
[Rule 62-210.300(7), F.A.C.]

## 22. Public Notice and Comment.

### (1) Public Notice of Proposed Agency Action.

(a) A notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except Title V air general permits or those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(c) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-110.106, F.A.C. A public notice under Rule 62-210.350(1)(a)1., F.A.C., for an air construction permit may be combined with any required public notice under Rule 62-210.350(1)(a)2. or 3., F.A.C., for air operation permits. If such notices are combined, the public notice must comply with the requirements for both notices.

(d) Except as otherwise provided at Rules 62-210.350(2), (5), and (6), F.A.C., each notice of intent to issue an air construction permit shall provide a 14-day period for submittal of public comments.

### (2) Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment - Area Preconstruction Review.

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and
3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.

(b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.

(c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.

(d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.

(e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.

- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
  - (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
  - (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C.:
    - 1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
    - 2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
    - 1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
    - 2. A 30-day period for submittal of public comments.
  - (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.
  - (c) The notice shall identify:
    - 1. The facility;
    - 2. The name and address of the office at which processing of the permit occurs;
    - 3. The activity or activities involved in the permit action;
    - 4. The emissions change involved in any permit revision;
    - 5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;
    - 6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;
    - 7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and
    - 8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rules 62-210.350(1) thru (3), F.A.C.]

## 23. Administrative Permit Corrections.

- (1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
  - (a) Typographical errors noted in the permit;
  - (b) Name, address or phone number change from that in the permit;
  - (c) A change requiring more frequent monitoring or reporting by the permittee;
  - (d) A change in ownership or operational control of a facility, subject to the following provisions:
    - 1. The Department determines that no other change in the permit is necessary;
    - 2. The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and



3. The new permittee has notified the Department of the effective date of sale or legal transfer.
- (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
  - (f) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
  - (g) Any other similar minor administrative change at the source.
- (2) Upon receipt of any such notification, the Department shall within 60 days correct the permit and provides a corrected copy to the owner.
  - (3) After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.
  - (4) For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.
- [Rule 62-210.360, F.A.C.]

#### 24. Emissions Computation and Reporting.

- (1) Applicability. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.
- (2) Computation of Emissions. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.
  - (a) Basic Approach. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
    - 1. If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
    - 2. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C, but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
    - 3. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
  - (b) Continuous Emissions Monitoring System (CEMS).
    - 1. An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
      - a. The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or
      - b. The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
    - 2. Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
      - a. A calibrated flow meter that records data on a continuous basis, if available; or
      - b. The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.

3. The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.

(c) Mass Balance Calculations.

1. An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:

- a. Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and
- b. Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.

2. Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.

3. In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.

(d) Emission Factors.

1. An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.

- a. If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
- b. Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
- c. The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.

2. If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.

(e) Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.

(f) Accounting for Emissions During Periods of Startup and Shutdown. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.

(g) Fugitive Emissions. In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.

(h) Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

(3) Annual Operating Report for Air Pollutant Emitting Facility.

- (a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.
- (b) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office by March 1 of the following year.
- (c) Beginning with 2007 annual emissions, emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C., for purposes of the annual operating report.

[Rules 62-210.370(1), (2) and (3)(a), (c) & (d), F.A.C.]

25. 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.]

26. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, 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, or by accessing the Division's website at [www.dep.state.fl.us/air](http://www.dep.state.fl.us/air). The requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department's electronic application form.

(1) Application for Air Permit - Long Form, Form and Instructions (Effective 02-02-2006).

(a) Acid Rain Part, Form and Instructions (Effective 06-16-2003).

1. Repowering Extension Plan, Form and Instructions (Effective 07/01/1995).
2. New Unit Exemption, Form and Instructions (Effective 04/16/2001).
3. Retired Unit Exemption, Form and Instructions (Effective 04/16/2001).
4. Phase II NOx Compliance Plan, Form and Instructions (Effective 01/06/1998).
5. Phase II NOx Averaging Plan, Form (Effective 01/06/1998).

(b) Reserved.

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective 02/11/1999).

(7) Application for Transfer of Air Permit – Title V Source, (Effective 04/16/2001).

[Rule 62-210.900, F.A.C.]

## **Chapter 62-213, F.A.C.**

27. Responsible Official.

(1) Each Title V source must identify a responsible official on each application for Title V permit, permit revision, and permit renewal. For sources with only one responsible official, this is how the Title V source designates the responsible official.

(2) Each Title V source may designate more than one responsible official, provided a primary responsible official is designated as responsible for the certifications of all other designated responsible officials. Any action taken by the primary responsible official shall take precedence over any action taken by any other designated responsible official.

(3) Any facility initially designating more than one responsible official or changing the list of responsible officials must submit a Responsible Official Notification Form (DEP Form No. 62-213.900(8)) designating all responsible officials for a Title V source, stating which responsible official is the primary responsible official, and providing an effective date for any changes to the list of responsible officials. Each individual listed on the Responsible Official Notification Form must meet the definition of responsible official given at Rule 62-210.200, F.A.C.

(4) A Title V source with only one responsible official shall submit DEP Form No. 62-213.900(8) for a change in responsible official.

(5) No person shall take any action as a responsible official at a Title V source unless designated a responsible official as required by this rule, except that the existing responsible official of any Title V source which has a change in responsible official during the term of the permit and before the effective date of this rule may continue to act as a responsible official until the first submittal of DEP Form No. 62-213.900(8) or the next application for Title V permit, permit revision or permit renewal, whichever comes first.

[Rules 62-213.202(1) thru (5), F.A.C.]

28. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

(1)(g) If the Department has not received the fee by February 15 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 March 1. If the fee is not postmarked by March 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 1 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.

(1)(i) 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 (5) years and shall be made available to the Department upon request.

(1)(j) A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee.

[Rules 62-213.205, (1)(g), (1)(i) & (1)(j), F.A.C.]

29. Reserved.

30. Reserved.

31. Air Operation Permit Fees. No permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(4), F.A.C.]

32. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C., except those Title V sources permittable pursuant to Rule 62-213.300, F.A.C., Title V Air General Permits.

(1) No Title V source may operate except in compliance with Chapter 62-213, F.A.C.

(2) Except as provided in Rule 62-213.410, F.A.C., no source with a permit issued under the provisions of Chapter 62-213, F.A.C., shall make any changes in its operation without first applying for and receiving a permit revision if the change meets any of the following:

- (a) Constitutes a modification;
- (b) Violates any applicable requirement;
- (c) Exceeds the allowable emissions of any air pollutant from any unit within the source;
- (d) Contravenes any permit term or condition for monitoring, testing, recordkeeping, reporting or of a compliance certification requirement;
- (e) Requires a case-by-case determination of an emission limitation or other standard or a source specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
- (f) Violates a permit term or condition which the source has assumed for which there is no corresponding underlying applicable requirement to which the source would otherwise be subject;
- (g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.;
- (h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of "major source of air pollution" at Rule 62-210.200, F.A.C.;
- (i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1), (2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;
- (j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source;

[Rules 62-213.400(1) & (2), F.A.C.]

33. 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:

(1) Permitted sources may change among those alternative methods of operation;

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

(a) 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;

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

(3) 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.]

### 34. Immediate Implementation Pending Revision Process.

- (1) Those permitted Title V sources making any change that constitutes a modification pursuant to the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to 42 USC 7412(a) or to 40 CFR 52.01, 60.2, or 61.15, adopted and incorporated by reference at Rule 62-204.800, F.A.C., may implement such change prior to final issuance of a permit revision, provided the change:
- (a) Does not violate any applicable requirement;
  - (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
  - (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
  - (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and which the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.
- (2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.
- (3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action on the operation permit revision application until all the requirements of Rules 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.
- (4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit. If any terms and conditions of the new or revised construction permit have not been complied with prior to the issuance of the draft operation permit revision, the operation permit shall include a compliance plan in accordance with the provisions of Rule 62-213.440(2), F.A.C.
- (5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.
- (6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.
- [Rule 62-213.412, F.A.C.]

### 35. Permit Applications.

- (1) **Duty to Apply.** For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, F.A.C., and Rules 62-4.050(1) through (3), F.A.C.
- (a) **Timely Application.**
    - 3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.
  - (b) **Complete Application.**
    - 1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change(s) from the currently effective Title V permit and any other requirements that become applicable at the time of application. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.
    - 2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and

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

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

36. 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. (**also, see Condition No. 50.**)

[Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.

[Rule 62-213.420(3), F.A.C.]

38. a. Permit Renewal and Expiration. 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) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate. No Title V permit will be issued for a new term except through the renewal process.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and permit renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes subject to any condition listed at 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause. (also, see **Condition No. 4.**)

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

- (i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).
- (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.
- (iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- (iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(n), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if all of the following criteria are met:

- 1. Such unit or activity would be subject to no unit-specific applicable requirement;
- 2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s);
- 3. Such unit or activity would not emit or have the potential to emit:
  - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
  - b. 1,000 pounds per year or more of any hazardous air pollutant;
  - c. 2,500 pounds per year or more of total hazardous air pollutants; or
  - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

40. Permit Duration. Permits for sources subject to the Federal Acid Rain Program shall be issued for terms of five years, provided that the initial Acid Rain Part may be issued for a term less than five years where necessary to coordinate the term of such part with the term of a Title V permit to be issued to the source. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five years.

[Rule 62-213.440(1)(a), F.A.C.]

41. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

[Rule 62-213.440(1)(b)2.a., F.A.C.]

42. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all

calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

[Rule 62-213.440(1)(b)2.b., F.A.C.]

43. 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.]

44. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., 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 62-213.440(1)(b)3.b., F.A.C.]

45. Reports. 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.]

46. 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.]

47. 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.]

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

[Rule 62-213.440(1)(d)4., F.A.C.]

49. 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.]

50. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C. (**also, see Condition No. 36.**)

[Rule 62-213.440(1)(d)6., F.A.C.]

51. Statement of Compliance. (a)2. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:

- a. 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
- b. 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.

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



(b) 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.]

52. 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 Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.  
[Rule 62-213.460, F.A.C.]

53. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is 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, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee Form. (Effective 01/03/2001)

(7) Statement of Compliance Form. (Effective 06/02/2002)

(8) Responsible Official Notification Form. (Effective 06/02/2002)

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

#### **Chapter 62-256, F.A.C.**

54. **Not federally enforceable.** Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.

[Chapter 62-256, F.A.C.]

#### **Chapter 62-281, F.A.C.**

55. 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 Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

- (1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;
- (2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
- (3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
- (4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

[40 CFR 82; and, Chapter 62-281, F.A.C. (**Chapter 62-281, F.A.C., is not federally enforceable**)]

**Chapter 62-296, F.A.C.**

56. Industrial, Commercial, and Municipal Open Burning Prohibited. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or
- (b) An emergency exists which requires immediate action to protect human health and safety; or
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

57. Unconfined Emissions of Particulate Matter.

(4)(c)1. 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.

3. Reasonable precautions include the following:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- e. Landscaping or planting of vegetation.
- f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- g. Confining abrasive blasting where possible.
- h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

**STATEMENT OF BASIS**

Boca Raton Resort & Club  
Facility ID No.: 0990015  
**Title V Air Operation Permit Renewal**  
FINAL Permit No.: 0990015-006-AV

This Title V Air Operation Permit Renewal 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 shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The subject of this permit is the renewal of Title V Air Operation Permit 0990015-005-AV. The Title V Source is a hotel and a resort located a 501 East Camino Real, Boca Raton, Palm Beach County, Florida. The facility includes the following sources of air pollution:

- Six (6) natural gas fired hot water heaters (EU001). These boilers are all manufactured by Ray-Pak, and have heat input ratings ranging from 0.9 – 1.2 MMBtu/hr. They are considered an insignificant source of air pollution per F.A.C. 62-210.300(3)(a)(3). Two of these boilers are in constant operation to provide hot water to the resort. Three of these boilers are used for forced hot water to heat rooms during the winter. The remaining boiler is a standby unit.
- Furniture refinishing activities conducted at two spray booths (EU009). A variety of coatings and varnishes are used in the spray booths each year. Mineral spirits is the primary solvent used for surface preparation. Small quantities of a paint and varnish remover containing a mixture of methylene chloride, ethylene glycol butyl ether, methanol and toluene are also used. The furniture refinishing activities have been re-classified as an insignificant source of air pollution based on updated estimates of the potential to emit of volatile organic compounds and hazardous air pollutants.
- Ten (10) emergency generators, eight (8) of which are emergency electrical generators and two (2) of which are generators for fire pumps. These emission units (EU006) range in size up to 500 KW rating. One (1) generator is fired by natural gas, seven (7) of the generators are fired by diesel fuel, and the two (2) generators for fire pumps are also fired by diesel fuel.
- Two (2) fossil fuel steam generating units (EU007) located in the main boiler room. Each Cleaver Brooks boiler has a heat input rate of 10.46 MMBtu/hr and is subject to the regulations of 40 CFR Part 60 Subpart Dc. The units are cycled and do not operate simultaneously. Best Available Control Technology (BACT) requirements are satisfied by using pipeline quality natural gas as the only fuel and by following good combustion practices.
- Dry cleaning operation consisting of two (2) perchloroethylene dry-to-dry machines (EU008) controlled by a refrigerated condenser. This unit is subject to the regulations of 40 CFR Part 63 Subpart M. The emissions unit is designated as an area source based upon the federally-enforceable cap on perchloroethylene use. The facility's annual consumption of approximately 200 gallons of perchloroethylene per year is much lower than the 2100-gallon threshold set for a major source.

Monitoring activities include fuel usage records and operating restriction on fuel type. Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the Title V Air Operation Permit Renewal application received June 23, 2008, this facility is not a major source of hazardous air pollutants (HAPs).

There are no emission units subject to Compliance Assurance Monitoring (CAM) requirements at this facility.

This Title V air operation permit renewal is being issued to satisfy the requirements of Chapter 403, F.S. and Chapter 213, F.A.C., as well as to maintain an accurate emissions inventory for Palm Beach County.