



Rick Scott
Governor

H. Frank Farmer, Jr., M.D., Ph.D., FACP
State Surgeon General

September 19, 2011
ELECTRONIC CORRESPONDENCE
Bruce.Mandigo@bethesdahealthcare.com

Bruce Mandigo
Director of Facilities
Bethesda Memorial Hospital
2815 South Seacrest Boulevard
Boynton Beach, Florida 33435

Re: Title V Air Operation Permit Renewal
PROPOSED Permit Project No.: 0990095-006-AV

Dear Mr.Mandigo:

One copy of the "PROPOSED Determination" for the renewal of a Title V Air Operation Permit for the **Bethesda Memorial Hospital** located at 2815 South Seacrest Boulevard, Boynton Beach, Palm Beach County, is enclosed. This letter is only a courtesy to inform you that the DRAFT Permit has become a PROPOSED Permit.

An electronic version of this determination has been posted on the Department of Environmental Protection's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

["http://www.dep.state.fl.us/air/eproducts/ards/default.asp"](http://www.dep.state.fl.us/air/eproducts/ards/default.asp)

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED Permit is made by the USEPA within 45 days, the PROPOSED Permit will become a FINAL Permit no later than 55 days after the date on which the PROPOSED Permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED Permit, the FINAL Permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Laxmana Tallam, P.E. at 561-837-5900.

Sincerely,

A blue ink signature of James E. Stormer, written over a horizontal line.

James E. Stormer, Q.E.P., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

Enclosures

copy furnished to:

Sara Greivell
James Show, P.E.
Lennon Anderson, P.E., DEP/SED
Barbara Friday, FDEP/BAR

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PROPOSED Determination

Title V Air Operation Permit Renewal

PROPOSED Permit Project No.: **0990095-006-AV**

Page 1 of 1

I. Public Notice.

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" to Bethesda Memorial Hospital located at 2815 South Seacrest Blvd., Boynton Beach, Palm Beach County was clerked on July 27, 2011. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was published in the Daily Business Review on August 11, 2011. The DRAFT Permit was available for public inspection at the permitting authority's office in West Palm Beach. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was received on August 17, 2011.

II. Public Comment(s).

No comments were received during the 30 (thirty) day public comment period. Since no comments were received, the DRAFT Permit becomes the PROPOSED Permit.

III. Conclusion.

The permitting authority hereby issues the PROPOSED Permit with the following change.

A statement was added noting that the emergency diesel generators (the insignificant unit) were subject to 40 CFR Part 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE)."

STATEMENT OF BASIS

Bethesda Memorial Hospital
Facility ID No.: 0990095
Palm Beach County

Title V Air Operation Permit Renewal
PROPOSED Permit Project No.: **0990095-006-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.

Project Description: The subject of this permit is for the renewal of the Title V Air Operation Permit.

Applicant: The applicant for this project is Bethesda Memorial Hospital. The applicant's responsible official and mailing address are: Bruce Mandigo, Director of Facilities, Bethesda Memorial Hospital, 2815 S. Seacrest Blvd., Boynton Beach, FL 33435.

Facility Description: The Title V Source includes a Hospital/Medical/Infectious Waste Incinerator (HMIWI), two Fossil-Fuel Fired Steam Generating Units, three Emergency Power Generators, Volatile Organic Liquid Handling and Storage Operations, and various Laboratory Hoods.

The facility has two boilers with burners and the third boiler recovers heat from the incinerator and does not have a burner. The two boilers burn natural gas and are rated at 6.277 MMbtu/hr and 8.369 MMbtu/hr respectively.

The emergency generators burn less the 32,000 gallons of diesel fuel per year and are considered insignificant emission units.

Potential emissions of criteria pollutants and hazardous air pollutants from the source are limited below the major source thresholds by federally enforceable permits (AC50-197439, and 0990095-001-AC).

Air emissions control system: The incinerator incorporates a mechanical ram feeder with an air lock system limited to a charging capacity of 1,000 pounds per hour. Emissions from the HMIWI are synthetically limited to levels below the major source thresholds. The air quality control system includes a natural gas-fired afterburner followed by a skid-mounted EMOCOTEK Model 150H-4499c-2T wet scrubbing system. This system contains a rotary atomizing scrubbing system with a high temperature quench vessel, a condenser vessel, a rotary atomizer, an acid absorption system. On the scrubber skid, there is equipment to subcool the gases as they pass through the scrubber to 100°F or 70°F below the maximum 170°F adiabatic saturation temperature with the boiler off-line. This subcooling is required in order to condense organics and heavy metals before scrubbing the incinerator gas with the energy device (rotary atomizer) of the control system.

Processing Schedule and Related Documents:

Title V Permit Renewal Application received May 12, 2011

Rule Applicability: The facility is classified as a synthetic minor source under the Hazardous Air Pollutant (HAP) program. The source is a designated Title V Source by the U.S. Environmental Protection Agency (40 CFR 60.32e(i) and Rule 62-204.800((9)(d) & (g), F.A.C.).

The emissions unit has the following regulatory designations:

Local Regulation: Biohazardous Waste Incineration Facility with a total capacity greater than 300 pounds per hour, but less than or equal to 1,000 pounds per hour. Most of these regulations are less stringent than the revised EPA regulations. [Palm Beach County Biohazardous Waste Incineration Facility (PBC-BWIF) Ordinance]

State (FL DEP) Regulation: Biological Waste Incineration Facility with a capacity greater than 500 pounds per hour, but less than or equal to 2,000 pounds per hour. [Rule 62-296.401(4), F.A.C.]

Federal and State Regulations: A large HMIWI with a continuous or intermittent maximum charging rate of more than 500 pounds per hour. [40 CFR 60.32e, 40 CFR 60.51c and Rule 62-204.800(9)(g), F.A.C.]

The HMIWI is subject to the Emission Guidelines of 40 CFR Part 60, Subpart Ce. The requirements of Subpart Ce are adopted by DEP in Rule 62-204.800(9)(d), F.A.C. by reference, and these regulations are effective until June 1, 2012. The Environmental Protection Agency (EPA) revised the Subpart Ce on October 06, 2009, and the revised regulations are incorporated in Rule 62-204.800(9)(g), F.A.C. The revised regulations shall become effective from June 1, 2012.

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

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

PSD: The facility is not a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility does operate units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60 Subpart Ce "Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators."

NESHAP: The facility does operate units subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) of 40 CFR 63. {Emergency diesel generators are subject to 40 CFR Part 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines."}

CAIR: The facility/is not subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Compliance Plan: The facility is in compliance with the current emission limits. The revised EPA regulations are more stringent than the current emission standards, and these regulations will become effective on June 1, 2012. Based on the 2011 stack test report, the facility is in compliance with the revised emission standards (Table 1B of 40 CFR 60 Emission Guidelines Ce) except for Dioxins/Furans and Lead.

The permittee plans to reduce the amount of plastic and Styrofoam that is being burned in the incinerator. This strategy will take place immediately and if that does not reduce the D/F and lead emissions, then the permittee plans to purchase a heated carbon absorption bead to reduce the emissions.

Conclusion: This project renews Title V air operation permit No. 0990095-005-AV, which was issued on 01/02/2007. The Draft permit along with Intent to Issue was issued on 7/27/2011.

**Bethesda Memorial Hospital
Facility ID No.: 0990095
Palm Beach County, Florida**

TITLE V AIR OPERATION PERMIT RENEWAL

PROPOSED Permit No: 0990095-006-AV

Permitting Authority & Compliance Authority:

Air & Waste Section
Palm Beach County Health Department
800 Clematis Street
West Palm Beach, FL 33402-0029

Telephone: (561) 837-5900
Fax: (561) 837-5295

Title V Air Operation Permit Renewal

PROPOSED Permit No. 0990095-006-AV

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Permittee

Bethesda Memorial Hospital
2815 South Seacrest Boulevard
Boynton Beach, Florida 33435

Responsible Official:

Bruce Mandigo, Director of Facilities

PROPOSED Permit No.: 0990095-006-AV

Facility ID No.: 0990095

SIC No.: 8062

Project: Title V Air Operation Permit Renewal

Effective Date: **PROPOSED**

Renewal Application Due Date: **PROPOSED**

Expiration Date: **PROPOSED**

The purpose of this permit is to renew the Title V Air Operation Permit, No. 0990095-005-AV. The facility is located at 2815 South Seacrest Boulevard, Boynton Beach, Palm Beach County, FL; UTM Coordinates: Zone 17; 592.8 km East and 2931.8 km North; Latitude 26° 30' 17" North and Longitude: 80° 04' 16" West.

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 permit renewal includes a hospital medical infectious waste incinerator (1000 lb/hr), diesel generators, and heating units (boilers). The waste incinerator is a Cleaver Brooks Model, fired by natural gas and equipped with a heat recovery steam generator. The incinerator is equipped with a rotary atomizing scrubber designed for particulate matter and acid gas removal. The boilers are fired with natural gas.

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 TV,	TITLE V CONDITIONS (version dated 11/02/2010)
APPENDIX U-1,	List of Unregulated Emissions Units and/or Activities
APPENDIX I-1,	Insignificant Emissions Units and/or Activities
APPENDIX SS-1,	STACK SAMPLING FACILITIES (version dated 10/07/96)
Appendix PB-BWIF,	PBC-BWIF Ordinance Requirements
Appendix 40 CFR 60 NSPS-A,	Applicable Requirements of 40 CFR 60 Subpart A
Appendix 40 CFR 60 EG-Ce,	Applicable Requirements of 40 CFR 60 Emission Guidelines Ce
Appendix 40 CFR 60 NSPS -Ec,	Applicable Requirements of 40 CFR 60 Subpart Ec

PROPOSED

James E. Stormer, Q.E.P., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

PALM BEACH COUNTY HEALTH DEPARTMENT

Division of Environmental Public Health – West Palm Beach
800 Clematis Street • P.O. Box 29, West Palm Beach, FL 33402-0029
Phone: (561)837-5900 • Fax: (561)837-5295 • www.pbchd.com

SECTION I: FACILITY INFORMATION

SUBSECTION A. FACILITY DESCRIPTION

The Title V Source includes a Hospital/Medical/Infectious Waste Incinerator (HMIWI), two Fossil-Fuel Fired Steam Generating Units, three Emergency Power Generators, Volatile Organic Liquid Handling and Storage Operations, and various Laboratory Hoods.

Potential emissions of criteria pollutants and hazardous air pollutants from the source are limited below the major source thresholds by federally enforceable permits (AC50-197439, and 0990095-001-AC).

The facility is classified as a synthetic minor source under the Hazardous Air Pollutant (HAP) program. The source is a designated Title V Source by the U.S. Environmental Protection Agency (40 CFR 60.32e(i) and Rule 62-204.800((9)(d) & (g), F.A.C.).

The HMIWI is subject to the Emission Guidelines of 40 CFR Part 60, Subpart Ce. The requirements of Subpart Ce are adopted by DEP in Rule 62-204.800(9)(d), F.A.C. by reference, and these regulations are effective until June 1, 2012. The Environmental Protection Agency (EPA) revised the Subpart Ce on October 06, 2009, and the revised regulations are incorporated in Rule 62-204.800(9)(g), F.A.C. The revised regulations shall become effective from June 1, 2012.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

SUBSECTION B. SUMMARY OF EMISSION UNIT ID NOS. AND BRIEF DESCRIPTIONS

EU ID	Status	Brief Description
001	Shutdown	CONSUMAT Incinerator (Inactive)
002	Shutdown	Type II and IV Incinerator (Inactive)
003	Shutdown	Fossil-Fuel Fired Boiler (150 HP)
004	Regulated	Hospital/Medical/Infectious Waste Incinerator w/Waste Heat Boiler
005	Regulated	Fossil-Fuel Fired Steam Generators
006	Insignificant	Electric Power Generators <i>{Permitting Note: These generators are exempt from permitting pursuant to Rule 62-210.300(3)(a)35, F.A.C. This rule states that when an exempt generator engine is subject to 40 CFR Part 63 Subpart ZZZZ, then the owner or operator shall comply with all limitations and requirements of Subpart ZZZZ that apply to the engine, no later than May 3, 2013.}</i>
007	Shutdown	Ethylene Oxide Sterilizers (Inactive – Removed from the facility)

SUBSECTION C. RELEVANT DOCUMENTS

The documents listed below are not a part of this permit; however, they are related to this permitting action.

The following documents are provided to the permittee for information purposes only:

Table 1-1	Summary of Air Pollutant Standards and Terms
Table 2-1	Summary of Compliance Requirements
Appendix RR	Facility – Wide Reporting Conditions
Appendix A	Abbreviations, Acronyms, Citations, and Identification Numbers
Appendix H-1	Permit History / ID Number Changes
Appendix SOB	Statement of Basis

The following documents are on file with the permitting authority: Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s), on all correspondence, test report submittals, applications, etc.

Title V Operating Permit

Title V Permit Renewal Application received May 12, 2011

Intent to Issue/Draft Permit issued July 27, 2011

Proof of Publication received August 17, 2011

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 & Waste Section of the Palm Beach County Health Department, 800 Clematis Street, West Palm Beach, Florida, 33402-0029, and phone number (561) 837-5900. In addition, *copies* of all documents shall be submitted to the Air Program, Southeast District Office, Florida Department of Environmental Protection (DEP) at 400 North Congress Avenue, West Palm Beach, Florida, 33401. **[PBC Specific Operating Agreement (SOA)]**
- II.A.2.** Appendix TV-6 (dated 06/23/06), 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), and 62-213.430(6), 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.]**
 - (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 & Waste Section (4th Floor)
800 Clematis Street
West Palm Beach, Florida 33402-0029
Telephone: (561) 837-5960
Fax: (561) 837-5295

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, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303-8960
Telephone: 404/562-9155; Fax: 404/562-9163

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 Statement of Compliance: The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.
[Rules 62-213.440(3) and 62-213.900, F.A.C.]

- 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 first page 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.** General Pollutant Emission Limiting Standards -- Objectionable Odor Prohibited: The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. **[Rule 62-296.320(2), F.A.C.]**
- II.A.14.** General Pollutant Emission Limiting Standards --Volatile Organic Compounds Emissions or Organic Solvents Emissions: The permittee shall allow no person to store, pump, handle, process, load, unload, or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.
"Nothing was deemed necessary and ordered at this time."
[Rule 62-296.320(1)(a), F.A.C. and Title V Permit Renewal Application received 05/12/2011]
- II.A.15** General Particulate Emission Limiting Standards -- Unconfined Emissions of Particulate Matter: The permittee shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions shall include the following:
- (1) Paving and maintenance of roads, parking areas and yards.
 - (2) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - (3) Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - (4) 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.
 - (5) Landscaping or planting of vegetation.
 - (6) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - (7) Confining abrasive blasting where possible.
 - (8) Continually wet residual ash from the incinerator and open ash storage bins to prevent fugitive emissions.
- [Rule 62-296.320(4)(c), F.A.C.]**
- II.A.16** Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.
[Rule 62-213.420(4), F.A.C.]
- II.A.17** Annual Operations Report: Before April 1st of each year, the owner or operator shall submit an Annual Operations Report [DEP Form No. 62-210.900(5)] to the Palm Beach County Health Department which

summarizes operations for the previous calendar year. If the report is submitted, using the Department's electronic annual operating report software (EAOR), there is no requirement to submit a copy to DEP or the Palm Beach County Health Department. **[Rule 62-210.370(3), F.A.C.]**

II.A.18 Annual Emissions Fee: The permittee 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.

SECTION III: EMISSION UNIT SPECIFIC CONDITIONS

SUBSECTION A: THIS SECTION ADDRESSES THE FOLLOWING EMISSIONS UNIT.

E.U.ID No.	Emissions Unit
004	Hospital/Medical/Infectious Waste Incinerator

Emissions Unit Details:

Hospital/Medical/Infectious Waste Incinerator (HMIWI) is Cleaver-Brooks Model #1280A/72 incinerator fired by natural gas and is equipped with a heat recovery steam generator. The charging capacity of the incinerator is 1000 pounds per hour. The emissions unit has the following regulatory designations:

Federal and State Regulations: A large HMIWI with a continuous or intermittent maximum charging rate of more than 500 pounds per hour. [40 CFR 60.32e, 40 CFR 60.51c and Rule 62-204.800(9)(d) & (g), F.A.C.]

State (FL DEP) Regulation: Biological Waste Incineration Facility with a capacity greater than 500 pounds per hour, but less than or equal to 2,000 pounds per hour. [Rule 62-296.401(4), F.A.C.]

Local Regulation: Biohazardous Waste Incineration Facility with a total capacity greater than 300 pounds per hour, but less than or equal to 1,000 pounds per hour. Most of these regulations are less stringent than the revised EPA regulations. [Palm Beach County Biohazardous Waste Incineration Facility (PBC-BWIF) Ordinance]

The HMIWI is subject to the Emission Guidelines of 40 CFR Part 60, Subpart Ce. The requirements of Subpart Ce are adopted by DEP by reference are incorporated in Rule 62-204.800(9)(d), F.A.C. and these regulations are effective until June 1, 2012. The Environmental Protection Agency (EPA) revised the emission guidelines Ce on October 06, 2009, and the revised regulations are incorporated in Rule 62-204.800(9)(g), F.A.C. The revised regulations shall become effective from June 1, 2012.

Air emissions control system: The incinerator incorporates a mechanical ram feeder with an air lock system limited to a charging capacity of 1,000 pounds per hour. Emissions from the HMIWI are synthetically limited to levels below the major source thresholds. The air quality control system includes a natural gas-fired afterburner followed by a skid-mounted EMOCOTEK Model 150H-4499c-2T wet scrubbing system. This system contains a rotary atomizing scrubbing system with a high temperature quench vessel, a condenser vessel, a rotary atomizer, an acid absorption system. On the scrubber skid, there is equipment to subcool the gases as they pass through the scrubber to 100°F or 70°F below the maximum 170°F adiabatic saturation temperature with the boiler off-line. This subcooling is required in order to condense organics and heavy metals before scrubbing the incinerator gas with the energy device (rotary atomizer) of the control system.

The facility is required to comply with the DEP and EPA requirements as well as the Palm Beach County Ordinance, Rule 62-296.401(4), F.A.C., and Construction permit 09-0095-001-AC.

{Permitting note(s): IMPORTANT REGULATORY CLASSIFICATIONS - The emissions unit is regulated under 40 CFR 60, Subpart Ce, Emission Guidelines for Hospital/Medical/Infectious Waste Incinerators adopted in Rule 62-204.800(9)(d) & (g) F.A.C. }

The following specific conditions apply to the emissions unit listed above:

OPERATING RESTRICTIONS

{Permitting note(s): Those operating restrictions which are identified as "Not Federally Enforceable" have been included for purposes of local regulations, compliance testing, establishing appropriate emission limitations and to aid in determining future rule applicability.}

III.A.1. Permitted Capacity: The permittee shall not allow, cause, suffer or permit the operation of the unit in excess of the following without prior authorization from the Permitting Authority:

- (1) *Charging Capacity*: 1,000 pounds per hour (3-hour average) of biohazardous, biological, biomedical, hospital, medical or infectious wastes. **[Air Construction Permit 0990095-001-AC, dated 9/12/1995]**
- (2) *Primary Chamber Maximum Heat Input*: 0.6 million Btu per hour (3-hour average). **[Not Federally Enforceable]**
- (3) *Secondary Chamber Maximum Heat Input*: 4.2 million Btu per hour (3-hour average). **[Not Federally Enforceable]**

[Rules 62-4.160(2), 62-210.200 and 62-210.300, F.A.C.]

- III.A.2.** Rule Applicability & 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:
- (1) *Biohazardous Waste Incineration Facility*: The permittee is authorized to operate the emissions unit as a biohazardous waste incinerator subject to the requirements of the Palm Beach County Biohazardous Waste Incineration Facility Ordinance, and these requirements are incorporated in Appendix BWIF. **[Not Enforceable by EPA and DEP, Letter of Approval dated 9/24/1999, PBC-BWIF Ordinance]**
 - (2) *Biological Waste Incineration Facility*: The permittee is authorized to operate the emissions unit as a biological waste incinerator subject to the requirements of Rule 62-296.401(4), F.A.C. **[Air Construction Permit AC50-197439, dated 9/1/1992]**
 - (3) *Hospital/Medical/Infectious Waste Incinerator*: The permittee is authorized to operate the emissions unit as a hospital/medical/infectious waste incinerator subject to the requirements of Rule 62-204.800(9) (d)&(g), F.A.C. **[Air Construction Permit 0990095-001-AC, dated 9/12/1995, and Rule 62-204.800(9)(d)&(g), F.A.C.]**
 - (4) *Waste Materials*: The permittee is authorized to charge biohazardous waste as defined by the PBC-BWIF Ordinance, biological and biomedical wastes as defined by Rule 62-210.200, F.A.C., and hospital and medical/infectious wastes as defined by 40 CFR 60.51c. **[Air Construction Permit 0990095-001-AC, dated 9/12/1995, and Rule 62-204.800(9)(d) & (g), F.A.C.]**
 - (5) *Fuels*: The permittee is authorized to fire natural gas in the primary and secondary chambers of the emissions unit as a supplemental fuel. **[Air Construction Permit 0990095-001-AC, dated 9/12/1995]**
- III.A.3.** Hours of Operation: The permittee shall not allow operation of the emissions unit in excess of 4,416 hours per year (12-month rolling total) without prior authorization from the Permitting Authority. **[Air Construction Permit 0990095-001-AC, dated 9/12/1995]**
- III.A.4.** Combustion Zone: The permittee shall ensure that the emissions unit is maintained to operate with a combustion zone design temperature of no less than 1800°F for at least a 1.0 second residence time in the secondary (or last) combustion chamber. The primary chamber and stack shall not be used in calculating this residence time. **[Rule 62-296.401(4)(c)1., F.A.C. and Air Construction Permit 0990095-001-AC, dated 9/12/1995]**
- III.A.5.** Air Lock System: The permittee shall maintain an air lock system on the mechanical feed system which prevents opening the incinerator to the room environment. The permittee shall ensure that the volume of the loading system is maintained to prevent overcharging, thereby assuring complete combustion of the waste. **[Rule 62-296.401(4)(c)2., F.A.C. and Air Construction Permit 0990095-001-AC, dated 9/12/1995]**
- III.A.6.** Start-up Requirements: The permittee shall ensure that incineration or ignition of waste shall not begin until a temperature of 1800°F in the secondary (or last) combustion chamber is attained. All air pollution

control and continuous emission monitoring equipment shall be operational and functioning properly prior to the incineration or ignition of waste and until all the wastes are incinerated. The 1800°F secondary (or last) combustion chamber temperature requirement shall be maintained until the wastes are completely combusted. **[Rule 62-296.401(4)(c)3., F.A.C. and Air Construction Permit 0990095-001-AC, dated 9/12/1995]**

III.A.7. Radioactive Wastes: The permittee shall not allow radioactive waste to be burned in the incinerator without prior authorization from the Permitting Authority and the incinerator has been issued an appropriate Department of Health (DOH) license to incinerate radioactive waste or the waste is of such quantity to be exempt in accordance with HRS Rule 10D-91 or 10D-104.003, F.A.C. **[Rule 62-296.401(4)(c)4., F.A.C. and Air Construction Permit 0990095-001-AC, dated 9/12/1995]**

III.A.8. Hazardous Wastes: The permittee shall not allow hazardous wastes to be burned in the incinerator without prior authorization from the Permitting Authority and the incinerator has been issued an appropriate FDEP hazardous waste permit to incinerate hazardous waste or the waste is of such quantity to be exempt in accordance with FDEP Rule 62-730, F.A.C. **[Rule 62-296.401(4)(c)5., F.A.C. and Air Construction Permit 0990095-001-AC, dated 9/12/1995]**

{Permitting note(s): Prior authorization includes the issuance of construction, reconstruction, or modification permits or a determination by the Permitting Authority that the action is not subject to 62-210.300(1), F.A.C.}

EMISSION LIMITATIONS AND STANDARDS

III.A.9. Visible Emissions: The permittee, based on the method of operation, shall comply with the following visible emissions restrictions:

- (1) Incinerator/Biological Waste Incineration Facility: Visible emissions shall not exceed five percent (5%) opacity, six -minute average, except that visible emissions not exceeding 15 percent are allowed for not more than six (6) minutes in any one (1) hour period. **[Rule 62-296.401(1)(a), F.A.C. and Air Construction Permit 0990095-001-AC, dated 9/12/1995];** and
- (2) Hospital/Medical/Infectious Waste Incinerator: The permittee shall not cause to be discharged into the atmosphere from the stack of the incinerator any gases that exhibit greater than 10 percent opacity (6-minute block average). **[Rule 62-204.800(9)(d).3.a., F.A.C., 40 CFR 60.52c(b)(1)]**
- (3) **Effective June 1, 2012 -- Hospital/Medical/Infectious Waste Incinerator**: The permittee shall not cause to be discharged into the atmosphere from the stack of the incinerator any gases that greater than 6 percent opacity (6-minute block average). **[Rule 62-204.800(9)(g)3.b. and 40 CFR 60.52c(b)(2)]**

III.A.10. The permittee shall not allow, cause, suffer or permit the emissions of the following pollutants greater than the limits specified below. **These emission limitations shall be effective until June 1, 2012.**
[Rules 62-204.800(9)(d), 62-296.401, F.A.C.]

Pollutant	Emission limitation ^{1,2}	
	EPA [40 CFR 60.33e(a) - Incorporated in Rule 62-204.800(9)(d), F.A.C.]	DEP [Rule 62-296.401(4), F.A.C.]
CO	40 ppmv	100 ppmv on an hourly average
PM	34 (0.015) mg/dscm (gr/dscf)	0.03 gr/dscf
HCL	100 ppmv OR 93% reduction	4 pounds/hr OR 90% reduction On an hourly basis
Dioxins/Furans	125 (55) ng/dscm (gr/Bscf) OR 2.3(1.0) ng/dscm TEQ (gr/Bscf ³ TEQ)	
Lead	1.2 (0.52) mg/dscm (gr/Kscf ⁴) OR 70% reduction	
Mercury	0.55 (0.24) mg/dscm (gr/Kdscf) OR 85% reduction	
Cadmium	0.16 (0.07) mg/dscm (gr/Kscf) OR 65% reduction	
Chromium ⁵	8.3 X 10 ⁻⁵ µg/m ³	
SO ₂	55 ppmv	
NOx	250 ppmv	

¹ Units are expressed in 7% oxygen, dry basis (unless otherwise noted)

² Average is based on the test methodology (unless otherwise noted)

³ billion dry standard cubic feet

⁴ thousand dry standard cubic feet

⁵ Emission limit pursuant to Palm Beach County Ordinance – Acceptable Ambient Concentration – Refer to Appendix PB-BWIF for compliance demonstration

III.A.11 **Effective June 1, 2012**, the permittee shall not allow, cause, suffer or permit the emissions of the following pollutants greater than the limits specified below.
[Rules 62-204.800(9)(g), 62-296.401, F.A.C.]

Pollutant	Emission limitation ^{1,2}	
	EPA 40 CFR 60.33e(a)(2) -Incorporated in [Rule 62-204.800(9)(g), F.A.C.]	DEP [Rule 62-296.401(4), F.A.C.]
CO	11 ppmv	100 ppmvd On an hourly average
PM	25 (0.011) mg/dscm (gr/dscf)	0.03 gr/dscf
HCL	6.6 ppmv	4 pounds/hr or 90% reduction On an hourly basis
Dioxins/Furans	9.3 (4.1) ng/dscm (gr/Bscf ³) OR 0.054 (0.024) ng/dscm TEQ (gr/Bscf TEQ)	
Lead	0.036 (0.016) mg/dscm (gr/Kscf ⁴)	
Mercury	0.018 (0.0079) mg/dscm (gr/dscf)	
Cadmium	0.0092 (0.004) mg/dscm (gr/Kscf)	
Chromium ⁵	8.3 X 10 ⁻⁵ µg/m ³	
SO ₂	9.0 ppmv	
NOx	140 ppmv	

¹ Units are expressed in 7% oxygen, dry basis (unless otherwise noted)

² Average is based on the test methodology (unless otherwise noted)

³ billion dry standard cubic feet

⁴ thousand dry standard cubic feet

⁵ Emission limit pursuant to Palm Beach County Ordinance – Acceptable Ambient Concentration – Refer to Appendix PB-BWIF for compliance demonstration

III.A.12. Excess Emissions: Excess emissions, based on the method of operation, shall be allowed provided the permittee complies with the following restrictions:

- (1) *Incinerator/Biological Waste Incineration Facility:* Condition **II.A.5** of this permit. [**Rule 62-296.401(4)(b)2., F.A.C. and Air Construction Permit 0990095-001-AC, dated 9/12/1995**]; and
- (2) *Hospital/Medical/Infectious Waste Incinerator:* The emission limits under this permit shall apply at all times. [**Rule 62-204.800(9)(d) & (g), F.A.C. and 40 CFR 60.56c(a)**]

TEST METHODS AND PROCEDURES

{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.13. Test Methods: All emissions tests performed pursuant to this permit shall comply with the following Test Methods as described in Rule 62-297.401, F.A.C. and 40 CFR 60 Appendix A: [**PBC-BWIF Ordinance, Rules 62-204.800(9)(d) & (g) and 62-297.401, F.A.C., and 40 CFR 60.56c**]

- (1) *EPA Method 1, Sampling and Velocity Traverses for Stationary Sources.*
- (2) *EPA Method 2, Determination of Stack Gas Velocity and Volumetric Flow Rate.*
- (3) *EPA Method 3, Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight.*
- (4) *EPA Method 3A or 3B, Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure).*
- (5) *EPA Method 4, Determination of Moisture Content in Stack Gases.*
- (6) *EPA Method 5 or EPA Method 26A or EPA Method 29, Determination of Particulate Emissions from Stationary Sources.*
- (7) *EPA Method 6 or 6C, Determination of Sulfur Dioxide Emissions from Stationary Sources.*
- (8) *EPA Method 7 or 7E, Determination of Nitrogen Oxide Emissions from Stationary Sources.*
- (9) *EPA Method 9, Visual Determination of the Opacity of Emissions from Stationary Sources.*
- (10) *EPA Method 10 or 10B, Determination of Carbon Monoxide Emissions from Stationary Sources.*
- (11) *EPA Method 23, Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources.*
- (12) *EPA Method 26 or 26A, Determination of Hydrogen Chloride Emissions From Stationary Sources.*
- (13) *EPA Method 29, Determination of Metals Emissions (Pb, Cd, Hg, and Cr) from Stationary Sources.*

III.A.14 Test Procedures: The emission performance tests shall comply with the following procedures, as applicable. [**40 CFR 60.56c(b)1, 62-297, F.A.C.**]

- (1) All performance tests shall consist of a minimum of three test runs conducted under representative operating conditions.
- (2) The minimum sample time for pollutant emission test shall be 1 hour per test, unless otherwise indicated.
- (3) Demonstration with percent reduction (Effective until June 1, 2012): If the permittee selects the percentage reduction standards for a pollutant (HCL, lead, Mercury and Cadmium), the percentage reduction in pollutant emissions (%R_x) is computed using the following formula:

$$(\% R_x) = \left(\frac{E_i - E_o}{E_i} \right) \times 100$$

Where:

%R_x = percentage reduction of pollutant (x) emissions achieved;

- E_i = Pollutant (x) emission concentration measured at the control device inlet, corrected to 7 percent oxygen (dry basis); and
- E_o = Pollutant (x) emission concentration measured at the control device outlet, corrected to 7 percent oxygen (dry basis)

*{Permitting Note: **Effective June 1, 2012**, the permittee shall not have the option of 'percent reduction' for heavy metals.}*

- (4) Test Procedures – Oxygen Corrections: When required, pollutant concentrations shall be adjusted to 7 percent oxygen using the following equation:

$$C_{adj} = C_{meas} (20.9 - 7)/(20.9 - \%O_2)$$

Where:

- C_{adj} = pollutant concentration adjusted to 7 percent oxygen;
- C_{meas} = pollutant concentration measured on a dry basis (20.9 - 7) = 20.9 percent oxygen—7% oxygen (defined oxygen correction basis);
- 20.9 = oxygen concentration in air, percent; and
- $\%O_2$ = oxygen concentration measured on a dry basis, percent.

- (5) Test Procedures – Bypass Stack Usage: The use of the bypass stack during a performance test shall invalidate the performance test. **[Rule 62-204.800(9)(d).7.a., F.A.C., and 40 CFR 60.56c(b)]**

III.A.15 All emission tests pursuant to this permit shall comply with the procedures as specified below. [Rules 62-204.800(9)(d), 62-204.800(9)(g), 62-296.401(4), F.A.C. 40 CFR 60.56c]

Pollutant	DEP Rule 62-296.401(4), F.A.C.	EPA 60.56c; Incorporated at 62- 204.800(9)	Alternate procedures
Opacity (Visible Emissions)	EPA Method 9	EPA Method 9	
	Duration: 60 minutes	Duration: Three hours	
Particulate Matter (PM)	EPA Method 5 or 26A	EPA Method 5 or 29	
	Minimum sample volume required is 30 dscf		
Carbon Monoxide (CO)	EPA Method 10	EPA Method 10 or 10B	
Hydrochloric Acid (HCL)	EPA Method 26 or 26A	EPA Method 26 or 26A	If the permittee selects the percentage reduction standard for HCl, the percentage reduction in HCl emissions is computed using the specific condition III.A.14(3). ‘Percent Reduction’ option is not available from June 1, 2012.
Dioxins/Furans		EPA Method 23	(1) If the permittee selected the toxic equivalency standards for dioxins/furans, the following procedures shall be used to determine compliance. (i) Measure the concentration of each dioxin/furan tetra-through octa-cogener emitted using EPA Method 23. (ii) For each dioxin/furan cogener measured, multiply the cogener concentration by its toxic equivalency specified in Table 2. (III) Sum the products calculated to obtain the total concentrations of dioxins/furans emitted in terms of toxic equivalency.
		Minimum sampling time of four (4) hours per test run is required	
Lead (Pb)		EPA Method 29	If the permittee selects the percentage reduction standard for Pb, the percentage reduction in Pb emissions is computed using the specific condition III.A.14(3). ‘Percent Reduction’ option is not available from June 1, 2012.
Mercury (Hg)		EPA Method 29	If the permittee selects the percentage reduction standard for Hg, the percentage reduction in Hg emissions is computed using the specific condition III.A.14(3). ‘Percent Reduction’ option is not available from June 1, 2012.
Cadmium (Cd)		EPA Method 29	If the permittee selects the percentage reduction standard for Cd, the percentage reduction in Cd emissions is computed using the specific condition III.A.14(3). ‘Percent Reduction’ option is not available from June 1, 2012.
Sulfur Dioxide (SO2)		EPA Method 6 or 6C	
Nitrogen Oxides (NOx)		EPA Method 7 or 7E	
Chromium (Cr)			EPA Method 29

COMPLIANCE ASSURANCE MONITORING

III.A.16. Effective June 1, 2012 -- Initial Compliance Demonstrations: The permittee shall conduct an initial performance test as required in 40 CFR 60.8 to determine compliance with the emission limits for the following pollutants using the procedures and test methods listed in 40 CFR 60.56c(b)(1) through (b)(14) – **Sp. Conditions III.14 & 15.** The use of the bypass stack during a performance test shall invalidate the performance test.

- (1) Visible Emissions,
- (2) Particulate Matter,
- (3) Carbon Monoxide,
- (4) Hydrochloric Acid,
- (5) Sulfur Dioxide,
- (6) Nitrogen Oxides,
- (7) Lead,
- (8) Cadmium,
- (9) Mercury, and
- (10) Dioxins/Furans.

[Rule 62-204.800(9)(g), F.A.C., and 40 CFR 60.56c(b)]

III.A.17 Effective June 1, 2012 - Use of Previous Emissions Test Results: The permittee, subject to the emission limits under 40 CFR 60.33e(a)(2) (sp. condition no. III.A.11) may use the results of the previous emissions tests to demonstrate compliance with the emissions limits, provided the following conditions are met:

- (1) The facility's previous emissions tests must have been conducted using the applicable procedures and test methods listed in 40 CFR 60.56c(b).
- (2) The HMIWI shall currently be operated in a manner (e.g., with charge rate, secondary chamber temperature, etc.) that would be expected to result in the same or lower emissions than observed during the previous emissions tests, and the HMIWI may not have been modified such that emissions would be expected to exceed (notwithstanding normal test-to-test variability) the results from previous emissions tests.
- (3) The previous emissions tests must have been conducted in 1996 or later.

[Rule 62-204.800(9)(g)7.c., F.A.C. and 40 CFR 60.37e(f)]

III.A.18. Annual Compliance Demonstrations: During each federal fiscal year (October 1 -- September 30), the permittee, based on the method of operation, shall have a formal compliance test conducted for the following pollutants:

- (2) *Incinerator/Biological Waste Incineration Facility:* Visible Emissions, Carbon Monoxide, Particulate Matter, and Hydrochloric Acid. **[Rules 62-296.401(4)(f).2., F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator:* Following the date the initial compliance demonstration is conducted, Visible Emissions, Carbon Monoxide, Particulate Matter, and Hydrochloric Acid.
 - (a) The permittee shall determine compliance with opacity limit by conducting an annual performance test (no more than 12 months following the previous performance test).
 - (b) For Carbon Monoxide, Particulate Matter, and Hydrochloric Acid, when all three performance tests over a 3-year period indicate compliance with the emission limit, the permittee may forego a performance test for that pollutant for the subsequent 2 years.
 1. At a minimum, a performance test shall be conducted every third year (no more than 36 months following the previous performance test).

2. If a performance test conducted every third year indicates compliance with the emission limit for a pollutant, the permittee may forego a performance test for that pollutant for an additional 2 years.
3. If any performance test indicates noncompliance with the respective emission limit, a performance test for that pollutant shall be conducted annually until all annual performance tests over a 3-year period indicate compliance with the emission limit.

[Rule 62-204.800(9)(d)&(g), F.A.C., and 40 CFR 60.56c(c)(1) and (2)]

{Permitting note: The annual testing requirements of the DEP are more stringent than those of the Emission Guidelines; and annual compliance testing for CO, PM and HCl will remain in effect.}

III.A.19. Effective June 1, 2012: On or after June 1, 2012, any time the permittee conducts a performance test for any reason for particulate matter (PM), the permittee shall also conduct a performance test for mercury(Hg), cadmium (Cd), and lead (Pb). Testing shall be conducted in accordance with the applicable test procedures and methods set forth at 40 CFR 60.56c(b) and test data shall be reported to the Department in accordance with the provisions of 40 CFR 60.58c(c).

[Rule 62-204.800(9)(g)7., F.A.C.]

III.A.20. Renewal Compliance Demonstrations: Regardless of the method of operation, the permittee shall conduct a formal compliance that demonstrates compliance with each applicable emission limiting standard prior to obtaining a renewed operation permit. The permittee may submit the most recent annual compliance test to satisfy the requirements of this provision. Testing shall be conducted for the following pollutants:

- (1) Visible Emissions;
- (2) Particulate Matter;
- (3) Carbon Monoxide;
- (4) Hydrochloric Acid;
- (5) Sulfur Dioxide;
- (6) Nitrogen Oxides;
- (7) Lead;
- (8) Cadmium;
- (9) Chromium;
- (10) Mercury; and
- (11) Dioxins/Furans.

[Rule 62-297.310(7)(a)3., F.A.C.]

III.A.21. Continuous Emissions Monitoring Systems (CEMS): The permittee shall, based on the method of operation, continuously monitor and record the following:

- (2) *Incinerator/Biological Waste Incineration Facility:* Secondary (or last) combustion chamber exit temperature; and Oxygen content. **[Rules 62-296.401(4)(g).1.a and b., F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator:* On and after the date of the initial compliance demonstration, the permittee may elect to use CEMS to demonstrate compliance with any emission limits provide the following conditions are met **[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.56c(c)(5):**
 - (a) Determine compliance with the appropriate emission limit(s) using a 12-hour rolling average, calculated each hour as the average of the previous 12 operating hours.
 - (b) Operate all CEMS in accordance with the applicable procedures under 40 CFR part 60, Appendices B and F.

III.A.22. Maximum and Minimum Operating Parameters: The permittee shall:

- (1) Establish the appropriate maximum and minimum operating parameters, indicated in **Table 3 of Appendix NSPS-Ec**, for each control system, as site specific operating parameters during the initial performance test to determine compliance with the emission limits; and
- (2) Ensure that the emissions unit does not operate above any of the applicable maximum operating parameters or below any of the applicable minimum operating parameters listed in Table 3 of Appendix NSPS-Ec and measured as 3-hour rolling averages (calculated each hour as the average of the previous 3 operating hours) at all times except during periods of startup, shutdown and malfunction following the date. Operating parameter limits do not apply during performance tests. Operation above the established maximum or below the established minimum operating parameter(s) shall constitute a violation of established operating parameter(s).

[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.56c(d)(1) and (2)]

III.A.23. Compliance Assurance: Except as provided in Condition **III.A.24.** of this permit, the following activities shall constitute a violation of the specific emission limitation:

- (1) *PM Emission Limit:* Operation of the emissions unit above the maximum charge rate and below the minimum pressure drop across the wet scrubber or below the minimum horsepower or amperage to the system (each measured on a 3-hour rolling average) simultaneously.
- (2) *CO Emission Limit:* Operation of the emissions unit above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a 3-hour rolling average) simultaneously.
- (3) *Dioxin/Furan Emission Limit:* Operation of the affected facility above the maximum charge rate, below the minimum secondary chamber temperature, and below the minimum scrubber liquor flow rate (each measured on a 3-hour rolling average) simultaneously.
- (4) *HCl Emission Limit:* Operation of the affected facility above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a 3-hour rolling average).
- (5) *Hg Emission Limit:* Operation of the affected facility above the maximum flue gas temperature and above the maximum charge rate (each measured on a 3-hour rolling average) simultaneously.
- (6) *PM, dioxin/furan, HCl, Pb, Cd and Hg Emission Limits:* Use of the bypass stack (except during startup, shutdown, or malfunction).

[Rule 62-204.800(9)(d)&(g), F.A.C., and 40 CFR 60.56c(f)(1) thru (6)]

III.A.24. Repeat Performance Testing After a Violation: The permittee may conduct a repeat performance test within 30 days of violation of applicable operating parameter(s) to demonstrate that the emissions unit is not in violation of the applicable emission limit(s). Repeat performance tests conducted pursuant to condition shall be conducted using the identical operating parameters that indicated a violation under Condition **III.A.23.** of this permit. **[Rule 62-204.800(9)(d).7.a., F.A.C., and 40 CFR 60.56c(h)]**

III.A.25. Repeat Performance Testing Without a Violation: The permittee may conduct a repeat performance test at any time to establish new values for the operating parameters. The Permitting Authority may request a repeat performance test at any time. **[Rule 62-204.800(9)(d) & (g)., F.A.C., and 40 CFR 60.56c(k)]**

MONITORING REQUIREMENTS

III.A.26. Monitoring Devices: The permittee shall install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the applicable maximum and minimum operating parameters listed in Table 3 of Appendix NSPS-Ec such that these devices (or methods) measure and record values for these operating parameters at the frequencies indicated in Table 3 at all times. **[Rule 62-204.800(9)(d) & (g)., F.A.C., and 40 CFR 60.57c(a)]**

III.A.27. Bypass Duct Monitoring: The permittee shall install, calibrate (to manufacturer's specifications), maintain, and operate a device or method for measuring the use of the bypass stack including date, time, and duration. [Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.57c(c)]

III.A.28. Data Collection: The permittee shall obtain monitoring data at all times during HMIWI operation except during periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data shall be obtained for 75 percent of the operating hours per day and for 90 percent of the operating days per calendar quarter that the affected facility is combusting hospital waste and/or medical/infectious waste. [Rule 62-204.800(9)(d).8.a. & (9)(g), F.A.C., and 40 CFR 60.57c(e)]

INSPECTION REQUIREMENTS [EFFECTIVE JUNE 1, 2012]

III.A.29 Initial Equipment Inspection: At a minimum, an inspection plan shall include the following:

1. Inspect al burners, pilot assemblies, and pilot sensing devices for proper operation; clean pilot flame sensor, as necessary.
2. Ensure proper adjustment of primary and secondary chamber combustion air; and adjust as necessary.
3. Inspect hinges and door latches, and lubricate as necessary.
4. Inspect dampers, fans, and blowers for proper operation.
5. Inspect HMIWI door and door gaskets for proper sealing.
6. Inspect motors for proper operation
7. Inspect primary chamber refractory lining; clean and repair/replace lining as necessary.
8. Inspect incinerator shell for corrosion and/or hot spots.
9. Inspect secondary/tertiary chamber and stack, clean as necessary.
10. Inspect mechanical loader, including limit switches, for proper operation, if applicable.
11. Visually inspect waste bed (grates), and repair/seal, as appropriate.
12. For the burn cycle that follows the inspection, document that the incinerator is operating properly and make any necessary adjustments.
13. Inspect air pollution control device(s) for operation, if applicable.
14. Inspect waste hear boiler systems to ensure proper operation, if applicable.
15. Inspect bypass stack components.
16. Ensure proper calibration of thermocouples, sorbent feed systems and any other monitoring equipment, and
17. Generally observe that the equipment is maintained in good operating condition.

Repairs: Within 10 operating days following an equipment inspection all necessary repairs shall be completed unless the permittee obtains written approval from the permitting authority establishing a date whereby all necessary repairs of the incinerator shall be completed.

Annual Equipment Inspection: The HMIWI shall be inspected annually (no more than 12 months following the previous annual equipment inspection) as outlined in this condition.

[Rule 62-204.800(g)6. F.A.C. and 40 CFR 60.36e]

III.A.30. Air Pollution Control Device Inspection: On or before June 1, 2012, the permittee shall have the air pollution control device inspected. At a minimum, the inspection shall include the following:

1. Inspect wet scrubber for proper operation.
2. Ensure proper calibration of thermocouples, sorbent feed systems, and any other monitoring equipment; and
3. Generally observe that the equipment is maintained in good operating condition.

Repairs: Within 10 operating days following an air pollution control device inspection, all necessary repairs shall be completed unless the permittee obtains written approval from the Permitting Authority establishing a date whereby all necessary repairs shall be completed.

Annual Air Pollution Control Device Inspection: The air pollution control device shall be inspected annually (no more than 12 months following the previous annual equipment inspection) as outlined in this condition

[Rule 62-204.800(g)6. F.A.C. and 40 CFR 60.36e]

REPORTING AND RECORDKEEPING REQUIREMENTS

III.A.31. Records: The permittee shall maintain the following information (as applicable) for a period of at least 5 years:

- (1) *Calendar date of each record;*
- (2) *Records of the following data:*
 - (a) Concentrations of any regulated pollutant or measurements of opacity as determined by the continuous emission monitoring system (if applicable);
 - (b) HMIWI charge dates, times, and weights and hourly charge rates;
 - (c) Secondary chamber temperatures recorded during each minute of operation;
 - (d) Liquor flow rate to the wet scrubber inlet during each minute of operation, as applicable;
 - (e) Horsepower or amperage to the wet scrubber during each minute of operation, as applicable;
 - (f) Pressure drop across the wet scrubber system during each minute of operation, as applicable;
 - (g) Temperature at the outlet from the wet scrubber during each minute of operation, as applicable;
 - (h) pH at the inlet to the wet scrubber during each minute of operation, as applicable; and
 - (i) Records indicating use of the bypass stack, including dates, times, and durations.
- (3) *Missing Data Logs:* Identification of calendar days for which data on emission rates or operating parameters specified Condition **III.A.31.(2)** have not been obtained, with an identification of the emission rates or operating parameters not measured, reasons for not obtaining the data, and a description of corrective actions taken.
- (4) *Malfunction Log:* Identification of calendar days, times and durations of malfunctions, a description of the malfunction and the corrective action taken.
- (5) *Exceedances:* Identification of calendar days for which data on emission rates or operating parameters specified under Condition **III.A.31.(2)** exceeded the applicable limits, with a description of the exceedances, reasons for such exceedances, and a description of corrective actions taken.
- (6) *Performance Test Records:* The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating parameters, as applicable, and a description, including sample calculations, of how the operating parameters were established or re-established, if applicable.
- (7) *Operator Review Training Records:* Records showing the names of HMIWI operators who have completed review of the information in Condition **III.A.44** as required by Condition **III.A.45**, including the date of the initial review and all subsequent annual reviews.
- (8) *Operator Training Records:* Records showing the names of the HMIWI operators who have completed the operator training requirements, including documentation of training and the dates of the training
- (9) *Operator Qualification Records:* Records showing the names of the HMIWI operators who have met the criteria for qualification under Condition **III.A.43** and the dates of their qualification; and

- (10) *Monitoring Device Calibration Records*: Records of calibration of any monitoring devices as required under Condition **III.A.26** of this permit.

[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.58c(b)]

III.A.32. Initial Reports: **[Effective June 1, 2012]** The owner or operator of an affected facility shall submit the information specified in 40 CFR 60.58(c)(1) through (c)(3) no later than 60 days following the initial performance test. All reports shall be signed by the responsible official.

- (1) The initial performance test data as recorded under 40 CFR 60.56c(b)(1) through (b)(14), as applicable.
- (2) The values for the site-specific operating parameters established pursuant to 40 CFR 60.56c (d), (h), or (j), as applicable, and a description, including sample calculations, of how the operating parameters were established during the initial performance test.
- (3) The waste management plan as specified in 40 CFR 60.55c.

[Rule 62-204.800(9)(g), F.A.C., and 40 CFR 60.58c(c)(1) thru (3)]

III.A.33. Semiannual Reports: The permittee shall submit a semiannual report as specified by Condition **III.A.34**. The report shall include the following information and shall be signed by the Responsible Official:

- (1) The values for the site-specific operating parameters established under Condition **III.A.42**.
- (2) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter recorded for the period being reported.
- (3) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable for each operating parameter recorded for the three (3) preceding periods being reported, in order to provide the Permitting Authority with a summary of the performance of the affected facility over a 2-year period.
- (4) Any information recorded under Conditions **III.A.31.(3) thru (5)** for the period being reported.
- (5) Any information recorded under Conditions **III.A.31.(3) thru (5)** for the three (3) preceding periods being reported, in order to provide the Permitting Authority with a summary of the performance of the affected facility over a 2-year period.
- (6) If a performance test was conducted during the reporting period, the results of that test.
- (7) If no exceedances or malfunctions were reported under Conditions **III.A.31.(3) thru (5)** for the period being reported, a statement that no exceedances occurred during the reporting period.
- (8) Any use of the bypass stack, the duration, reason for malfunction, and corrective action taken.
- (9) Information recorded in Inspection Guidelines as specified in conditions **III.A.29**. and **III.A.30**.

[Rule 62-204.800(9)(d) & (9)(g), F.A.C., and 40 CFR 60.58c(d)(1) thru (8), 40 CFR 60.38e(b)]

III.A.34. Semiannual Report Submittal: The permittee shall submit semiannual reports containing any information recorded under Conditions **III.A.31.(3) thru (5)** and the information required under Condition **III.A.33**. no later than 60 days following the reporting period. The first semiannual reporting period ends 6 months following the submission of information in Condition **III.A.32**. Subsequent reports shall be submitted no later than 6 calendar months following the previous report. All reports shall be signed by the Responsible Official. **[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.58c(e)]**

III.A.35. Record Maintenance: All records specified in Condition **III.A.31**. shall be maintained onsite in either paper copy or computer-readable format, unless an alternative format is approved by the Permitting Authority. **[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.58c(f)]**

III.A.36 Inspection Records: As specified in Inspection Guidelines sp. conditions **III.A.29** and **III.A.30**, the permittee shall maintain, records of the annual equipment inspections, and the annual air pollution

control device inspections, any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the Department.

[Rule 62-204.800(9)(g)8, F.A.C. and 40 CFR 60.38e(b)]

WASTE MANAGEMENT PLANS

III.A.37. Biohazardous Waste Incineration Facility: The permittee may apply for a waiver of the PBC-BWIF Ordinance testing requirements by documenting and demonstrating an acceptable waste minimization program for heavy metals and/or chlorine containing products. The PBC-BWIF Ordinance testing requirements may not be waived for renewal testing. **[Not Federally Enforceable - PBC-BWIF Ordinance]**

III.A.38. Hospital/Medical/Infectious Waste Incinerator: The permittee shall prepare a waste management plan. The waste management plan:

- (1) Shall identify both the feasibility and the approach to separate certain components of solid waste from the health care waste stream in order to reduce the amount of toxic emissions from incinerated waste.
- (2) May include, but is not limited to, elements such as segregation and recycling of paper, cardboard, plastics, glass, batteries, food waste, and metals (e.g., aluminum cans, metals-containing devices); segregation of non-recyclable wastes (e.g., polychlorinated biphenyl-containing waste, pharmaceutical waste, and mercury-containing waste, such as dental waste); and purchasing recycled or recyclable products.
- (3) May include different goals or approaches for different areas or departments of the facility and need not include new waste management goals for every waste stream.
- (4) Should identify, where possible, reasonably available additional waste management measures, taking into account the effectiveness of waste management measures already in place, the costs of additional measures, the emission reductions expected to be achieved, and any other environmental or energy impacts they might have.
- (5) The American Hospital Association publication entitled "An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities" (incorporated by reference, see § 60.17) shall be considered in the development of the waste management plan.

[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.55c]

OPERATOR TRAINING AND QUALIFICATION REQUIREMENTS

III.A.39. Operator Requirements: Each operator of the unit shall successfully complete a training program meeting the requirements of 40 CFR 60.53c(c) and the annual refresher training course requirements of 40 CFR 60.53c(f), adopted and incorporated by reference at Rule 62-204.800, F.A.C.

- a. If the incinerator is modified to the extent that a Department construction permit is required, the operators shall be retrained to operate the modified incinerator.
- b. An operator's training certificate must be kept on file at the facility for the duration of the operator's employment and for an additional two (2) years after termination of employment. The owner shall not allow the incinerator to be operated unless it is operated by an operator who has satisfactorily completed the required training program.

[Rule 62-296.401(4)(c)6.]

III.A.40. Hospital/Medical/Infectious Waste Incinerator, Prohibition: The permittee shall not allow the emissions unit to operate at any time unless a fully trained and qualified HMIWI operator is accessible, either at the facility or available within 1 hour. The trained and qualified HMIWI operator may operate the HMIWI

directly or be the direct supervisor of one or more HMIWI operators. [Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.53c(a)]

III.A.41. Hospital/Medical/Infectious Waste Incinerator, Operator Training: The permittee shall ensure that all operator training and qualification shall be obtained through either a State-approved program or by completing the requirements included in conditions **III.A.42.** and **III.A.43.** [Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.53c(b)]

III.A.42. Hospital/Medical/Infectious Waste Incinerator, Training Program: The permittee shall ensure that the operators receive the training in the following areas, if a State-approved training program is not used:

(1) Training shall be obtained by completing an HMIWI operator training course that includes, at a minimum, the following provisions:

(a) 24 hours of training on the following subjects:

- Environmental concerns, including pathogen destruction and types of emissions;
- Basic combustion principles, including products of combustion;
- Operation of the type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures;
- Combustion controls and monitoring; Operation of air pollution control equipment and factors affecting performance;
- Methods to monitor pollutants (continuous emission monitoring systems and monitoring of HMIWI and air pollution control device operating parameters) and equipment calibration procedures;
- Inspection and maintenance of the HMIWI, air pollution control devices, and continuous emission monitoring systems;
- Actions to correct malfunctions or conditions that may lead to malfunction;
- Bottom and fly ash characteristics and handling procedures;
- Applicable Federal, State, and local regulations; Work safety procedures;
- Pre- startup inspections; and
- Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Reference material distributed to the attendees covering the course topics.

[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.53c(c)]

III.A.43. Hospital/Medical/Infectious Waste Incinerator, Operator Qualifications: The permittee shall ensure that operator qualification is obtained by the following, if a State-approved training program is not used:

(1) Completion of a training course that satisfies the criteria under Condition **III.A.42.**; and

(2) Either 6 months experience as an HMIWI operator, 6 months experience as a direct supervisor of an HMIWI operator, or completion of at least two burn cycles under the observation of two qualified HMIWI operators.

(3) Qualification is valid from the date on which the examination is passed or the completion of the required experience, whichever is later

(4) To maintain qualification, the trained and qualified HMIWI operator shall complete and pass an annual review or refresher course of at least 4 hours covering, at a minimum, the following:

- (a) Update of regulations;
- (b) Incinerator operation, including startup and shutdown procedures;
- (c) Inspection and maintenance;
- (d) Responses to malfunctions or conditions that may lead to malfunction; and
- (e) Discussion of operating problems encountered by attendees.

(5) A lapsed qualification shall be renewed by one of the following methods:

- (a) For a lapse of less than 3 years, the HMIWI operator shall complete and pass a standard annual refresher course described in Condition **III.A.43.(4)**.
- (b) For a lapse of 3 years or more, the HMIWI operator shall complete and pass a training course with the minimum criteria described in Condition **III.A.42**.

[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.53c(d), (e), (f), and (g)]

III.A.44. Hospital/Medical/Infectious Waste Incinerator, Documentation: The permittee shall maintain documentation at the facility that address the following:

- (1) Summary of the applicable standards under this subpart;
- (2) Description of basic combustion theory applicable to an HMIWI;
- (3) Procedures for receiving, handling, and charging waste;
- (4) HMIWI startup, shutdown, and malfunction procedures;
- (5) Procedures for maintaining proper combustion air supply levels;
- (6) Procedures for operating the HMIWI and associated air pollution control systems within the standards established under this subpart;
- (7) Procedures for responding to periodic malfunction or conditions that may lead to malfunction;
- (8) Procedures for monitoring HMIWI emissions;
- (9) Reporting and recordkeeping procedures; and
- (10) Procedures for handling ash.

[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.53c(h)]

III.A.45. Hospital/Medical/Infectious Waste Incinerator, Review Program: The permittee shall establish a program for reviewing the information listed in Condition **III.A.44.** annually with each HMIWI operator including:

- (1) An initial review of the information shall be conducted within 6 months after the effective date of this subpart or prior to assumption of responsibilities affecting HMIWI operation, whichever date is later.
- (2) Subsequent reviews of the information shall be conducted annually.

[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.53c(i)]

III.A.46. Hospital/Medical/Infectious Waste Incinerator, Review Program: The permittee shall keep the information required by Condition **III.A.44.** in a readily accessible location for all HMIWI operators. This information, along with records of training shall be available for inspection by the Permitting and Compliance Authorities upon request. **[Rule 62-204.800(9)(d) & (g), F.A.C., and 40 CFR 60.53c(j)]**

FEDERAL NEW SOURCE PERFORMANCE STANDARDS

III.A.47. Federal Requirements: The permittee shall comply with applicable regulations of the following 40 CFR Part 60:

- (1) Appendix NSPS-A, General Provisions.
- (2) Appendix NSPS-Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators.
- (3) Appendix NSPS-Ec, Standards of Performance for Hospital/Medical/Infectious Waste Incinerators.

III.A.48. 40 CFR Part 60, Subpart A: The permittee shall comply with the following applicable requirements of the General Provisions:

<i>Applicability</i>	40 CFR 60.1(a), (b), and (c).
<i>Definitions</i>	40 CFR 60.2.
<i>Units and Abbreviations.</i>	40 CFR 60.3.
<i>Address</i>	40 CFR 60.4 (a) and (b)(K) and as specified in Condition Nos. II.A.7. and II.A.8. of this permit.
<i>Determination of Construction or Modification.</i>	40 CFR 60.5 (a) and (b).
<i>Review of Plans.</i>	40 CFR 60.6(c).
<i>Notification and Record Keeping.</i>	40 CFR 60.7, except (a)(1)-(3).
<i>Performance Tests.</i>	40 CFR 60.8, except (a).
<i>Compliance with Standards and Maintenance Requirements.</i>	40 CFR 60.11.
<i>Circumvention</i>	40 CFR 60.12.
<i>Monitoring Requirements.</i>	40 CFR 60.13.
<i>Modification</i>	40 CFR 60.14, except (h)-(l).
<i>Reconstruction</i>	40 CFR 60.15.
<i>Incorporations by Reference.</i>	40 CFR 60.17.
<i>General Notification and Reporting Requirements.</i>	40 CFR 60.19.
<i>Appendices</i>	
Appendix A To Part 60—Test Methods	
Appendix B—Performance Specifications	
Appendix C To Part 60—Determination Of Emission Rate Change	
Appendix F To Part 60—Quality Assurance Procedures	

III.A.49. 40 CFR Part 60, Emission Guidelines Ce: The permittee shall comply with the following applicable requirements of the General Provisions:

	Until June 1, 2012	Effective June 1, 2012
<i>Scope.</i>	40 CFR 60.30e	40 CFR 60.30e
<i>Definitions.</i>	40 CFR 60.31e	40 CFR 60.31e
<i>Designated Facilities.</i>	40 CFR 60.32e	40 CFR 60.32e
<i>Emission Limits.</i>	Table 1A	40 CFR 33e
<i>Inspection Guidelines</i>	40 CFR 60.36e	40 CFR 60.36e
<i>Use of Previous emission test results</i>	NA	40 CFR 60.37e(f)
<i>Reporting and Recordkeeping Requirements</i>	NA	40 CR 60.38e(b)
<i>Compliance Times.</i>	40 CFR 60.39e	40 CFR 60.39e

III.A.50. 40 CFR Part 60, Subpart Ec: The permittee shall comply with the following applicable requirements of the General Provisions:

	Until June 1, 2012	Effective June 1, 2012
<i>Definitions.</i>	40 CFR 60.51c.	40 CFR 60.51c.
<i>Opacity Limits</i>	40 CFR 60.52c(b)	40 CFR 60.52c(b)(2)
<i>Operating Training and Qualification Requirements.</i>	40 CFR 60.53c.	40 CFR 60.53c.
<i>Waste Management Plan.</i>	40 CFR 60.55c.	40 CFR 60.55c.
<i>Compliance and Performance Testing.</i>	40 CFR 60.56c except 60.56c(b)(14), and (c)(3)	40 CFR 60.56c except 60.56c(c)3, (c)(4), (c)(5)(ii) through (v), (c)(6), (c)(7), (e)(6) through (10), (f)(7) through (10) and (g)(6) through (10).
<i>Monitoring Requirements.</i>	40 CFR 60.57c	40 CFR 60.57c
<i>Reporting and Recordkeeping Requirements.</i>	40 CFR 60.58c, except (a), (b)(2)(ii) & and (b)(7).	40 CFR 60.58c(b) through (g) except 60.58c(b)(2)(xviii), (b)(2)(xix), and (b)(7)

III.A.51. The permittee shall use the following toxic equivalency factors for Dioxins/Furans, when applicable. **[40 CFR 60.56c(b)(11), Table 2 of 30 CFR 60 Subpart Ec]**

<i>Dioxin/furan congener</i>	<i>Toxic equivalency factor</i>
<i>2,3,7,8-tetrachlorinated dibenzo-p-dioxin</i>	<i>1</i>
<i>1,2,3,7,8-pentachlorinated dibenzo-p-dioxin</i>	<i>0.5</i>
<i>1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin</i>	<i>0.1</i>
<i>1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin</i>	<i>0.1</i>
<i>1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin</i>	<i>0.1</i>
<i>1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin</i>	<i>0.01</i>
<i>octachlorinated dibenzo-p-dioxin</i>	<i>0.001</i>
<i>2,3,7,8-tetrachlorinated dibenzofuran</i>	<i>0.1</i>
<i>2,3,4,7,8-pentachlorinated dibenzofuran</i>	<i>0.5</i>
<i>1,2,3,7,8-pentachlorinated dibenzofuran</i>	<i>0.05</i>
<i>1,2,3,4,7,8-hexachlorinated dibenzofuran</i>	<i>0.1</i>
<i>1,2,3,6,7,8-hexachlorinated dibenzofuran</i>	<i>0.1</i>
<i>1,2,3,7,8,9-hexachlorinated dibenzofuran</i>	<i>0.1</i>
<i>2,3,4,6,7,8-hexachlorinated dibenzofuran</i>	<i>0.1</i>
<i>1,2,3,4,6,7,8-heptachlorinated dibenzofuran</i>	<i>0.01</i>
<i>1,2,3,4,7,8,9-heptachlorinated dibenzofuran</i>	<i>0.01</i>
<i>Octachlorinated dibenzofuran</i>	<i>0.001</i>

- III.A.52** The permittee shall establish the following, maximum and minimum parameters, as site specific operating parameters during the initial performance test to determine compliance with the emission limits. [40 CFR 60.56c(d), Table 3 of 40 CFR 60 Subpart Ec]

Wet Scrubbers Operating parameters to be monitored	Minimum frequency	
	Data measurement	Data recording
Maximum operating parameters:		
Maximum charge rate	Continuous	1 x hour
Maximum flue gas temperature	Continuous	1 x minute
Minimum operating parameters:		
Minimum secondary chamber temperature	Continuous	1 x minute
Minimum pressure drop across the wet scrubber or minimum horsepower or amperage to wet scrubber.	Continuous	1 x minute
Minimum scrubber liquor flow rate.	Continuous	1 x minute
Minimum scrubber liquor pH	Continuous	1 x minute

- III.A.53.** Common Conditions: This emissions unit is also subject to **Specific Conditions III.C.1 through III.C.23.** Contained in **Subsection C. Common Conditions.**

SUBSECTION B, THIS SECTION ADDRESSES THE FOLLOWING EMISSIONS UNIT(S).

E.U.ID No.	Emissions Unit
-005	Two Fossil-fuel Fired Steam Generators.

Emissions Unit(s) Details:

Steam Generator Nos. 1 and 2 are natural gas fired boilers (Cleaver Brooks) with design heat inputs of 6.3 and 8.3 MMBtu per hour respectively. The units are subject to the emission-limiting standards of Rule 62-296.406, F.A.C., for visible emissions, and Best Available Control Technology (BACT) for particulate matter, and sulfur dioxide as determined by the Florida Department of Environmental Protection. For units of this size, BACT has been determined (July 17, 2001) to be the use of fuel oil, propane, or natural gas containing no more than 0.05% sulfur by weight. These boilers burn natural gas only.

OPERATING RESTRICTIONS

III.B.1. Permitted Capacity. The permittee shall not allow, cause, suffer or permit the operation of the unit in excess of the following without prior authorization from the Permitting Authority:

- (1) *Steam Generator No. 1, Maximum Heat Input:* 6.3 million Btu per hour (3-hour average). **[Not Federally Enforceable]**
- (2) *Steam Generator No. 2, Maximum Heat Input:* 8.3 million Btu per hour (3-hour average). **[Not Federally Enforceable]**

[Rules 62-4.160(2), 62-210.200(228) and 62-210.300, F.A.C.]

{Permitting note(s): Those operating restrictions which are identified as "Not Federally Enforceable" have been included for purposes of local regulations, compliance testing, establishing appropriate emission limitations and to aid in determining future rule applicability.}

III.B.2. 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:

- (1) *Fossil-Fuel Fired Steam Generators:* The permittee is authorized to operate the emissions units as fossil-fuel fired steam generators subject to the requirements of Rule 62-296.406, F.A.C.
- (2) *Fuels:* The permittee is authorized to fire natural gas, propane or low sulfur distillate oil in the emissions units.

[Rules 62-4.160(2), 62-210.200 and 62-210.300, F.A.C.]

III.B.3. Hours of Operation: The permittee is authorized to operate the emissions units continuously without prior authorization from the Permitting Authority. **[Rule 62-210.200, F.A.C.]**

EMISSION LIMITING AND PERFORMANCE STANDARDS

III.B.4. Visible Emissions. Visible emissions shall not exceed 20 percent opacity except for one two-minute period per hour during which the opacity shall not exceed 40 percent. **[Rule 62-296.406(1), F.A.C.]**

III.B.5. Particulate Matter. Particulate Matter emissions shall be limited in accordance with the BACT determination. The FDEP has determined that BACT for particulate matter emissions from small boilers shall be the use of natural gas, propane, or fuel oil containing no more than 0.05% sulfur by weight. **[Rule 62-296.406(2), F.A.C., and BACT Determination July 17, 2001]**

III.B.6. Sulfur Dioxide. Sulfur dioxide emissions shall be limited in accordance with the BACT determination. The FDEP has determined that BACT for sulfur dioxide emissions from small boilers shall be the use of

natural gas, propane, or fuel oil containing no more than 0.05% sulfur by weight. **[Rule 62-296.406(3), F.A.C., BACT Determination July 17, 2001]**

- III.B.7.** Fuel Sulfur Content. The permittee shall not fire fuels containing no more than 0.05% sulfur by weight. **[Rule 62-296.406, F.A.C.]**

TEST METHODS AND PROCEDURES

- III.B.8.** Visible Emissions. All visible emissions tests performed pursuant to the requirements of this permit shall comply with the following provisions:
- (a) Test Method: The test method for visible emissions shall be DEP Method 9, incorporated in Rule 62-297.401(9), F.A.C. and the required minimum period of observation for a compliance test shall be sixty (60) minutes. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. **[Rule 62-297.310(4)(a)2., F.A.C.]**
 - (b) Test Procedures: Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-296.410(3)(c), F.A.C.]**
- III.B.9.** Particulate Matter. EPA Method 5, *Determination of Particulate Emissions from Stationary Sources*, 40 CFR 60, Appendix A, incorporated in Chapter 62-297, F.A.C. Test shall consist of 3 separate runs. Sampling for each run shall be at least 60 minutes. **[Rule 62-297.310(1) & (4), F.A.C.]**
- (a) Test shall consist of 3 separate runs. Sampling for each run shall be at least 60 minutes.
 - (b) The minimum sample volume shall be 25 dry standard cubic feet per run.
- III.B.10.** Sulfur Dioxide. EPA Methods 6, 6A, 6B, or 6C, *Determination of Sulfur Dioxide Emissions from Stationary Sources*, 40 CFR 60 Appendix A, incorporated in Chapter 62-297, F.A.C. Test shall consist of 3 separate runs. Sampling for each run shall be at least 60 minutes, incorporated in Chapter 62-297, F.A.C. **[Rule 62-297.310(1) & (4), F.A.C.]**
- III.B.11.** Sulfur Content. The permittee shall determine compliance with the sulfur content of the fuel as follows: ASTM D 2880-71 shall be used to determine the sulfur content of liquid fuels and ASTM D 1072-80, D 3031-81, D 4084-82, or D 3246-81 shall be used for the sulfur content of gaseous fuels. The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the Health Department. **[Rule 62-297.310(7)(a), F.A.C.]**

COMPLIANCE ASSURANCE MONITORING

- III.B.12.** Annual Compliance Demonstrations. During each federal fiscal year (October 1 -- September 30), the permittee shall have a formal compliance test conducted for visible emissions. **[Rule 62-297.310(7), F.A.C.]**
- III.B.13.** Renewal Compliance Demonstrations: The permittee shall conduct a formal compliance test for visible emissions that demonstrates compliance with the standard, prior to obtaining a renewed operation permit. The permittee may submit the most recent annual compliance test to satisfy the requirements of this provision. **[Rule 62-297.310(7), F.A.C.]**
- III.B.14.** Wavier of Compliance Testing: The Permitting Authority has issued a BACT Determination for particulate matter and sulfur dioxide that specifies maximum fuel sulfur content. The BACT Determination established an alternate means of determining compliance and as such the requirement to test for

particulate matter and sulfur dioxide emissions has been waived unless a Special Compliance Test is requested in accordance with condition **III.B.15.** of this permit. **[Rule 62-297.310(7)(c), F.A.C., and BACT Determination July 17, 2001]**

- III.B.15.** Special Compliance Tests. When the Permitting Authority or the Florida Department of Environmental Protection, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard in this permit is being violated, it shall require the permittee to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests. **[Rule 62-310(7)(b), F.A.C.]**
- III.B.16.** Fuel Analysis Log: The permittee shall keep a typical analysis of each fuel stored and used on site at the facility to determine compliance with the limit on sulfur in the fuel. The permittee may use the fuel certifications provided by the fuel suppliers. **[Rule 62-4.070(3), F.A.C.]**

RECORD KEEPING REQUIREMENTS

- III.B.17.** Fuel Consumption Logs: The permittee shall maintain a monthly log of amount of fuel burned at this emission unit. The log for the preceding month shall be completed by 10th of next month. **[Rule 62-4.070(3), F.A.C.]**

Common Conditions

- III.B.17.** Common Conditions: This emissions unit is also subject to **Specific Conditions III.C.1 through III.C.20.** contained in **Subsection C. Common Conditions.**

SUBSECTION C. COMMON CONDITIONS.

This section addresses the common conditions for the following emissions units as noted within each emissions units section.

EU ID

Number	Emissions Unit
-004	Hospital/Medical/Infectious Waste Incinerator
-005	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.]

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 Required Stack Sampling Facilities: Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. 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), toeboard, 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 toeboards.
- (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 dualrail 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(7), F.A.C.]

III.C.14 Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.
3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to sub-subparagraph 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
 - a. Did not operate; or
 - b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours,
4. During each federal fiscal year (October 1 – September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
 - a. Visible emissions, if there is an applicable standard;
 - b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and
 - c. Each NESHAP pollutant, if there is an applicable emission standard.
5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.
6. For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.
7. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to paragraph 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.
8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.
9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
10. An annual compliance test conducted for visible emissions shall not be required for units exempted from air permitting pursuant to subsection 62-210.300(3), F.A.C.; units determined to be insignificant pursuant to subparagraph 62-213.300(2)(a)1., F.A.C., or paragraph 62-213.430(6)(b), F.A.C.; or units permitted under the General

Permit provisions in paragraph 62-210.300(4)(a) or Rule 62-213.300, F.A.C., unless the general permit specifically requires such testing. **[Rule 62-297.310(7), 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 EU 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

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 Max. deviation between readings	Micrometer	+/-0.001" mean of at least three readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually: 2. One Point:	Spirometer or calibrated wet test or dry gas test meter	2%
	Semiannually: 3. Check after each test series	Comparison check	5%

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 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:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time, and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer, and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing, and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted 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.

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

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.]

III.C.21 Modification: Upon modification, each emissions unit shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere in accordance with 40 CFR 60.14 referenced in Appendix NSPS-A.

[40 CFR 60.14 and Rule 62-204.800(7)(d), F.A.C.]

III.C.22 Emission Rate Increases: When a determination of an emission rate increase is required and is based on results from manual emission tests or continuous monitoring systems, the procedures specified in 40 CFR 60 Appendix C shall be used to determine whether an increase in emission rate has occurred in accordance with 40 CFR 60.14 referenced in Appendix NSPS-A.

[40 CFR 60.14 and Rule 62-204.800(7)(d), F.A.C.]

III.C.23. Reconstruction: Upon reconstruction, each emissions unit shall become an affected facility, irrespective of any change in emission rate in accordance with 40 CFR 60.15 referenced in Appendix NSPS-A.

[40 CFR 60.15 and Rule 62-204.800(7)(d), F.A.C.]

APPENDIX TV
TITLE V CONDITIONS

Operation

- TV1. General Prohibition.** A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit. [Rule 62-4.030, Florida Administrative Code (F.A.C.)]
- TV2. Validity.** This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department. [Rule 62-4.160(2), F.A.C.]
- TV3. Proper Operation and Maintenance.** The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules. [Rule 62-4.160(6), F.A.C.]
- TV4. Not Federally Enforceable. Health, Safety and Welfare.** To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. [Rule 62-4.050(3), F.A.C.]
- TV5. Continued Operation.** An applicant making timely and complete application for permit, or for permit renewal, shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program and applicable requirements of the CAIR Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of subparagraphs 62-213.420(1)(b)3., F.A.C. [Rules 62-213.420(1)(b)2., F.A.C.]
- TV6. Changes Without Permit Revision.** Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:
- a. Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
 - b. A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
 - (1) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
 - (2) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
 - c. Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.
- [Rule 62-213.410, F.A.C.]
- TV7. Circumvention.** No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]

Compliance

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

- TV9. Compliance with Federal, State and Local Rules.** Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]
- TV10. Binding and enforceable.** The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions. [Rule 62-4.160(1), F.A.C.]
- TV11. Timely information.** When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly. [Rule 62-4.160(15), F.A.C.]
- TV12. Halting or reduction of source activity.** It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity. [Rule 62-213.440(1)(d)3., F.A.C.]
- TV13. Final permit action.** Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C. [Rule 62-213.440(1)(d)4., F.A.C.]
- TV14. Sudden and unforeseeable events beyond the control of the source.** A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference. [Rule 62-213.440(1)(d)5., F.A.C.]
- TV15. Permit Shield.** Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in this condition or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program or the CAIR Program. [Rule 62-213.460, F.A.C.]
- TV16. Compliance With Federal Rules.** A facility or emissions unit subject to any standard or requirement of 40 CFR, Part 60, 61, 63 or 65, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall comply with such standard or requirement. Nothing in this chapter shall relieve a facility or emissions unit from complying with such standard or requirement, provided, however, that where a facility or emissions unit is subject to a standard established in Rule 62-296, F.A.C., such standard shall also apply. [Rule 62-296.100(3), F.A.C.]

Permit Procedures

- TV17. Permit Revision Procedures.** The permittee shall revise its permit as required by Rules 62-213.400, 62-213.412, 62-213.420, 62-213.430 & 62-4.080, F.A.C.; and, in addition, the Department shall revise permits as provided in Rule 62-4.080, F.A.C. & 40 CFR 70.7(f).
- TV18. Permit Renewal.** The permittee shall renew its permit as required by Rules 62-4.090, 62-213.420(1) and 62-213.430(3), F.A.C. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) [Application for Air Permit - Long Form], 62-213.420(3) [Required Information], 62-213.420(6) [CAIR Part Form], F.A.C. Unless a Title V source submits a timely and complete application for permit renewal in accordance with the requirements this rule, the existing permit shall expire and the source's right to operate shall terminate. For purposes of a permit renewal, a timely application is one that is submitted 225 days before the expiration of a permit that expires on or after June 1, 2009. No Title V permit will be issued for a new term except through the renewal process. [Rules 62-213.420 & 62-213.430, F.A.C.]

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

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

TV21. Suspension and Revocation.

- a. Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.
- b. Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.
- c. A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:
 - (1) Submitted false or inaccurate information in his application or operational reports.
 - (2) Has violated law, Department orders, rules or permit conditions.
 - (3) Has failed to submit operational reports or other information required by Department rules.
 - (4) Has refused lawful inspection under Section 403.091, F.S.
- d. No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(5), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

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

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

TV23. Emissions Unit Reclassification.

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

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

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

Rights, Title, Liability, and Agreements

TV25. Rights. As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit. [Rule 62-4.160(3), F.A.C.]

TV26. Title. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein

provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [Rule 62-4.160(4), (F.A.C.)]

TV27. Liability. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department. [Rule 62-4.160(5), F.A.C.]

TV28. Agreements.

- a. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (1) Have access to and copy any records that must be kept under conditions of the permit;
 - (2) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
 - (3) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- b. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- c. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

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

Recordkeeping and Emissions Computation

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

TV30. Recordkeeping.

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

[Rules 62-4.160(14) and 62-213.440(1)(b)2., F.A.C.]

TV31. Emissions Computation. Pursuant to Rule 62-210.370, F.A.C., the following required methodologies are to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with Rule 62-210.370, F.A.C. Rule 62-210.370,

F.A.C., is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.

For any of the purposes specified above, the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

- a. *Basic Approach.* The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
 - (1) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
 - (2) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
 - (3) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
- b. *Continuous Emissions Monitoring System (CEMS).*
 - (1) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
 - (a) The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or,
 - (b) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
 - (2) Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
 - (a) A calibrated flowmeter that records data on a continuous basis, if available; or
 - (b) The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
 - (3) The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.
- c. *Mass Balance Calculations.*
 - (1) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
 - (a) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and,
 - (b) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.

- (2) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.
 - (3) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.
- d. *Emission Factors.*
- (1) An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.
 - (a) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
 - (b) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
 - (c) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
 - (2) If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.
- e. *Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.
- f. *Accounting for Emissions During Periods of Startup and Shutdown.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.
- g. *Fugitive Emissions.* In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.
- h. *Recordkeeping.* The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

[Rule 62-210.370(1) & (2), F.A.C.]

Responsible Official

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

Prohibitions and Restrictions

- TV33. Asbestos.** This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source. [40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]
- TV34. Refrigerant Requirements.** Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Chapter 62-281, F.A.C.
- TV35. Open Burning Prohibited.** Open burning is prohibited unless performed in accordance with the provisions of Rule 62-296.320(3) or Chapter 62-256, F.A.C.
- TV36. Heavy-Duty Vehicle Idling Reduction.** The permittee shall only allow idling of heavy-duty diesel engine powered motor vehicles in accordance with the following provisions:
- a. **Applicability.** This rule applies to any heavy-duty diesel engine powered motor vehicle. For the purposes of this rule:
 - (1) Heavy-duty diesel engine powered motor vehicle means a motor vehicle:
 - (a) With a gross vehicle weight rating equal to or greater than 8,500 pounds;
 - (b) Used on roads for the transportation of passengers or freight; and
 - (c) Serving a commercial, governmental, or public purpose.
 - (2) Gross vehicle weight rating means the value specified by the manufacturer as the maximum design loaded weight of a single vehicle.
 - b. **Requirement.** Owners or operators of heavy-duty diesel engine powered motor vehicles are prohibited from idling for more than five consecutive minutes. Idling is the continuous operation of a vehicle's main drive engine while the vehicle is stopped.
 - c. **Exemptions.** The idling restriction of subsection 62-285.420(2), F.A.C., shall not apply:
 - (1) To idling while stopped for traffic conditions over which the driver has no control, including being stopped for an official traffic control device or signal, in a line of traffic, at a railroad crossing, at a construction zone, or at the direction of law enforcement;
 - (2) To idling of buses 10 minutes prior to passenger loading and when passengers are onboard if needed for passenger comfort;
 - (3) To idling of an armored vehicle in which a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded.
 - (4) If idling is necessary for a police, fire, ambulance, public safety, military, or other vehicle being used in an emergency or training capacity;
 - (5) If idling is necessary to verify that the vehicle is in safe operating condition as required by law and that all equipment is in good working order, either as part of a daily vehicle inspection or as otherwise needed, provided that engine idling is mandatory for such verification;
 - (6) If idling is necessary to accomplish work for which the vehicle was designed, other than propulsion, for example: collecting solid waste or recyclable material; controlling cargo temperature; or operating a lift, crane, pump, drill, hoist, mixer, or other auxiliary equipment other than a heater or air conditioner;
 - (7) If idling is necessary to operate defrosters, heaters, air conditioners, or other equipment to prevent a safety or health emergency, but not solely for the comfort of the driver;
 - (8) To idling while the driver is sleeping or resting in a sleeper berth. This exemption expires at midnight September 30, 2013.

[Rule 62-285.420, F.A.C.]

APPENDIX RR
FACILITY-WIDE REPORTING REQUIREMENTS

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

Report	Reporting Deadline(s)	Related Condition(s)
Plant Problems/Permit Deviations	Immediately upon occurrence (See RR2.d.)	RR2, RR3
Malfunction Excess Emissions Report	Quarterly (if requested)	RR3
Semi-Annual Monitoring Report	Every 6 months	RR4
Annual Operating Report	April 1	RR5
Annual Emissions Fee Form and Fee	March 1	RR6
Annual Statement of Compliance	Within 60 days after the end of each calendar year (or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement); and Within 60 days after submittal of a written agreement for transfer of responsibility, or Within 60 days after permanent shutdown.	RR7
Notification of Administrative Permit Corrections	As needed	RR8
Notification of Startup after Shutdown for More than One Year	Minimum of 60 days prior to the intended startup date or, if emergency startup, as soon as possible after the startup date is ascertained	RR9
Permit Renewal Application	225 days prior to the expiration date of permit	TV18
Test Reports	Maximum 45 days following compliance tests	[Rule 62-297.310(8), F.A.C.]

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

RR2. Reports of Problems.

- a. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.
- b. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - (1) A description of and cause of noncompliance; and
 - (2) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- c. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware

the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

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

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

RR3. Reports of Deviations from Permit Requirements. The permittee shall report in accordance with the requirements of Rule 62-210.700(6), F.A.C. (below), and Rule 62-4.130, F.A.C. (condition RR2.), deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.

Rule 62-210.700(6): In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. (See condition RR2.). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rules 62-213.440(1)(b)3.b., and 62-210.700(6)F.A.C.]

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

RR5. Annual Operating Report.

- a. The permittee shall submit to the Compliance Authority, each calendar year, on or before April 1, a completed DEP Form No 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year.

- b. Emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C.

[Rules 62-210.370(2) & (3), and 62-213.440(3)(a)2., F.A.C.]

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

- a. If the Department has not received the fee by 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.
- b. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.
- c. 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), (1)(g), (1)(i) & (1)(j), F.A.C.]

RR7. Annual Statement of Compliance.

- a. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:
 - (1) Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
 - (2) Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.
- b. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.
- c. The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.
[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

RR8. Notification of Administrative Permit Corrections.

- a. A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
 - (1) Typographical errors noted in the permit;
 - (2) Name, address or phone number change from that in the permit;
 - (3) A change requiring more frequent monitoring or reporting by the permittee;
 - (4) A change in ownership or operational control of a facility, subject to the following provisions:
 - (a) The Department determines that no other change in the permit is necessary;
 - (b) 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
 - (c) The new permittee has notified the Department of the effective date of sale or legal transfer.
 - (5) 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;
 - (6) 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
 - (7) Any other similar minor administrative change at the source.
- b. Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- c. 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.
- d. 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.]

- RR9. Notification of Startup.** The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.
- 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.
 - If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.
- [Rule 62-210.300(5), F.A.C.]
- RR10. Report Submission.** The permittee shall submit all compliance related notifications and reports required of this permit to the Compliance Authority. {See front of permit for address and phone number.}
- RR11. EPA Report Submission.** Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to: Air, Pesticides & Toxics Management Division, United States Environmental Protection Agency, Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, GA 30303-8960. Phone: 404/562-9077.
- RR12. Report Certification.** All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C. [Rule 62-213.440(1)(b)3.c, F.A.C.]
- RR13. Certification by Responsible Official (RO).** In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]
- RR14. Confidential Information.** Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. Any permittee may claim confidentiality of any data or other information by complying with this procedure. [Rules 62-213.420(2), and 62-213.440(1)(d)6., F.A.C.]
- RR15. Forms and Instructions.** The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The forms are listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, by contacting the appropriate permitting authority or by accessing the Department's web site at: <http://www.dep.state.fl.us/air/rules/forms.htm>.
- Major Air Pollution Source Annual Emissions Fee Form (Effective 10/12/2008).
 - Statement of Compliance Form (Effective 06/02/2002).
 - Responsible Official Notification Form (Effective 06/02/2002).
- [Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

APPENDIX U-1:
UNREGULATED EMISSION UNITS

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 have been identified by the permittee as ‘unregulated emissions units’.

EU Description	Activities/Equipment
Laboratory Operations	Laboratory activities including chemical and physical analyses considered unregulated and exempt from the Air Construction Permit requirements by Rule 62-210.300(3)(a)15, F.A.C. The activities have been listed as insignificant based on potential emissions below the levels of Rule 62-213.300(2)(a)1, F.A.C.

Appendix I-1
Insignificant Emissions Units and/or Activities

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

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

EU Description	Activities/Equipment
006 Electric Power Generators	<p>Three (3) electric power generators two rated at 350 kilowatts (kW) and one rated at 400 kW. A diesel-fired internal combustion engine powers each generator.</p> <p>The generators are exempt from the requirement to obtain Air Construction Permits in accordance with Rule 62-210.300(3)(a)(20), F.A.C. based on the total annual fuel usage of less than 32,000 gallons.</p> <p><i>{Permitting Note: These generators are exempt from permitting pursuant to Rule 62-210.300(3)(a)35, F.A.C. This rule states that when an exempt generator engine is subject to 40 CFR Part 63 Subpart ZZZZ, then the owner or operator shall comply with all limitations and requirements of Subpart ZZZZ that apply to the engine, <u>no later than May 3, 2013</u></i></p>
Miscellaneous Natural Gas Combustion Activities	<p>Food preparation activities including stoves, steamers, ovens, etc. considered unregulated and based on potential emissions meeting the exemption criteria of Rule 62-210.300(3)(b)(1), F.A.C. The activities have been listed as insignificant based on potential emissions below the levels of Rule 62-213.300(2)(a)1, F.A.C.</p>

Facilities**Appendix SS-1****Stack Sampling Facilities (version dated 10/07/96)**

This section describes 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 a 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), toeboard, 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.

Facilities

(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 toeboards.

(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 dualrail 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.]

SECTION IV. Appendix A

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

Abbreviations and Acronyms:

°F:	Degrees Fahrenheit	MMbtu:	million British thermal units
AQCS:	Air Quality Control System	NOx:	Oxides of Nitrogen
BACT:	Best Available Control Technology	ORIS:	Office of Regulatory Information Systems
Cd:	Cadmium	Pb:	Lead
CEMS:	Continuous Emissions Monitoring System	PBC:	Palm Beach County
CFR:	Code of Federal Regulations	PC:	Predicted Concentration
CO:	Carbon Monoxide	P.E.:	Professional Engineer
DARM:	Division of Air Resource Management	PM:	Particulate Matter
E.U.:	Emissions Unit	QAP:	Quality Assurance Plan
F.A.C.:	Florida Administrative Code	RMP:	Risk Management Plan
FDEP:	Florida Department of Environmental Protection	R.S.:	Registered Sanitarian
F.S.:	Florida Statute	SIC:	Standard Industrial Classification
HCl:	Hydrochloric Acid	SOA:	Specific Operating Agreement
Hg:	Mercury	SO₂:	Sulfur Dioxide
HMIFI:	Hospital/Medical/Infectious Waste Incinerator	THAPs:	Total Hazardous Air Pollutants
ISO:	International Standards Organization	U.S. EPA:	United States Environmental Protection Agency
LAT:	Latitude	U.S.C.:	United States Code
LONG:	Longitude	UTM:	Universal Transverse Mercator
		VOC:	Volatile Organic Compounds

Citations:

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

Code of Federal Regulations:

Example: **[40 CFR 60.334]**

Where:	40	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.

SECTION IV. Appendix A
Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

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

Permit History (for tracking purposes)						
E.U. ID No.	Description	Permit No.	Issue Date	Expiration Date	Extended Date	Revised Date(s)
-004	Hospital/Medical/Infectious Waste Incinerator	AC50-135917	08/10/1997	08/01/1999		10/02/1991
		AC50-197439	10/01/1991	09/01/1992		09/12/1995
		AO50-217765	11/03/1992	09/01/1997		09/27/1995
		0990095-001-AC	09/12/1995	09/12/1996		
		0990095-002-AO	09/27/1995	09/01/1997		
		0990095-003-AO	10/22/1997	10/22/2002		
		0990095-004-AV	07/17/2001	07/17/2006		
		0990095-005-AV	01/02/2007	01/01/2012		
-005	Fossil-fuel Fired Steam Generators	Exempt	05/25/1984			10/22/1997
		0990095-003-AO	10/22/1997	10/22/2002		
		0990095-004-AV	07/17/2001	07/17/2006		
		0990095-005-AV	01/02/2007	01/01/2012		

SECTION IV. Table 1-1 -- Summary of Air Pollutant Standards and Terms

Table 1-1, Summary of Air Pollutant Standards and Terms

E.U. ID No. Brief Description

-004 Hospital/Medical/Infectious Waste Incinerator

		EFFECTIVE TILL JUNE 1, 2012			EFFECTIVE FROM JUNE 1, 2012				
		Allowable Emissions	Equivalent Emissions*		Allowable Emissions	Equivalent Emissions*			
Pollutant Name	Hours/Year	Standards	lbs./hr	TPY	Standards	lbs./hr	TPY	Regulatory Citation(s)	See permit condition(s)
Chromium	4,416	8.3 X 10 ⁻⁵ µg/m ³ (Ambient Air)	4.1 X 10 ⁻⁶	9.0 X 10 ⁻⁶	8.3 X 10 ⁻⁵ µg/m ³ (Ambient Air)	4.1 X 10 ⁻⁶	9.0 X 10 ⁻⁶	PBC BWIF Ordinance	III.A.10. & 11.
Sulfur Dioxide	4,416	55 ppmvd @ 7% O ₂	3.9	8.5	9 ppmvd @ 7% O ₂		0.83	40 CFR 60.33e(a)	III.A.10. & 11.
Nitrogen Oxides	4,416	250 ppmvd @ 7% O ₂	12.6	27.8	140 ppmvd @ 7% O ₂		9.31	40 CFR 60.33e(a)	III.A.10. & 11.
Visible Emissions	4,416	5% Opacity (6-min.)	-	-	5% Opacity (6-min.)			PBC-BWIF Ordinance	III.A.9.
		≤20% Opacity (3 min/hr)	-	-	≤20% Opacity (3 min/hr)			PBC-BWIF Ordinance	
		<30% Opacity (All Times)	-	-	<30% Opacity (All Times)			PBC-BWIF Ordinance	
		5% Opacity (6-min.)	-	-	5% Opacity (6-min.)			Rule 62-296.401(1)(a), F.A.C.	
		<15% Opacity (6 min/hr)	-	-	<15% Opacity (6 min/hr)			Rule 62-296.401(1)(a), F.A.C.	
		≤10% Opacity (6-min.)	-	-	≤6% Opacity (6-min.)			40 CFR 60.33e(c) & 60.52c(b)	
Carbon Monoxide	4,416	≤100 ppmvd @ 7% O ₂	3.1	6.8	≤100 ppmvd @ 7% O ₂		6.8	PBC-BWIF Ordinance	III.A.10. & 11.
		≤100 ppmvd @ 7% O ₂	3.1	6.8	≤100 ppmvd @ 7% O ₂		6.8	Rule 62-296.401(4), F.A.C.	
		≤40 ppmvd @ 7% O ₂	1.2	3.4	≤11 ppmvd @ 7% O ₂		0.45	40 CFR 60.33e(a)	
Particulate Matter	4,416	0.03 gr/dscf @ 7% O ₂	1.8	4.0	0.03 gr/dscf @ 7% O ₂		4.0	PBC-BWIF Ordinance	III.A.10. & 11.
		0.03 gr/dscf @ 7% O ₂	1.8	4.0	0.03 gr/dscf @ 7% O ₂		4.0	Rule 62-296.401(4)(b)2, F.A.C.	
		0.015 gr/dscf @ 7% O ₂	0.9	2.0	0.011 gr/dscf @ 7% O ₂		0.88	40 CFR 60.33e(a)	
Hydrochloric Acid	4,416	≤4 lb/hr or 90% Reduction	4	8.8	≤4 lb/hr or 90% Reduction		8.8	PBC-BWIF Ordinance	III.A.10. & 11.
		≤4 lb/hr or 90% Reduction	4	8.8	≤4 lb/hr or 90% Reduction		8.8	Rule 62-296.401(4)(b)2, F.A.C.	
		100 ppmvd @ 7% O ₂	4	8.8	6.6 ppmvd @ 7% O ₂		0.35	40 CFR 60.33e(a)	
Dioxins/Furans	4,416	2.2 X 10 ⁻⁸ µg/m ³ (Ambient Air)	1.1 X 10 ⁻⁹	2.4 X 10 ⁻⁹	2.2 X 10 ⁻⁸ µg/m ³ (Ambient)		2.4 X 10 ⁻⁹	PBC-BWIF Ordinance	III.A.10. & 11.
		1.0 gr/bdsfc TEQ @ 7% O ₂	3.6 X 10 ⁻⁸	7.9 X 10 ⁻⁸	0.024 gr/bdsfc TEQ @ 7% O ₂		2.0 X 10 ⁻⁹	40 CFR 60.33e(a)	
Lead	4,416	0.9 µg/m ³ (Ambient Air)	4.4 X 10 ⁻²	9.8 X 10 ⁻²	0.9 µg/m ³ (Ambient Air)		9.8 X 10 ⁻²	PBC-BWIF Ordinance	III.A.10. & 11.
		0.52 gr/kdscf @ 7% O ₂ or 70% Reduction	1.9 X 10 ⁻²	4.1 X 10 ⁻²	0.016 gr/kdscf @ 7% O ₂		0.001	40 CFR 60.33e(a)	
Mercury	4,416	0.3 µg/m ³ (Ambient Air)	1.5 X 10 ⁻²	3.3 X 10 ⁻²	0.3 µg/m ³ (Ambient Air)		3.3 X 10 ⁻²	PBC-BWIF Ordinance	III.A.10. & 11.
		0.24 gr/kdscf @ 7% O ₂ or 85% Reduction	8.6 X 10 ⁻³	1.9 X 10 ⁻²	0.0079 gr/kdscf @ 7% O ₂		0.0006	40 CFR 60.33e(a)	
Cadmium	4,416	5.6 X 10 ⁻⁴ µg/m ³ (Ambient Air) 0.07 gr/kdscf @ 7% O ₂ or 65% Reduction	2.8 X 10 ⁻⁵ 2.5 X 10 ⁻³	6.1 X 10 ⁻⁵ 5.6 X 10 ⁻³	5.6 X 10 ⁻⁴ µg/m ³ (Ambient Air) 0.004 gr/kdscf @ 7% O ₂		6.1 X 10 ⁻⁵ 0.0003	PBC-BWIF Ordinance 40 CFR 60.33e(a)	III.A.10. & 11.

SECTION IV. Table 1-1 -- Summary of Air Pollutant Standards and Terms

Notes: Emissions estimated based on a design flow of 4,600 acfm and the September 2000 stack test results and the Title V renewal application.

ppmvd = Parts per million by volume on a dry basis

gr/dscf = grains per dry standard cubic foot

gr/bdscf = grains per billion dry standard cubic foot

gr/kdscf = grains per thousand dry standard cubic foot

Table 1-1, Summary of Air Pollutant Standards and Terms

E.U. ID No. Brief Description

-005 Fossil-fuel Fired Steam Generators

			Allowable Emissions	Equivalent Emissions*			
Pollutant Name	Fuel(s)	Hours/Year	Standards	lbs./hr	TPY	Regulatory Citation(s)	See permit condition(s)
Visible Emissions	NG/PG	8,760	20% Opacity (6-min.) ≤40% Opacity (2- min/hr)	- -	- -	Rule 62-296.406(1), F.A.C.	III.B.4.
Particulate Matter	NG/PG	8,760	Fuel Quality ⁽¹⁾	0.6	0.8	Rule 62-296.406(2), F.A.C.	III.B.5.
Sulfur Dioxide	NG/PG	8,760	Fuel Quality ⁽¹⁾	0.009	0.04	Rule 62-296.406(3), F.A.C.	III.B.6.
Notes: Emissions estimated based on maximum heat input rates and continuous operation. ⁽¹⁾ Emissions based on firing 128.33 million cubic feet of natural gas per year, fuel sulfur content of 0.05% and a particulate matter emission factor of 12 lb/mmCF.							

SECTION IV. Table 2-1 -- Summary of 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.

E.U. ID No. Brief Description

-004 Hospital/Medical/Infectious Waste Incinerator

Pollutant Name or Parameter		Compliance Method(s)	Testing Time Frequency	Min. Compliance Test Duration	CMS ⁽¹⁾	See permit condition(s)
Visible Emissions		EPA Method 9 EPA Method 9 EPA Method 9	A A I & A	60 minutes 60 minutes 3 hours	(2)	III.A.15
Particulate Matter		EPA Method 5 or 29 EPA Method 5 or 26A EPA Method 5 or 29	A A I, A	3 hours 3 hours 3 hours	(5)	III.A.15
Carbon Monoxide		EPA Method 10 or 10B EPA Method 10 EPA Method 10 or 10B	A ⁽³⁾ A I, A	3 hours 3 hours 3 hours	(6) (7)	III.A.15
Hydrochloric Acid		EPA Method 26 EPA Method 26 or 26A EPA Method 5 or 29	A ⁽³⁾ A I, A	3 hours 3 hours 3 hours	(8)	III.A.15
Dioxins/Furans		EPA Method 23 EPA Method 23	A ⁽³⁾ I & R	3 hours 12 hours	(9)	III.A.15
Lead		EPA Method 29 EPA Method 29	A ⁽³⁾ I, A ⁽⁴⁾ & R	3 hours 3 hours	(10)	III.A.15
Mercury		EPA Method 29 EPA Method 29	A ⁽³⁾ I, A ⁽⁴⁾ & R	3 hours 3 hours	(11)	III.A.15
Cadmium		EPA Method 29 EPA Method 29	A ⁽³⁾ I, A ⁽⁴⁾ & R	3 hours 3 hours	(10)	III.A.15
Chromium		EPA Method 5 (Modified) or 29	A ⁽³⁾ & R	3 hours		III.A.15
Sulfur Dioxide		EPA Method 6 or 6C	I & R	3 hours		III.A.15
Nitrogen Oxides		EPA Method 7, 7A-7E	I & R	3 hours		III.A.15

SECTION IV. Table 2-1 -- Summary of 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.

E.U. ID No. Brief Description

-004 Hospital/Medical/Infectious Waste Incinerator

Pollutant Name or Parameter		Compliance Method(s)	Testing Time Frequency	Min. Compliance Test Duration	CMS ⁽¹⁾	See permit condition(s)
Sample Locations & Traverse Points		EPA Method 1	As Required	As Required	As Required	III.A.13.
Oxygen		EPA Method 3 or 3A	As Required	As Required	As Required	III.A.13.
Notes:	(1) CMS [=] continuous monitoring system (2) For units equipped with a wet scrubber, the Health Department has waived the requirement to have an opacity monitor. (3) PB Ordinance requires annual testing, but it can be waived upon facility's request based on the waste management plan. (4) Rule 62-204.800(9)(g), F.A.C. requires the testing for Hg, Cd, and Pb whenever the facility tests for PM (Effective June 1, 2012) (5) For PM, monitor the charging rate, operation of the bypass stack, pressure drop across the scrubber, and either the horsepower or amperage to the system. (6) CO Monitoring required by the PBC-BWIF Ordinance (7) For CO, monitor the charging rate and the secondary chamber temperature. (8) For HCl, monitor the charging rate, operation of the bypass stack, and the scrubber liquor pH. (9) For dioxin/furan, monitor the charging rate, operation of the bypass stack, and the scrubber liquor flow rate. (10) For Pb and Cd, monitor the operation of the bypass stack. (11) For Hg, monitor the charging rate, operation of the bypass stack, and the flue gas temperature.					

SECTION IV. Table 2-1 -- Summary of 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.

E.U. ID No. Brief Description

-005 Fossil-fuel Fired Steam Generators

Pollutant Name or Parameter	Fuels	Compliance Method(s)	Testing Time Frequency	Min. Compliance Test Duration	See permit condition(s)
Visible Emissions	NG/PG	DEP Method 9	A	60 minutes	III.B.4., III.B.8., III.B.12., and III.B.13.
Particulate Matter	NG/PG	EPA Method 5	R ⁽²⁾	3 hours	III.B.5., III.B.9., III.B.12., III.B.13., and III.B.14.
Sulfur Dioxide	NG/PG	EPA Method 6 or 6C	R ⁽²⁾	3 hours	III.B.6., III.B.10., III.B.12., III.B.13., and III.B.14.
Fuel Sulfur Content	NG/PG	ASTM Methods	A	N/A	III.B.7, III.B.11, and III.B.16.
Notes:					
(1) The Frequency base date is established for planning purposes only, see Rule 62-297.310, F.A.C.					
(2) Testing has been waived based on the firing of clean fuels.					

APPENDIX PB-BWIF

PBC-BWIF ORDINANCE REQUIREMENTS (NOT ENFORCEABLE BY EPA OR DEP)

1. General Provisions for Licensing: The permittee shall comply with the following requirements of Article X, Section 11-234 of the PBC-BWIF Ordinance:
- (1) no longer applicable
 - (2) not applicable
 - (3) New and modified BWIFs shall submit an application for approval and licensing and receive approval from the Health Department prior to any construction.
 - (4) License applications shall be signed and sealed by a professional engineer, registered in the State of Florida, and shall contain the following information, including, but not limited to:
 - (a) Facility name.
 - (b) Facility location.
 - (c) Name of the owner.
 - (d) Name of the operator.
 - (e) List of all county and state permits and licenses required which have been issued to the emissions unit.
 - (f) List of all contractors providing services or equipment to the emissions unit.
 - (g) Zoning approval for the location of the emissions unit.
 - (h) Technical information regarding the emissions unit.
 - (5) Upon a change of ownership, the new owner shall complete a background verification questionnaire.
 - (6) The issuance of any letter of approval and/or license based upon false information, as contained in the application or background verification questionnaire, may result in the revocation or denial of the letter of approval and/or license.
 - (7) BWIFs which annually meet the requirements may be issued renewal licenses. BWIFs not meeting these standards must comply with the requirements before a license is renewed.
 - (8) The Health Department may revoke any license for a BWIF that is not in compliance with this PBC-BWIF Ordinance or deny a license to operate a BWIF if the BWIF fails to meet the requirements of the PBC-BWIF Ordinance.

[Not Enforceable by EPA or DEP, Article X, Section 11-234, PBC-BWIF Ordinance]

2. Special Provisions for Licensing: _____ *BWIFs With a Total Capacity Greater Than 300 II. Pounds per Hour, but Less Than or Equal To 1,000 Pounds per Hour:*
- (1) *Emission limiting standards:*
 - (a) Carbon monoxide (CO) emissions shall not exceed one hundred (100) parts per million by volume, dry, corrected to seven (7) percent oxygen on an hourly basis.
 - (b) Particulate matter (PM) emissions shall not exceed three-one-hundredths (0.030) grain per dry standard cubic foot of flue gas, corrected to seven (7) percent oxygen.
 - (c) Hydrochloric acid (HCL) emissions shall not exceed four (4) pounds per hour or shall be reduced by ninety (90) percent by weight on an hourly average basis.
 - (d) Opacity of the exhaust flue gas shall not exceed five (5) percent except that up to twenty (20) percent is allowed for not more than three (3) minutes in any one (1) hour and no visible emissions are allowed greater than or equal to thirty (30) percent at any time.
 - (2) *Continuous emissions monitoring (CEM) requirements:* BWIFs in this category shall continuously monitor and record:
 - (a) Carbon monoxide (CO) content of the exhaust flue gas.
 - (b) Opacity of the exhaust flue gas.

{Permitting note – The Health Department does not require Opacity CEMS on the emissions unit since it is equipped with a wet scrubber.}

- (3) **Design Requirements:** following pollutants with the corresponding frequency. Carbon monoxide, particulate matter, hydrochloric acid, and opacity test results shall not exceed the emission limiting standards of this section for a BWIF to be in compliance with this article. Heavy metal and dioxin test results shall be used to perform the required air dispersion model. The results of this modeling shall demonstrate that the maximum predicted concentrations of these pollutants shall not exceed the acceptable ambient concentrations (AACs, see condition no. 4). If the results of the ash test indicate this material to be "hazardous," the ash shall be properly disposed of as hazardous waste.

Pollutant	EPA Test Method	Frequency
Carbon monoxide	10	Initial, Annual
Particulate matter	5	Initial, Annual
Hydrochloric acid	26	Initial, Annual ¹
Opacity	9	Initial, Annual
Heavy metals:		
Cadmium	5, modified	Initial, Annual ¹
Chromium	5, modified	Initial, Annual ¹
Lead	12	Initial, Annual ¹
Mercury	101 A	Initial, Annual ¹
Dioxins	23	Initial, Annual ¹
Ash Testing	TCLP for above metals	Quarterly

¹*If a BWIF can document and demonstrate an acceptable waste minimization program(see condition no. 7) for heavy metal and/or chlorine containing products, the health unit may waive future emission compliance tests for this pollutant. However, BWIFs shall conduct emission compliance tests for this pollutant at least once in each five-year period of operation.*

- (4) **Design Requirements:** ALL BWIFs in this category shall have a minimum of two-second residence time at 1800° F in the secondary (or last) combustion chamber of the incinerator.

3. **Dump Stack Provisions:** All BWIFs with dump stacks shall not operate in the bypass mode for more than one-half of one (0.5) percent of the total annual allowable hours of operation. *[Permitting Note: Pursuant to EPA regulations, use of bypass stack is prohibited]*

[Not Enforceable by EPA or DEP, Article X, Section 11-236, PBC-BWIF Ordinance]

4. **Air Dispersion Modeling:** The permittee shall comply with the following requirements of Article X, Section 11-237 of the PBC-BWIF Ordinance when demonstrating compliance with the emission limiting standards for cadmium, chromium, lead, mercury, and dioxins:

- (1) All applications for existing, modified, or new BWIFs shall perform air dispersion modeling for heavy metals and dioxins. Additional modeling for heavy metals and dioxins shall be performed upon completion of each required emissions compliance stack test and the results submitted as part of the emissions compliance stack test report. This report shall be received by the Health Department within forty-five (45) days of the date tested.

- (2) The air dispersion model shall be the EPA SCREEN model or equivalent, in accordance with the approved EPA 'Guidance on Air Quality Models' (EPA 540/2-78-027) or the current guidance. On a case-by-case basis, the Health Department may approve alternate models.
- (a) Air dispersion modeling parameters shall include, but not be limited to:
- (b) Receptor location and affected population.
- (c) Selection of full meteorological conditions.
- (d) Building and terrain influence.
- (e) Short- and long-term impact.
- (f) Actual emission compliance test data and pollutant emission rates must be used for the incinerator operating input parameters.
- (g) For modeling purposes, the total dioxin emission rate shall be multiplied by a factor of (0.05) for conversion into the toxic 2, 3, 7, 8 dioxin equivalent.
- (3) The maximum one-hour predicted concentrations (PC) from the SCREEN model shall be converted to an annual average predicted ambient concentration (PAC) by the following formula:
- $$PAC = (PC) \times (0.025)$$
- (5) The predicted ambient concentration (PAC) for a pollutant must be less than the corresponding acceptable ambient concentration (AAC) listed below.

ACCEPTABLE AMBIENT CONCENTRATIONS (AAC)

Heavy Metals:	AAC(Ug/m ³)	Reference
Cadmium	5.6×10^{-4}	1
Chromium	8.3×10^{-5}	1
Lead	0.9	2
Mercury	0.3	2
Dioxins	2.2×10^{-8}	1

References:

1. Federal Register
Vol. 56, No. 35
Appendix V - Risk Specific Doses

Note: Since the health risk associated with these concentrations is 1 in 100,000, the AACs are calculated by dividing the Risk Specific Dose by a factor of 10 to achieve a health risk of 1 in 1 million.

2. Federal Register
Vol. 56, No. 35
Appendix IV - Reference Air Concentrations

Note: These concentrations are based on a health risk of 1 in 1 million

- (6) When the facility demonstrates the compliance with the revised standards (sp. Condition III.A.11 of the permit), it is assumed that the facility is in compliance with the AACs for the Cd, Pb, Hg, and Dioxins.

[Not Enforceable by EPA or DEP, Article X, Section 11-237, PBC-BWIF Ordinance]

5. Continuous Emissions Monitoring (CEM); Quality Assurance and Quality Control: The permittee shall submit an update "quality assurance plan (QAP)" to the Health Department within six (6) months of the effective date of this permit. This plan shall consist of quality control and quality assurance procedures necessary to ensure accurate, precise, and valid data for the monitoring equipment at each site. **[Not Enforceable by EPA or DEP, Article X, Section 11-238, PBC-BWIF Ordinance]**
6. Record Keeping: The permittee shall comply with the following requirements of Article X, Section 11-239 of the PBC-BWIF Ordinance:

- (1) Record and maintain a complete, permanent, and legible file on the continuous emissions monitoring system, to include:
 - (a) Measurements: CEM system, monitoring devices, and performance tests.
 - (b) CEM system performance evaluations.
 - (c) CEM system and monitoring devices calibration checks.
 - (d) Adjustments to, and maintenance of CEM System and devices.
 - (e) All other data pertinent to the operation and evaluation of the GEM System and devices.
- (2) All BWIFs shall submit quarterly summaries of CEM emission data results, malfunctions, and corrective actions to the Health Department.
- (3) All BWIFs shall maintain a record of weight of all waste incinerated. This record shall include, at a minimum, the date, time, weight in pounds, and whether it was biohazardous waste or not.
- (4) All files and records pertaining to this Condition shall be retained for at least two (2) years following the date of such measurements, maintenance, reports and records.

[Not Enforceable by EPA or DEP, Article X, Section 11-239, PBC-BWIF Ordinance]

7. Minimum Standards For An Acceptable Waste Minimization And Segregation Program: Requirements for an acceptable program shall include but not be limited to:

1. Perform preliminary engineering analysis and report of the incinerator waste stream.
2. Waste minimization plan:
 - (a) Reduction of the amount of "biohazardous waste" by developing a procedure to control the waste placed into the red bag waste stream.
 - (b) Selection of alternative products that can be sterilized and used again.
 - (c) Selection of alternative disposable products that do not contain chlorinated plastics, heavy metals, sulfur, etc.
3. Waste segregation plan:
 - (a) Removal and recycling of batteries from the incinerator waste stream.
 - (b) Removal of recyclable and high pollutant wastes from the general refuse waste stream. The general refuse waste stream was created by minimizing the amount of wastes introduced to the red bag waste stream. Unlike biohazardous waste, general refuse can be sorted, graded and recycled.
 - (c) Implementation of a mercury spill program that provides specific instructions on cleanup procedures as well as disposal other than incineration.
 - (d) Alternative disposal of liquid laboratory wastes.
4. Perform a post engineering analysis and report of the incinerator waste stream and predict the reduction of pollutant emissions.

8. Definitions:

(1) *Acceptable Ambient Concentration (AAC):* This is the concentration to which a specific compound shall be reduced at ambient levels that will not result in a greater than one-in-a-million chance of causing any human cancer after seventy (70) continuous years of exposure. The AACs cadmium, chromium, lead, mercury and dioxins are provided in appendix B to this article.

(2) *Biohazardous Waste:* Any solid waste or liquid waste which may present a threat of infection to humans. The term includes, but is not limited to, nonliquid human tissue and body parts; laboratory and veterinary waste which contains human-disease-causing agents; discarded sharps; human blood, human blood products and body fluids. The following are also included:

- (a)** Used absorbent materials such as bandages, gauzes, or sponges supersaturated, having the potential to drip or splash, with blood or body fluids from areas such as operating rooms, delivery rooms, trauma centers, emergency rooms or autopsy rooms.
- (b)** Devices which retain visible blood adhering to inner surfaces after use and ringing such as intravenous tubing, hemodialysis filters, and catheters. Medical devices used in the treatment of hepatitis B virus or human immunodeficiency virus of suspected or positive patients shall be segregated as biohazardous waste.
- (c)** Other contaminated solid waste materials which represent a significant risk of infection because they are generated in medical facilities which care for persons suffering from diseases requiring strict isolation criteria and

listed by the United States Department of Health and Human Services, Center for Disease Control, "CDC Guideline for Isolation Precautions in Hospitals," July/August 1983.

- (3) *Biohazardous Waste Incineration Facility (BWIF)*: One (1) or more incinerators located on one (1) or more contiguous or adjacent properties, operated or utilized for the disposal or treatment of biohazardous waste, and owned or operated by the same person (or by persons under common control).
 - (4) *Continuous Emissions Monitoring (CEM) System*: All equipment used to calibrate, sample, condition (if applicable), and analyze air emissions, or used to provide a permanent record of emissions or process parameters.
 - (5) *Dioxins*: The term "dioxins" shall mean total tetra through octachlorinated dibenzo-p-dioxins (PCDD) and dibenzofurans (PCDF).
 - (6) *Emission*: The discharge or release into the atmosphere of one (1) or more air pollutants.
 - (7) *Emission Limiting Standard*: Any restriction established in or pursuant to a regulation adopted by this article which limits the quantity, rate, concentration or opacity of any pollutant released, allowed to escape or emitted, whether intentionally or unintentionally, into the atmosphere, including any restriction which prescribes equipment, sets fuel specifications, or prescribes operation or maintenance procedures for a source to assure emission reduction or control.
 - (8) *Existing Source*: Any BWIF in existence and possessing valid Florida Department of Environmental Regulation air construction and air operating permits prior to the effective date of this article [August 4, 1992].
 - (9) *Health Unit*: HRS/Palm Beach County Public Health Unit.
 - (10) *Heavy Metals*: Cadmium, chromium, lead, and mercury and their related compounds.
 - (11) *Incinerator*: A combustion apparatus designed for the ignition and burning of solid, semisolid, liquid, or gaseous combustible wastes.
 - (12) *Modified Source*: Any existing BWIF that has made or intends to make any physical changes to the incinerator and/or equipment or incineration process that would result in increased emission of pollutants or an increase in the charging capacity.
 - (13) *New Source*: Any BWIF that is not an "existing" source.
 - (14) *Owner/Operator*: Any person or entity who or which owns, leases, operates, controls, or supervises a stationary source.
 - (15) *Person*: An individual, firm, partnership, corporation, association, executor, administrator, trustee or other legal entity, whether singular or plural, masculine or feminine, as the context may require.
 - (16) *Stack*: A pipe, duct, chimney, or other functionally equivalent device that confines and conveys air pollutants from a source or group of sources into the atmosphere through an emission point designed to discharge air pollutants into the atmosphere.
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Appendix 40 CFR 60 NSPS-A 40 CFR 60 Subpart A – General provisions (as applicable)

§ 60.1 Applicability.

(a) Except as provided in subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter.

[40 FR 53346, Nov. 17, 1975, as amended at 55 FR 51382, Dec. 13, 1990; 59 FR 12427, Mar. 16, 1994; 62 FR 52641, Oct. 8, 1997]

§ 60.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 et seq.)

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Alternative method means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for his determination of compliance.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to Title V of the Act (42 U.S.C. 7661).

Capital expenditure means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

Commenced means, with respect to the definition of new source in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

Construction means fabrication, erection, or installation of an affected facility.

Continuous monitoring system means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.

Electric utility steam generating unit means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

Equivalent method means any method of sampling and analyzing for an air pollutant which has been demonstrated to the Administrator's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

Excess Emissions and Monitoring Systems Performance Report is a report that must be submitted periodically by a source in order to provide data on its compliance with stated emission limits and operating parameters, and on the performance of its monitoring systems.

Existing facility means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type.

Isokinetic sampling means sampling in which the linear velocity of the gas entering the sampling nozzle is equal to that of the undisturbed gas stream at the sample point.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a Title V permit occurs immediately after the EPA takes final action on the final permit.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Modification means any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

Monitoring device means the total equipment, required under the monitoring of operations sections in applicable subparts, used to measure and record (if applicable) process parameters.

Nitrogen oxides means all oxides of nitrogen except nitrous oxide, as measured by test methods set forth in this part.

One-hour period means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Owner or operator means any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Particulate matter means any finely divided solid or liquid material, other than uncombined water, as measured by the reference methods specified under each applicable subpart, or an equivalent or alternative method.

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permitting authority means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter;
or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Proportional sampling means sampling at a rate that produces a constant ratio of sampling rate to stack gas flow rate.

Reference method means any method of sampling and analyzing for an air pollutant as specified in the applicable subpart.

Run means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice.

Shutdown means the cessation of operation of an affected facility for any purpose.

Six-minute period means any one of the 10 equal parts of a one-hour period.

Standard means a standard of performance proposed or promulgated under this part.

Standard conditions means a temperature of 293 K (68F) and a pressure of 101.3 kilopascals (29.92 in Hg).

Startup means the setting in operation of an affected facility for any purpose.

State means all non-Federal authorities, including local agencies, inter-state associations, and State-wide programs, that have delegated authority to implement: (1) The provisions of this part; and/or (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Volatile Organic Compound means any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method, an equivalent method, an alternative method, or which is determined by procedures specified under any subpart.

[44 FR 55173, Sept. 25, 1979, as amended at 45 FR 5617, Jan. 23, 1980; 45 FR 85415, Dec. 24, 1980; 54 FR 6662, Feb. 14, 1989; 55 FR 51382, Dec. 13, 1990; 57 FR 32338, July 21, 1992; 59 FR 12427, Mar. 16, 1994]

§ 60.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) System International (SI) units of measure:

A—ampere	mol—mole
g—gram	N—newton
Hz—hertz	ng—nanogram— 10^{-9} gram
J—joule	nm—nanometer— 10^{-9} meter
K—degree Kelvin	Pa—pascal
kg—kilogram	s—second
m—meter	V—volt
m ³ —cubic meter	W—watt
mg—milligram— 10^{-3} gram	Ω—ohm
mm—millimeter— 10^{-3} meter	μg—microgram— 10^{-6} gram
Mg—megagram— 10^6 gram	

(b) Other units of measure:

Btu—British thermal unit	l—liter
°C—degree Celsius (centigrade)	lpm—liter per minute
cal—calorie	lb—pound
cfm—cubic feet per minute	meq—milliequivalent
cu ft—cubic feet	min—minute
dcf—dry cubic feet	ml—milliliter
dcm—dry cubic meter	mol. wt.—molecular weight
dscf—dry cubic feet at standard conditions	ppb—parts per billion
dscm—dry cubic meter at standard conditions	ppm—parts per million
eq—equivalent	psia—pounds per square inch absolute
°F—degree Fahrenheit	psig—pounds per square inch gage
ft—feet	°R—degree Rankine
gal—gallon	scf—cubic feet at standard conditions
gr—grain	scfh—cubic feet per hour at standard conditions
g-eq—gram equivalent	scm—cubic meter at standard conditions
hr—hour	sec—second
in—inch	sq ft—square feet
k—1,000	std—at standard conditions

(c) Chemical nomenclature:

CdS—cadmium sulfide	Hg—mercury
CO—carbon monoxide	H ₂ O—water
CO ₂ —carbon dioxide	H ₂ S—hydrogen sulfide
HCl—hydrochloric acid	H ₂ SO ₄ —sulfuric acid

N₂—nitrogen
NO—nitric oxide
NO₂—nitrogen dioxide
NO_x—nitrogen oxides

O₂—oxygen
SO₂—sulfur dioxide
SO₃—sulfur trioxide
SO_x—sulfur oxides

(d) Miscellaneous:

A.S.T.M.—American Society for Testing and Materials

[42 FR 37000, July 19, 1977; 42 FR 38178, July 27, 1977]

§ 60.4 Address.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following list of EPA Regional Offices.

Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, GA 30365.

(b) Section 111(c) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards of performance for new stationary sources located in such State. All information required to be submitted to EPA under paragraph (a) of this section, must also be submitted to the appropriate State Agency of any State to which this authority has been delegated (provided, that each specific delegation may except sources from a certain Federal or State reporting requirement). The appropriate mailing address for those States whose delegation request has been approved is as follows:

(K) Bureau of Air Quality Management, Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, FL 32301.

[40 FR 18169, Apr. 25, 1975]

§ 60.5 Determination of construction or modification.

(a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.

(b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

[40 FR 58418, Dec. 16, 1975]

§ 60.6 Review of plans.

(a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.

(b) (1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.

(c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall (1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or (2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974]

§ 60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification as follows:

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart

or in § 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

- (5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with § 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.
 - (6) A notification of the anticipated date for conducting the opacity observations required by § 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be post-marked not less than 30 days prior to such date.
 - (7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by § 60.8 in lieu of Method 9 observation data as allowed by § 60.11(e)(5) of this part. This notification shall be post-marked not less than 30 days prior to the date of the performance test.
- (b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
- (c) Each owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). Written reports of excess emissions shall include the following information:
- (1) The magnitude of excess emissions computed in accordance with § 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
 - (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - (3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - (4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.
- (d) The summary report form shall contain the information and be in the format shown in figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.
- (1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in § 60.7(c) need not be submitted unless requested by the Administrator.
 - (2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in § 60.7(c) shall both be submitted.
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FIGURE 1—SUMMARY REPORT—GASEOUS AND OPACITY EXCESS
EMISSION AND MONITORING SYSTEM PERFORMANCE

Company: _____
Emission Limitation _____
Address: _____
Monitor Manufacturer and Model No. _____
Date of Latest CMS Certification or Audit _____
Process Unit(s) Description: _____
Total source operating time in reporting period¹ _____

Pollutant (Circle One—SO₂/NO_x/TRS/H₂S/CO/Opacity)
Reporting period dates: From _____ to _____

Emission data summary ¹		CMS performance summary ¹	
1. Duration of excess emissions in reporting period due to:		1. CMS downtime in reporting period due to:	
(a) Startup/shutdown.....	.....	(a) Monitor equipment malfunctions.....	.....
(b) Control equipment problems .....	.....	(b) Non-Monitor equipment malfunctions....	.....
(c) Process problems .....	.....	(c) Quality assurance calibration.....	.....
(d) Other known causes.....	.....	(d) Other known causes.....	.....
(e) Unknown cause.....	.....	(e) Unknown causes.....	.....
2. Total duration of excess emission .....	.....	2. Total CMS Downtime .....	.....
3. Total duration of excess emissions x (100) [Total source operating time].	% ²	3. [Total CMS Downtime] x (100) [Total source operating time]	% ²

¹ For opacity, record all times in minutes. For gases, record all times in hours.

² For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in § 60.7(c) shall be submitted.

On a separate page, describe any changes last quarter in CMS, process or controls. I certify that the information contained in this report is true, accurate, and complete.

Signature _____

Title _____

Date _____

(e) (1) Notwithstanding the frequency reporting requirements specified in (c) of this section, an owner or operator who is required by an cable subpart to submit excess and monitoring systems performance reports (and summary reports) on quarterly (or more frequent) basis may reduce the frequency of reporting that standard to semiannual if the following conditions are met:

- (i) For 1 full year (e.g., 4 quarterly or monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted comply with a standard under this continually demonstrate that the is in compliance with the applicable standard;
- (ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and
- (iii) The Administrator does not object to a reduced frequency of reporting con-for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will

specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.

- (f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records.
- (g) If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.
- (h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[36 FR 24877, Dec. 28, 1971, as amended at 40 FR 46254, Oct. 6, 1975; 40 FR 58418, Dec. 16, 1975; 45 FR 5617, Jan. 23, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 52 FR 9781, Mar. 26, 1987; 55 FR 51382, Dec. 13, 1990; 59 FR 12428, Mar. 16, 1994; 59 FR 47265, Sep. 15, 1994]

§ 60.8 Performance tests.

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

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974; 42 FR 57126, Nov. 1, 1977; 44 FR 33612, June 11, 1979; 54 FR 6662, Feb. 14, 1989; 54 FR 21344, May 17, 1989]

§ 60.9 Availability of information.

§ 60.10 State authority.

§ 60.11 Compliance with standards and maintenance requirements.

- (a) Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by § 60.8, unless otherwise specified in the applicable standard.
- (b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Reference Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).
- (c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
- (d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (e) (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted con-currently with the initial performance test required in § 60.8 unless one of the following conditions apply. If no performance test under § 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under § 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in § 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under § 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Reference Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.
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- (2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under § 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.
 - (3) The owner or operator of an affected facility to which an opacity standard in this part applies may re-request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in § 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.
 - (4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by § 60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and § 60.8 performance test results.
 - (5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under § 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under § 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under § 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under § 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under § 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in § 60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates non-compliance, the Method 9 data will be used to determine opacity compliance.
 - (6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by § 60.8, the opacity observation results and observer certification required by § 60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by § 60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with § 60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.
 - (7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.
 - (8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the FEDERAL REGISTER.
- (f) Special provisions set forth under an applicable subpart shall supersede any conflicting provisions in paragraphs (a) through (e) of this section.
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- (g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[38 FR 28565, Oct. 15, 1973, as amended at 39 FR 39873, Nov. 12, 1974; 43 FR 8800, Mar. 3, 1978; 45 FR 23379, Apr. 4, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 51 FR 1790, Jan. 15, 1986; 52 FR 9781, Mar. 26, 1987; 62 FR 8328, Feb. 24, 1997]

§ 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[39 FR 9314, Mar. 8, 1974]

§ 60.13 Monitoring requirements.

- (a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.
- (b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under § 60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.
- (c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under § 60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of this part before the performance test required under § 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under § 60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of this part. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.
- (1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under § 60.8 and as described in § 60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under § 60.8 is conducted.
- (2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.
- (d) (1) Owners and operators of all continuous emission monitoring systems installed in accordance with the provisions of this part shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.
- (2) Unless otherwise approved by the Administrator, the following procedures shall be followed for continuous monitoring systems measuring opacity of emissions. Minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related
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technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photodetector assembly.

- (e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:
 - (1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.
 - (2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.
 - (f) All continuous monitoring systems or monitoring devices shall be in-stalled such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of this part shall be used.
 - (g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall in-stall an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.
 - (h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in § 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorder during periods of continuous monitoring system breakdowns, re-pairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).
 - (i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:
 - (1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances with the effluent gases.
 - (2) Alternative monitoring requirements when the affected facility is in-frequently operated.
 - (3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.
 - (4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.
 - (5) Alternative methods of converting pollutant concentration measurements to units of the standards.
 - (6) Alternative procedures for per-forming daily checks of zero and span drift that do not involve use of span gases or test cells.
 - (7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.
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- (8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.
- (9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities are released to the atmosphere through more than one point.
- (j) An alternative to the relative accuracy test specified in Performance Specification 2 of appendix B may be requested as follows:
- (1) An alternative to the reference method tests for determining relative accuracy is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the relative accuracy test in section 7 of Performance Specification 2 and substitute the procedures in section 10 if the results of a performance test conducted according to the requirements in § 60.8 of this subpart or other tests performed following the criteria in § 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the relative accuracy test and substitute the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 per-cent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the relative accuracy test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).
- (2) The waiver of a CEMS relative accuracy test will be reviewed and may be rescinded at such time following successful completion of the alter-native RA procedure that the CEMS data indicate the source emissions approaching the level of the applicable standard. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., § 60.45(g) (2) and (3), § 60.73(e), and § 60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of relative accuracy testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2.

[40 FR 46255, Oct. 6, 1975; 40 FR 59205, Dec. 22, 1975, as amended at 41 FR 35185, Aug. 20, 1976; 48 FR 13326, Mar. 30, 1983; 48 FR 23610, May 25, 1983; 48 FR 32986, July 20, 1983; 52 FR 9782, Mar. 26, 1987; 52 FR 17555, May 11, 1987; 52 FR 21007, June 4, 1987]

§ 60.14 Modification.

- (a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.
- (b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:
- (1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases

where utilization of emission factors demonstrate that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

- (2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in paragraph (b)(1) of this section. When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in appendix C of this part shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.
- (c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.
- (e) The following shall not, by themselves, be considered modifications under this part:
 - (1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and § 60.15.
 - (2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.
 - (3) An increase in the hours of operation.
 - (4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by § 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.
 - (5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.
 - (6) The relocation or change in ownership of an existing facility.
- (f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.
- (g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.

[40 FR 58419, Dec. 16, 1975, amended at 43 FR 34347, Aug. 3, 1978; 45 FR 5617, Jan. 23, 1980; 57 FR 32339, July 21, 1992]

§ 60.15 Reconstruction.

- (a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.
 - (b) "Reconstruction" means the re-placement of components of an existing facility to such an extent that:
 - (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and
 - (2) It is technologically and economically feasible to meet the applicable standards set forth in this part.
 - (c) "Fixed capital cost" means the capital needed to provide all the depreciable components.
 - (d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:
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- (1) Name and address of the owner or operator.
 - (2) The location of the existing facility.
 - (3) A brief description of the existing facility and the components which are to be replaced.
 - (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
 - (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.
 - (6) The estimated life of the existing facility after the replacements.
 - (7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.
- (e) The Administrator will determine, within 30 days of the receipt of the notice required by paragraph (d) of this section and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.
- (f) The Administrator's determination under paragraph (e) shall be based on:
- (1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;
 - (2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;
 - (3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and
 - (4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.
- (g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[40 FR 58420, Dec. 16, 1975]

§ 60.17 Incorporations by reference.

The materials listed below are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register on the date listed. These materials are incorporated as they exist on the date of the approval, and a notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding address noted below, and all are available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC and at the Library (MD-35), U.S. EPA, Research Triangle Park, NC.

- (a) The following materials are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103; or the University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.
- (4) ASTM D1137-53 (Reapproved 1975), Standard Method for Analysis of Natural Gases and Related Types of Gaseous Mixtures by the Mass Spectrometer, IBR approved January 27, 1983 for § 60.45(f)(5)(i).
 - (5) ASTM D1945-64 (Reapproved 1976), Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved January 27, 1983 for § 60.45(f)(5)(i).
 - (8) ASTM D1826-77, Standard Test Method for Calorific Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, IBR approved January 27, 1983, for §§ 60.45(f)(5)(ii); 60.46(g); 60.296(f); appendix A to part 60, Method 19.
 - (20) ASTM D 1072-80, Standard Method for Total Sulfur in Fuel Gases, IBR approved July 31, 1984 for § 60.335(b)(2).
 - (21) ASTM D2986-71 (Reapproved 1978), Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Dioctyl Phthalate) Smoke Test, IBR approved January 27, 1983 for appendix A to part 60, Method 5, par. 3.1.1; Method 12, par. 4.1.1; Method 17, par. 3.1.1.
 - (22) ASTM D 1193-77, Standard Specification for Reagent Water, for appendix A to part 60, Method 6, par. 3.1.1; Method 7, par. 3.2.2; Method 7C, par. 3.1.1; Method 7D, par. 3.1.1; Method 8, par. 3.1.3; Method 12, par. 4.1.3; Method 25D, par. 3.2.2.4; Method 26A, par. 3.1.1; Method 29, pars. 4.2.2., 4.4.2., and 4.5.6.; Method 14A, par. 7.1.
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- (38) ASTM D2382–76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter [High-Precision Method], IBR approved for §§ 60.18(f), 60.485(g), 60.614(d)(4), 60.664(d)(4), and 60.564(f), and 60.704(d)(4). 38 40 CFR Ch. I (7–1–98 Edition) § 60.17
- (39) ASTM D2504–67 (Reapproved 1977), Non-condensable Gases in C3 and Lighter Hydro-carbon Products by Gas Chromatography, IBR approved for § 60.485(g).
- (42) ASTM D 3031–81, Standard Test Method for Total Sulfur in Natural Gas by Hydrogenation, IBR approved July 31, 1984 for § 60.335(b)(2).
- (43) ASTM D 4084–82, Standard Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved July 31, 1984 for § 60.335(b)(2).
- (44) ASTM D 3246–81, Standard Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved July 31, 1984 for § 60.335(b)(2).
- (49) ASTM D1835–86, Standard Specification for Liquefied Petroleum (LP) Gases, to be approved for § 60.41b.
- (50) ASTM D1835–86, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§ 60.41b; 60.41c.
- (b) The following material is available for purchase from the Association of Official Analytical Chemists, 111 North 19th Street, Suite 210, Arlington, VA 22209.
 - (1) AOAC Method 9, Official Methods of Analysis of the Association of Official Analytical Chemists, 11th edition, 1970, pp. 11–12, IBR approved January 27, 1983 for §§ 60.204(d)(2), 60.214(d)(2), 60.224(d)(2), 60.234(d)(2).
- (h) The following material is available for purchase from the American Society of Mechanical Engineers (ASME), 345 East 47th Street, New York, NY 10017.
 - (1) ASME QRO–1–1994, Standard for the Qualification and Certification of Resource Recovery Facility Operators, IBR approved for §§ 60.56a, 60.54b(a), and 60.54b(b).
 - (2) ASME PTC 4.1–1964 (Reaffirmed 1991), Power Test Codes: Test Code for Steam Generating Units (with 1968 and 1969 Addenda), IBR approved for §§ 60.46b, 60.58a(h)(6)(ii), and 60.58b(i)(6)(ii).
 - (3) ASME Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th Edition (1971), IBR approved for §§ 60.58a(h)(6)(ii) and 60.58b(i)(6)(ii).
- (i) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” EPA Publication SW–846 Third Edition (November 1986), as amended by Up-dates I (July, 1992), II (September 1994), IIA (August, 1993), and IIB (January, 1995). Test Method are incorporated by reference for appendix A to part 60, Method 29, pars. 2.2.1; 2.3.1; 2.5; 3.3.12.1; 3.3.12.2; 3.3.13; 3.3.14; 5.4.3; 6.2; 6.3; 7.2.1; 7.2.3; and Table 29–2. The Third Edition of SW–846 and Updates I, II, IIA, and IIB (document number 955–001–00000–1) are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512–1800. Copies may be obtained from the Library of the U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.
- (j) Standard Methods for the Examination of Water and Wastewater, 16th edition, 1985. Method 303F Determination of Mercury by the Cold Vapor Technique. This document may be obtained from the American Public Health Association, 1015 18th Street, NW., Washington, DC 20036, and is incorporated by reference for Method 29, pars 5.4.3; 6.3; and 7.2.3 of appendix A to part 60.
- (k) This material is available for purchase from the American Hospital Association (AHA) Service, Inc., Post Office Box 92683, Chicago, Illinois 60675–2683. You may inspect a copy at EPA’s Air and Radiation Docket and Information Center (Docket A–91–61, Item IV–J–124), Room M–1500, 401 M Street SW., Washington, DC.
 - (1) An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities. American Society for Health Care Environmental Services of the American Hospital Association. Chicago, Illinois. 1993. AHA Catalog No. 057007. ISBN 0–87258–673–5. IBR approved for § 60.35e and § 60.55c.
- (l) This material is available for purchase from the National Technical Information Services, 5285 Port Royal Road, Springfield, Virginia 22161. You may inspect a copy at EPA’s Air and Radiation Docket and Information Center (Docket A–91–61, Item IV–J–125), Room M–1500, 401 M Street SW., Washington, DC.

- (1) OMB Bulletin No. 93-17: Revised Statistical Definitions for Metropolitan Areas. Office of Management and Budget, June 30, 1993. NTIS No. PB 93-192-664. IBR approved for § 60.31e.

[48 FR 3735, Jan. 27, 1983]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 60.17, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 60.19 General notification and reporting requirements.

- (a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the post-mark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.
- (c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (f) (1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.
- (ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.
- (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.
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- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[59 FR 12428, Mar. 16, 1994]

APPENDIX 40 CFR 60 EG-Ce
40 CFR 60 EMISSION GUIDELINES Ce—EMISSION GUIDELINES AND COMPLIANCE TIMES FOR HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

Source: 62 FR 48379, Sept. 15, 1997, unless otherwise noted.

§ 60.30e SCOPE

This subpart contains emission guidelines and compliance times for the control of certain designated pollutants from hospital/medical/infectious waste incinerator(s) (HMIWI) in accordance with sections 111 and 129 of the Clean Air Act and subpart B of this part. The provisions in these emission guidelines supersede the provisions of §60.24(f) of subpart B of this part.

§ 60.31e DEFINITIONS.

Terms used but not defined in this subpart have the meaning given them in the Clean Air Act and in subparts A, B, and Ec of this part.

Standard Metropolitan Statistical Area or SMSA means any areas listed in OMB Bulletin No. 93–17 entitled “Revised Statistical Definitions for Metropolitan Areas” dated June 30, 1993 (incorporated by reference, see §60.17).

§ 60.32e DESIGNATED FACILITIES.

(a) Except as provided in paragraphs (b) through (h) of this section, the designated facility to which the guidelines apply is each individual HMIWI:

(1) For which construction was commenced on or before June 20, 1996, or for which modification was commenced on or before March 16, 1998.

(2) For which construction was commenced after June 20, 1996 but no later than December 1, 2008, or for which modification is commenced after March 16, 1998 but no later than April 6, 2010.

(b) (not applicable)

(c) (not applicable)

(d) (not applicable)

(e) (not applicable)

(f) (not applicable)

(g) (not applicable)

(h) Physical or operational changes made to an existing HMIWI unit solely for the purpose of complying with emission guidelines under this subpart are not considered a modification and do not result in an existing HMIWI unit becoming subject to the provisions of subpart Ec (see §60.50c).

(i) Beginning September 15, 2000, or on the effective date of an EPA approved operating permit program under Clean Air Act title V and the implementing regulations under 40 CFR part 70 in the State in which the unit is located, whichever date is later, designated facilities subject to this subpart shall operate pursuant to a permit issued under the EPA-approved operating permit program.

(j) The requirements of this subpart as promulgated on September 15, 1997, shall apply to the designated facilities defined in paragraph (a)(1) of this section until the applicable compliance date of the requirements of this subpart, as amended on October 6, 2009. Upon the compliance date of the requirements of this subpart, designated facilities as defined in paragraph (a)(1) of this section are no longer subject to the requirements of this subpart, as promulgated on September 15, 1997, but are subject to the requirements of this subpart, as amended on October 6, 2009.

(k) The authorities listed under §60.50c(i) shall be retained by the Administrator and not be transferred to a state.

[60 FR 65414, Dec. 19, 1995, as amended at 74 FR 51402, Oct. 6, 2009; 76 FR 18412, Apr. 4, 2011]

§ 60.33e EMISSIONS GUIDELINES.

(a) For approval, a State plan shall include the requirements for emissions limits at least as protective as the following requirements, as applicable:

(1) For a designated facility as defined in §60.32e(a)(1) subject to the emissions guidelines as promulgated on September 15, 1997, the requirements listed in Table 1A of this subpart, except as provided in paragraph (b) of this section.

(2) For a designated facility as defined in §60.32e(a)(1) subject to the emissions guidelines as amended on October 6, 2009, the requirements listed in Table 1B of this subpart, except as provided in paragraph (b) of this section.

(3) (not applicable)

(b) (not applicable)

(c) For approval, a State plan shall include the requirements for stack opacity at least as protective as the following, as applicable:

(1) For a designated facility as defined in §60.32e(a)(1) subject to the emissions guidelines as promulgated on September 15, 1997, the requirements in §60.52c(b)(1) of subpart Ec of this part.

(2) For a designated facility as defined in §60.32e(a)(1) subject to the emissions guidelines as amended on October 6, 2009 and a designated facility as defined in §60.32e(a)(2), the requirements in §60.52c(b)(2) of subpart Ec of this part.

[74 FR 51403, Oct. 6, 2009]

§ 60.34e OPERATOR TRAINING AND QUALIFICATION GUIDELINES.

For approval, a State plan shall include the requirements for operator training and qualification at least as protective as those requirements listed in §60.53c of subpart Ec of this part. The State plan shall require compliance with these requirements according to the schedule specified in §60.39e(e).

§ 60.35e WASTE MANAGEMENT GUIDELINES.

For approval, a State plan shall include the requirements for a waste management plan at least as protective as those requirements listed in §60.55c of subpart Ec of this part.

§ 60.36e INSPECTION GUIDELINES [EFFECTIVE JUNE 1, 2012]

(a) For approval, a State plan shall require each small HMIWI subject to the emissions limits under §60.33e(b) and each HMIWI subject to the emissions limits under §60.33e(a)(2) and (a)(3) to undergo an initial equipment inspection that is at least as protective as the following within 1 year following approval of the State plan:

(1) At a minimum, an inspection shall include the following:

(i) Inspect all burners, pilot assemblies, and pilot sensing devices for proper operation; clean pilot flame sensor, as necessary;

(ii) Ensure proper adjustment of primary and secondary chamber combustion air, and adjust as necessary;

(iii) Inspect hinges and door latches, and lubricate as necessary;

(iv) Inspect dampers, fans, and blowers for proper operation;

(v) Inspect HMIWI door and door gaskets for proper sealing;

(vi) Inspect motors for proper operation;

(vii) Inspect primary chamber refractory lining; clean and repair/replace lining as necessary;

(viii) Inspect incinerator shell for corrosion and/or hot spots;

(ix) Inspect secondary/tertiary chamber and stack, clean as necessary;

(x) Inspect mechanical loader, including limit switches, for proper operation, if applicable;

(xi) Visually inspect waste bed (grates), and repair/seal, as appropriate;

(xii) For the burn cycle that follows the inspection, document that the incinerator is operating properly and make any necessary adjustments;

(xiii) Inspect air pollution control device(s) for proper operation, if applicable;

(xiv) Inspect waste heat boiler systems to ensure proper operation, if applicable;

(xv) Inspect bypass stack components;

(xvi) Ensure proper calibration of thermocouples, sorbent feed systems and any other monitoring equipment; and

(xvii) Generally observe that the equipment is maintained in good operating condition.

(2) Within 10 operating days following an equipment inspection all necessary repairs shall be completed unless the owner or operator obtains written approval from the State agency establishing a date whereby all necessary repairs of the designated facility shall be completed.

(b) For approval, a State plan shall require each small HMIWI subject to the emissions limits under §60.33e(b) and each HMIWI subject to the emissions limits under §60.33e(a)(2) and (a)(3) to undergo an equipment inspection annually (no more than 12 months following the previous annual equipment inspection), as outlined in paragraph (a) of this section.

(c) For approval, a State plan shall require each small HMIWI subject to the emissions limits under §60.33e(b)(2) and each HMIWI subject to the emissions limits under §60.33e(a)(2) and (a)(3) to undergo an initial air pollution control device inspection, as applicable, that is at least as protective as the following within 1 year following approval of the State plan:

(1) At a minimum, an inspection shall include the following:

(i) Inspect air pollution control device(s) for proper operation, if applicable;

(ii) Ensure proper calibration of thermocouples, sorbent feed systems, and any other monitoring equipment; and

(iii) Generally observe that the equipment is maintained in good operating condition.

(2) Within 10 operating days following an air pollution control device inspection, all necessary repairs shall be completed unless the owner or operator obtains written approval from the State agency establishing a date whereby all necessary repairs of the designated facility shall be completed.

(d) For approval, a State plan shall require each small HMIWI subject to the emissions limits under §60.33e(b)(2) and each HMIWI subject to the emissions limits under §60.33e(a)(2) and (a)(3) to undergo an air pollution control device inspection, as applicable, annually (no more than 12 months following the previous annual air pollution control device inspection), as outlined in paragraph (c) of this section.

[60 FR 65414, Dec. 19, 1995, as amended at 74 FR 51403, Oct. 6, 2009]

§ 60.37e COMPLIANCE, PERFORMANCE TESTING, AND MONITORING GUIDELINES.

(a) (not applicable)

(b) (not applicable)

(c) (not applicable)

(d) (not applicable)

(e) (not applicable)

(f) The owner or operator of a designated facility as defined in §60.32e(a)(1) or (a)(2) subject to emissions limits under §60.33e(a)(2), (a)(3), or (b)(2) may use the results of previous emissions tests to demonstrate compliance with the emissions limits, provided that the conditions in paragraphs (f)(1) through (f)(3) of this section are met:

(1) The designated facility's previous emissions tests must have been conducted using the applicable procedures and test methods listed in §60.56c(b) of subpart Ec of this part. Previous emissions test results obtained using EPA-accepted voluntary consensus standards are also acceptable.

(2) The HMIWI at the designated facility shall currently be operated in a manner (e.g., with charge rate, secondary chamber temperature, etc.) that would be expected to result in the same or lower emissions than observed during the previous emissions test(s), and the HMIWI may not have been modified such that emissions would be expected to exceed (notwithstanding normal test-to-test variability) the results from previous emissions test(s).

(3) The previous emissions test(s) must have been conducted in 1996 or later.

[Permitting Note: Rule 62-204.800(9)(g), F.A.C. states that the compliance and performance testing requirements applicable to each HMIWI shall be same as set forth at 40 CF§ 60.56c, with some exclusions. The applicable requirements are included in Section III of the permit]]

[60 FR 65414, Dec. 19, 1995, as amended at 74 FR 51403, Oct. 6, 2009]

§ 60.38e REPORTING AND RECORDKEEPING GUIDELINES.

(a) (not applicable)

(b) For approval, a State plan shall require the owner or operator of each HMIWI subject to the emissions limits under §60.33e to:

(1) As specified in §60.36e, maintain records of the annual equipment inspections that are required for each HMIWI subject to the emissions limits under §60.33e(a)(2), (a)(3), and (b), and the annual air pollution control device inspections that are required for each HMIWI subject to the emissions limits under §60.33e(a)(2), (a)(3), and (b)(2), any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the State regulatory agency; and

(2) Submit an annual report containing information recorded under paragraph (b)(1) of this section no later than 60 days following the year in which data were collected. Subsequent reports shall be sent no later than 12 calendar months following the previous report (once the unit is subject to permitting requirements under Title V of the Act, the owner or operator must submit these reports semiannually). The report shall be signed by the facilities manager.

[60 FR 65414, Dec. 19, 1995, as amended at 74 FR 51404, Oct. 6, 2009]

§ 60.39e COMPLIANCE TIMES.

(a) (not applicable).

(b) (not applicable)

(c) (not applicable).

(d) (not applicable)

(e) For approval, a State plan shall require compliance with §60.34e—Operator training and qualification guidelines and §60.36e—Inspection guidelines by the date 1 year after EPA approval of a State plan.

(f) (not applicable)

[Permitting Note: The permittee shall comply with Rule 62-204.800(9)(d), F.A.C. until June 1, 2012. Effective June 1, 2012, the permittee shall comply with Rule 62-204.800(9)(g), F.A.C.]

[60 FR 65414, Dec. 19, 1995, as amended at 74 FR 51404, Oct. 6, 2009; 76 FR 18412, Apr. 4, 2011]

TABLE 1A TO SUBPART Ce OF PART 60—EMISSIONS LIMITS FOR SMALL, MEDIUM, AND LARGE HMIWI AT DESIGNATED FACILITIES AS DEFINED IN §60.32e(a)(1)

Pollutant	Units (7 percent oxygen, dry basis)	Emissions limits			Averaging time ¹	Method for demonstrating compliance ²
		HMIWI size				
		Small	Medium	Large		
Particulate matter	Milligrams per dry standard cubic meter (mg/dscm) (grains per dry standard cubic foot (gr/dscf))	115 (0.05)	69 (0.03)	34 (0.015)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 5 of appendix A–3 of part 60, or EPA Reference Method 26A or 29 of appendix A–8 of part 60.
Carbon monoxide	Parts per million by volume (ppmv)	40	40	40	3-run average (1-hour minimum sample time per run)	EPA Reference Method 10 or 10B of appendix A–4 of part 60.
Dioxins/furans	Nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) (grains per billion dry standard cubic feet (gr/10 ⁹ dscf)) or ng/dscm TEQ (gr/10 ⁹ dscf)	125 (55) or 2.3 (1.0)	125 (55) or 2.3 (1.0)	125 (55) or 2.3 (1.0)	3-run average (4-hour minimum sample time per run)	EPA Reference Method 23 of appendix A–7 of part 60.
Hydrogen chloride	ppmv or percent reduction	100 or 93%	100 or 93%	100 or 93%	3-run average (1-hour minimum sample time per run)	EPA Reference Method 26 or 26A of appendix A–8 of part 60.
Sulfur dioxide	ppmv	55	55	55	3-run average (1-hour minimum sample time per run)	EPA Reference Method 6 or 6C of appendix A–4 of part 60.
Nitrogen oxides	ppmv	250	250	250	3-run average (1-hour minimum sample time per run)	EPA Reference Method 7 or 7E of appendix A–4 of part 60.
Lead	mg/dscm (grains per thousand dry standard cubic feet (gr/10 ³ dscf)) or percent reduction	1.2 (0.52) or 70%	1.2 (0.52) or 70%	1.2 (0.52) or 70%	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of appendix A–8 of part 60.
Cadmium	mg/dscm (gr/10 ³ dscf) or percent reduction	0.16 (0.07) or 65%	0.16 (0.07) or 65%	0.16 (0.07) or 65%	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of appendix A–8 of part 60.
Mercury	mg/dscm (gr/10 ³ dscf) or percent reduction	0.55 (0.24) or 85%	0.55 (0.24) or 85%	0.55 (0.24) or 85%	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of appendix A–8 of part 60.

¹Except as allowed under §60.56c(c) for HMIWI equipped with CEMS.

²Does not include CEMS and approved alternative non-EPA test methods allowed under §60.56c(b).

TABLE 1B TO SUBPART Ce OF PART 60—EMISSIONS LIMITS FOR SMALL, MEDIUM, AND LARGE HMIWI AT DESIGNATED FACILITIES AS DEFINED IN §60.32e(a)(1) AND (A)(2)

Pollutant	Units (7 percent oxygen, dry basis)	Emissions limits			Averaging time ¹	Method for demonstrating compliance ²
		HMIWI size				
		Small	Medium	Large		
Particulate matter	Milligrams per dry standard cubic meter (mg/dscm) (grains per dry standard cubic foot (gr/dscf))	66 (0.029)	46 (0.020)	25 (0.011)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 5 of appendix A–3 of part 60, or EPA Reference Method 26A or 29 of appendix A–8 of part 60.
Carbon monoxide	Parts per million by volume (ppmv)	20	5.5	11	3-run average (1-hour minimum sample time per run)	EPA Reference Method 10 or 10B of appendix A–4 of part 60.
Dioxins/furans	Nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) (grains per billion dry standard cubic feet (gr/10 ⁹ dscf)) or ng/dscm TEQ (gr/10 ⁹ dscf)	16 (7.0) or 0.013 (0.0057)	0.85 (0.37) or 0.020 (0.0087)	9.3 (4.1) or 0.054 (0.024)	3-run average (4-hour minimum sample time per run)	EPA Reference Method 23 of appendix A–7 of part 60.
Hydrogen chloride	ppmv	44	7.7	6.6	3-run average (1-hour minimum sample time per run)	EPA Reference Method 26 or 26A of appendix A–8 of part 60.
Sulfur dioxide	ppmv	4.2	4.2	9.0	3-run average (1-hour minimum sample time per run)	EPA Reference Method 6 or 6C of appendix A–4 of part 60.
Nitrogen oxides	ppmv	190	190	140	3-run average (1-hour minimum sample time per run)	EPA Reference Method 7 or 7E of appendix A–4 of part 60.
Lead	mg/dscm (grains per thousand dry standard cubic feet (gr/10 ³ dscf))	0.31 (0.14)	0.018 (0.0079)	0.036 (0.016)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of appendix A–8 of part 60.
Cadmium	mg/dscm (gr/10 ³ dscf)	0.017 (0.0074)	0.013 (0.0057)	0.0092 (0.0040)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of appendix A–8 of part 60.
Mercury	mg/dscm (gr/10 ³ dscf)	0.014 (0.0061)	0.025 (0.011)	0.018 (0.0079)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of appendix A–8 of part 60.

¹Except as allowed under §60.56c(c) for HMIWI equipped with CEMS.

²Does not include CEMS and approved alternative non-EPA test methods allowed under §60.56c(b).

[74 FR 51406, Oct. 6, 2009]

Table 2A (not applicable)

Table 2B (not applicable)

APPENDIX 40 CFR 60 NSPS – Ec

40 CFR 60 SUBPART Ec—STANDARDS OF PERFORMANCE FOR HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS FOR WHICH CONSTRUCTION IS COMMENCED AFTER JUNE 20, 1996

Source: 62 FR 48382, Sept. 15, 1997, unless otherwise noted.

§ 60.50c APPLICABILITY AND DELEGATION OF AUTHORITY.

- (a) (not applicable)
- (b) (not applicable)
- (c) (not applicable)
- (d) (not applicable)
- (e) (not applicable)
- (f) (not applicable)
- (g) (not applicable)
- (h) (not applicable)
- (i) (not applicable)
- (j) (not applicable)
- (k) The requirements of this subpart shall become effective March 16, 1998
- (l) (not applicable)
- (m) (not applicable)
- (n) (not applicable)

[62 FR 48382, Sept. 15, 1997, as amended at 74 FR 51408, Oct. 6, 2009]

§ 60.51c DEFINITIONS.

Bag leak detection system means an instrument that is capable of monitoring PM loadings in the exhaust of a fabric filter in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light-scattering, light-transmittance, or other effects to monitor relative PM loadings.

Batch HMIWI means an HMIWI that is designed such that neither waste charging nor ash removal can occur during combustion.

Biologicals means preparations made from living organisms and their products, including vaccines, cultures, etc., intended for use in diagnosing, immunizing, or treating humans or animals or in research pertaining thereto.

Blood products means any product derived from human blood, including but not limited to blood plasma, platelets, red or white blood corpuscles, and other derived licensed products, such as interferon, etc.

Body fluids means liquid emanating or derived from humans and limited to blood; dialysate; amniotic, cerebrospinal, synovial, pleural, peritoneal and pericardial fluids; and semen and vaginal secretions.

Bypass stack means a device used for discharging combustion gases to avoid severe damage to the air pollution control device or other equipment.

Chemotherapeutic waste means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

Co-fired combustor means a unit combusting hospital waste and/or medical/infectious waste with other fuels or wastes (e.g., coal, municipal solid waste) and subject to an enforceable requirement limiting the unit to combusting a fuel feed stream, 10 percent or less of the weight of which is comprised, in aggregate, of hospital waste and medical/infectious waste as measured on a calendar quarter basis. For purposes of this definition, pathological waste, chemotherapeutic waste, and low-level radioactive waste are considered “other” wastes when calculating the percentage of hospital waste and medical/infectious waste combusted.

Commercial HMIWI means a HMIWI which offers incineration services for hospital/medical/infectious waste generated offsite by firms unrelated to the firm that owns the HMIWI.

Continuous emission monitoring system or *CEMS* means a monitoring system for continuously measuring and recording the emissions of a pollutant from an affected facility.

Continuous HMIWI means an HMIWI that is designed to allow waste charging and ash removal during combustion.

Dioxins/furans means the combined emissions of tetra-through octa-chlorinated dibenzo-para-dioxins and dibenzofurans, as measured by EPA Reference Method 23.

Dry scrubber means an add-on air pollution control system that injects dry alkaline sorbent (dry injection) or sprays an alkaline sorbent (spray dryer) to react with and neutralize acid gases in the HMIWI exhaust stream forming a dry powder material.

Fabric filter or *baghouse* means an add-on air pollution control system that removes particulate matter (PM) and nonvaporous metals emissions by passing flue gas through filter bags.

Facilities manager means the individual in charge of purchasing, maintaining, and operating the HMIWI or the owner's or operator's representative responsible for the management of the HMIWI. Alternative titles may include director of facilities or vice president of support services.

High-air phase means the stage of the batch operating cycle when the primary chamber reaches and maintains maximum operating temperatures.

Hospital means any facility which has an organized medical staff, maintains at least six inpatient beds, and where the primary function of the institution is to provide diagnostic and therapeutic patient services and continuous nursing care primarily to human inpatients who are not related and who stay on average in excess of 24 hours per admission. This definition does not include facilities maintained for the sole purpose of providing nursing or convalescent care to human patients who generally are not acutely ill but who require continuing medical supervision.

Hospital/medical/infectious waste incinerator or *HMIWI* or *HMIWI unit* means any device that combusts any amount of hospital waste and/or medical/infectious waste.

Hospital/medical/infectious waste incinerator operator or *HMIWI operator* means any person who operates, controls or supervises the day-to-day operation of an HMIWI.

Hospital waste means discards generated at a hospital, except unused items returned to the manufacturer. The definition of hospital waste does not include human corpses, remains, and anatomical parts that are intended for interment or cremation.

Infectious agent means any organism (such as a virus or bacteria) that is capable of being communicated by invasion and multiplication in body tissues and capable of causing disease or adverse health impacts in humans.

Intermittent HMIWI means an HMIWI that is designed to allow waste charging, but not ash removal, during combustion.

Large HMIWI means:

(1) Except as provided in (2);

(i) An HMIWI whose maximum design waste burning capacity is more than 500 pounds per hour; or

(ii) A continuous or intermittent HMIWI whose maximum charge rate is more than 500 pounds per hour; or

(iii) A batch HMIWI whose maximum charge rate is more than 4,000 pounds per day.

(2) The following are not large HMIWI:

(i) A continuous or intermittent HMIWI whose maximum charge rate is less than or equal to 500 pounds per hour; or

(ii) A batch HMIWI whose maximum charge rate is less than or equal to 4,000 pounds per day.

Low-level radioactive waste means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not

malfunctions. During periods of malfunction the operator shall operate within established parameters as much as possible, and monitoring of all applicable operating parameters shall continue until all waste has been combusted or until the malfunction ceases, whichever comes first.

Maximum charge rate means:

(1) For continuous and intermittent HMIWI, 110 percent of the lowest 3-hour average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limits.

(2) For batch HMIWI, 110 percent of the lowest daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limits.

Maximum design waste burning capacity means:

(1) For intermittent and continuous HMIWI,

$$C = P_v \times 15,000 / 8,500$$

Where:

C=HMIWI capacity, lb/hr

P_v=primary chamber volume, ft³

15,000=primary chamber heat release rate factor, Btu/ft³ /hr

8,500=standard waste heating value, Btu/lb;

(2) For batch HMIWI,

$$C = P_v \times 4.5 / 8$$

Where:

C=HMIWI capacity, lb/hr

P_v=primary chamber volume, ft³

4.5=waste density, lb/ft³

8=typical hours of operation of a batch HMIWI, hours.

Maximum fabric filter inlet temperature means 110 percent of the lowest 3-hour average temperature at the inlet to the fabric filter (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the dioxin/furan emission limit.

Maximum flue gas temperature means 110 percent of the lowest 3-hour average temperature at the outlet from the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the mercury (Hg) emission limit.

Medical/infectious waste means any waste generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals that is listed in paragraphs (1) through (7) of this definition. The definition of medical/infectious waste does not include hazardous waste identified or listed under the regulations in part 261 of this chapter; household waste, as defined in §261.4(b)(1) of this chapter; ash from incineration of medical/infectious waste, once the incineration process has been completed; human corpses, remains, and anatomical parts that are intended for interment; and domestic sewage materials identified in §261.4(a)(1) of this chapter.

(1) Cultures and stocks of infectious agents and associated biologicals, including: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, and mix cultures.

(2) Human pathological waste, including tissues, organs, and body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and their containers.

(3) Human blood and blood products including:

- (i) Liquid waste human blood;
- (ii) Products of blood;
- (iii) Items saturated and/or dripping with human blood; or
- (iv) Items that were saturated and/or dripping with human blood that are now caked with dried human blood; including serum, plasma, and other blood components, and their containers, which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals. Intravenous bags are also include in this category.
- (4) Sharps that have been used in animal or human patient care or treatment or in medical, research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, and culture dishes (regardless of presence of infectious agents). Also included are other types of broken or unbroken glassware that were in contact with infectious agents, such as used slides and cover slips.
- (5) Animal waste including contaminated animal carcasses, body parts, and bedding of animals that were known to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals or testing of pharmaceuticals.
- (6) Isolation wastes including biological waste and discarded materials contaminated with blood, excretions, exudates, or secretions from humans who are isolated to protect others from certain highly communicable diseases, or isolated animals known to be infected with highly communicable diseases.
- (7) Unused sharps including the following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.

Medium HMIWI means:

- (1) Except as provided in paragraph (2);
 - (i) An HMIWI whose maximum design waste burning capacity is more than 200 pounds per hour but less than or equal to 500 pounds per hour; or
 - (ii) A continuous or intermittent HMIWI whose maximum charge rate is more than 200 pounds per hour but less than or equal to 500 pounds per hour; or
 - (iii) A batch HMIWI whose maximum charge rate is more than 1,600 pounds per day but less than or equal to 4,000 pounds per day.
- (2) The following are not medium HMIWI:
 - (i) A continuous or intermittent HMIWI whose maximum charge rate is less than or equal to 200 pounds per hour or more than 500 pounds per hour; or
 - (ii) A batch HMIWI whose maximum charge rate is more than 4,000 pounds per day or less than or equal to 1,600 pounds per day.

Minimum dioxin/furan sorbent flow rate means 90 percent of the highest 3-hour average dioxin/furan sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the dioxin/furan emission limit.

Minimum Hg sorbent flow rate means 90 percent of the highest 3-hour average Hg sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the Hg emission limit.

Minimum hydrogen chloride (HCl) sorbent flow rate means 90 percent of the highest 3-hour average HCl sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the HCl emission limit.

Minimum horsepower or amperage means 90 percent of the highest 3-hour average horsepower or amperage to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable emission limits.

Minimum pressure drop across the wet scrubber means 90 percent of the highest 3-hour average pressure drop across the wet scrubber PM control device (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the PM emission limit.

Minimum reagent flow rate means 90 percent of the highest 3-hour average reagent flow rate at the inlet to the selective noncatalytic reduction technology (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the NO_x emissions limit.

Minimum scrubber liquor flow rate means 90 percent of the highest 3-hour average liquor flow rate at the inlet to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with all applicable emission limits.

Minimum scrubber liquor pH means 90 percent of the highest 3-hour average liquor pH at the inlet to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the HCl emission limit.

Minimum secondary chamber temperature means 90 percent of the highest 3-hour average secondary chamber temperature (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the PM, CO, dioxin/furan, and NO_x emissions limits.

Modification or Modified HMIWI means any change to an HMIWI unit after the effective date of these standards such that:

- (1) The cumulative costs of the modifications, over the life of the unit, exceed 50 per centum of the original cost of the construction and installation of the unit (not including the cost of any land purchased in connection with such construction or installation) updated to current costs, or
- (2) The change involves a physical change in or change in the method of operation of the unit which increases the amount of any air pollutant emitted by the unit for which standards have been established under section 129 or section 111.

Operating day means a 24-hour period between 12:00 midnight and the following midnight during which any amount of hospital waste or medical/infectious waste is combusted at any time in the HMIWI.

Operation means the period during which waste is combusted in the incinerator excluding periods of startup or shutdown.

Particulate matter or PM means the total particulate matter emitted from an HMIWI as measured by EPA Reference Method 5 or EPA Reference Method 29.

Pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

Primary chamber means the chamber in an HMIWI that receives waste material, in which the waste is ignited, and from which ash is removed.

Pyrolysis means the endothermic gasification of hospital waste and/or medical/infectious waste using external energy.

Secondary chamber means a component of the HMIWI that receives combustion gases from the primary chamber and in which the combustion process is completed.

Shutdown means the period of time after all waste has been combusted in the primary chamber. For continuous HMIWI, shutdown shall commence no less than 2 hours after the last charge to the incinerator. For intermittent HMIWI, shutdown shall commence no less than 4 hours after the last charge to the incinerator. For batch HMIWI, shutdown shall commence no less than 5 hours after the high-air phase of combustion has been completed.

Small HMIWI means:

- (1) Except as provided in (2);
 - (i) An HMIWI whose maximum design waste burning capacity is less than or equal to 200 pounds per hour; or
 - (ii) A continuous or intermittent HMIWI whose maximum charge rate is less than or equal to 200 pounds per hour; or
 - (iii) A batch HMIWI whose maximum charge rate is less than or equal to 1,600 pounds per day.
- (2) The following are not small HMIWI:
 - (i) A continuous or intermittent HMIWI whose maximum charge rate is more than 200 pounds per hour;
 - (ii) A batch HMIWI whose maximum charge rate is more than 1,600 pounds per day.

Standard conditions means a temperature of 20 °C and a pressure of 101.3 kilopascals.

Startup means the period of time between the activation of the system and the first charge to the unit. For batch HMIWI, startup means the period of time between activation of the system and ignition of the waste.

Wet scrubber means an add-on air pollution control device that utilizes an alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

[62 FR 48382, Sept. 15, 1997, as amended at 74 FR 51408, Oct. 6, 2009]

§ 60.52c EMISSION LIMITS.

(a) (not applicable)

(b) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility shall cause to be discharged into the atmosphere:

(1) From an affected facility as defined in §60.50c(a)(1) and (2), any gases that exhibit greater than 10 percent opacity (6-minute block average).
EFFECTIVE UNTIL JUNE 1, 2012

(2) **EFFECTIVE JUNE 1, 2012:** From an affected facility as defined in §60.50c(a)(3) and (4), any gases that exhibit greater than 6 percent opacity (6-minute block average).

(c) (not applicable)

(d) (not applicable)

(e) (not applicable)

[62 FR 48382, Sept. 15, 1997, as amended at 74 FR 51409, Oct. 6, 2009]

§ 60.53c OPERATOR TRAINING AND QUALIFICATION REQUIREMENTS.

(a) No owner or operator of an affected facility shall allow the affected facility to operate at any time unless a fully trained and qualified HMIWI operator is accessible, either at the facility or available within 1 hour. The trained and qualified HMIWI operator may operate the HMIWI directly or be the direct supervisor of one or more HMIWI operators.

(b) Operator training and qualification shall be obtained through a State-approved program or by completing the requirements included in paragraphs (c) through (g) of this section.

(c) Training shall be obtained by completing an HMIWI operator training course that includes, at a minimum, the following provisions:

(1) 24 hours of training on the following subjects:

(i) Environmental concerns, including pathogen destruction and types of emissions;

(ii) Basic combustion principles, including products of combustion;

(iii) Operation of the type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures;

(iv) Combustion controls and monitoring;

(v) Operation of air pollution control equipment and factors affecting performance (if applicable);

(vi) Methods to monitor pollutants (continuous emission monitoring systems and monitoring of HMIWI and air pollution control device operating parameters) and equipment calibration procedures (where applicable);

(vii) Inspection and maintenance of the HMIWI, air pollution control devices, and continuous emission monitoring systems;

(viii) Actions to correct malfunctions or conditions that may lead to malfunction;

(ix) Bottom and fly ash characteristics and handling procedures;

(x) Applicable Federal, State, and local regulations;

(xi) Work safety procedures;

(xii) Pre-startup inspections; and

(xiii) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Reference material distributed to the attendees covering the course topics.

(d) Qualification shall be obtained by:

(1) Completion of a training course that satisfies the criteria under paragraph (c) of this section; and

(2) Either 6 months experience as an HMIWI operator, 6 months experience as a direct supervisor of an HMIWI operator, or completion of at least two burn cycles under the observation of two qualified HMIWI operators.

(e) Qualification is valid from the date on which the examination is passed or the completion of the required experience, whichever is later.

(f) To maintain qualification, the trained and qualified HMIWI operator shall complete and pass an annual review or refresher course of at least 4 hours covering, at a minimum, the following:

(1) Update of regulations;

(2) Incinerator operation, including startup and shutdown procedures;

(3) Inspection and maintenance;

(4) Responses to malfunctions or conditions that may lead to malfunction; and

(5) Discussion of operating problems encountered by attendees.

(g) A lapsed qualification shall be renewed by one of the following methods:

(1) For a lapse of less than 3 years, the HMIWI operator shall complete and pass a standard annual refresher course described in paragraph (f) of this section.

(2) For a lapse of 3 years or more, the HMIWI operator shall complete and pass a training course with the minimum criteria described in paragraph (c) of this section.

(h) The owner or operator of an affected facility shall maintain documentation at the facility that address the following:

- (1) Summary of the applicable standards under this subpart;
- (2) Description of basic combustion theory applicable to an HMIWI;
- (3) Procedures for receiving, handling, and charging waste;
- (4) HMIWI startup, shutdown, and malfunction procedures;
- (5) Procedures for maintaining proper combustion air supply levels;
- (6) Procedures for operating the HMIWI and associated air pollution control systems within the standards established under this subpart;
- (7) Procedures for responding to periodic malfunction or conditions that may lead to malfunction;
- (8) Procedures for monitoring HMIWI emissions;
- (9) Reporting and recordkeeping procedures; and
- (10) Procedures for handling ash.

(i) The owner or operator of an affected facility shall establish a program for reviewing the information listed in paragraph (h) of this section annually with each HMIWI operator (defined in §60.51c).

(1) The initial review of the information listed in paragraph (h) of this section shall be conducted within 6 months after the effective date of this subpart or prior to assumption of responsibilities affecting HMIWI operation, whichever date is later.

(2) Subsequent reviews of the information listed in paragraph (h) of this section shall be conducted annually.

(j) The information listed in paragraph (h) of this section shall be kept in a readily accessible location for all HMIWI operators. This information, along with records of training shall be available for inspection by the EPA or its delegated enforcement agent upon request.

§ 60.54c SITING REQUIREMENTS.

(a) (not applicable)

(b) (not applicable)

(c) (not applicable)

§ 60.55c WASTE MANAGEMENT PLAN.

The owner or operator of an affected facility shall prepare a waste management plan. The waste management plan shall identify both the feasibility and the approach to separate certain components of solid waste from the health care waste stream in order to reduce the amount of toxic emissions from incinerated waste. A waste management plan may include, but is not limited to, elements such as segregation and recycling of paper, cardboard, plastics, glass, batteries, food waste, and metals (*e.g.*, aluminum cans, metals-containing devices); segregation of non-recyclable wastes (*e.g.*, polychlorinated biphenyl-containing waste, pharmaceutical waste, and mercury-containing waste, such as dental waste); and purchasing recycled or recyclable products. A waste management plan may include different goals or approaches for different areas or departments of the facility and need not include new waste management goals for every waste stream. It should identify, where possible, reasonably available additional waste management measures, taking into account the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have. The American Hospital Association publication entitled "An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities" (incorporated by reference, *see* §60.17) shall be considered in the development of the waste management plan. The owner or operator of each commercial HMIWI company shall conduct training and education programs in waste segregation for each of the company's waste generator clients and ensure that each client prepares its own waste management plan that includes, but is not limited to, the provisions listed previously in this section.

[74 FR 51409, Oct. 6, 2009]

§ 60.56c COMPLIANCE AND PERFORMANCE TESTING.

(a) The emissions limits apply at all times.

(b) The owner or operator of an affected facility as defined in §60.50c(a)(1) and (2), shall conduct an initial performance test as required under §60.8 to determine compliance with the emissions limits using the procedures and test methods listed in paragraphs (b)(1) through (b)(6) and (b)(9) through (b)(14) of this section. The owner or operator of an affected facility as defined in §60.50c(a)(3) and (4), shall conduct an initial performance test as required under §60.8 to determine compliance with the emissions limits using the procedures and test methods listed in paragraphs (b)(1) through (b)(14). The use of the bypass stack during a performance test shall invalidate the performance test.

(1) All performance tests shall consist of a minimum of three test runs conducted under representative operating conditions.

(2) The minimum sample time shall be 1 hour per test run unless otherwise indicated.

(3) EPA Reference Method 1 of appendix A of this part shall be used to select the sampling location and number of traverse points.

(4) EPA Reference Method 3, 3A, or 3B of appendix A-2 of this part shall be used for gas composition analysis, including measurement of oxygen concentration. EPA Reference Method 3, 3A, or 3B of appendix A-2 of this part shall be used simultaneously with each of the other EPA

reference methods. As an alternative to EPA Reference Method 3B, ASME PTC-19-10-1981-Part 10 may be used (incorporated by reference, see §60.17).

(5) The pollutant concentrations shall be adjusted to 7 percent oxygen using the following equation:

$$C_{adj} = C_{meas} (20.9 - 7) / (20.9 - \%O_2)$$

where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen;

C_{meas} = pollutant concentration measured on a dry basis (20.9-7)=20.9 percent oxygen—7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis, percent.

(6) EPA Reference Method 5 of appendix A-3 or Method 26A or Method 29 of appendix A-8 of this part shall be used to measure the particulate matter emissions. As an alternative, PM CEMS may be used as specified in paragraph (c)(5) of this section.

(7) EPA Reference Method 7 or 7E of appendix A-4 of this part shall be used to measure NO_x emissions.

(8) EPA Reference Method 6 or 6C of appendix A-4 of this part shall be used to measure SO_2 emissions.

(9) EPA Reference Method 9 of appendix A-4 of this part shall be used to measure stack opacity. As an alternative, demonstration of compliance with the PM standards using bag leak detection systems as specified in §60.57c(h) or PM CEMS as specified in paragraph (c)(5) of this section is considered demonstrative of compliance with the opacity requirements.

(10) EPA Reference Method 10 or 10B of appendix A-4 of this part shall be used to measure the CO emissions. As specified in paragraph (c)(4) of this section, use of CO CEMS are required for affected facilities under §60.50c(a)(3) and (4).

(11) EPA Reference Method 23 of appendix A-7 of this part shall be used to measure total dioxin/furan emissions. As an alternative, an owner or operator may elect to sample dioxins/furans by installing, calibrating, maintaining, and operating a continuous automated sampling system for monitoring dioxin/furan emissions as specified in paragraph (c)(6) of this section. For Method 23 of appendix A-7 sampling, the minimum sample time shall be 4 hours per test run. If the affected facility has selected the toxic equivalency standards for dioxins/furans, under §60.52c, the following procedures shall be used to determine compliance:

(i) Measure the concentration of each dioxin/furan tetra-through octa-congener emitted using EPA Reference Method 23.

(ii) For each dioxin/furan congener measured in accordance with paragraph (b)(9)(i) of this section, multiply the congener concentration by its corresponding toxic equivalency factor specified in table 2 of this subpart.

(iii) Sum the products calculated in accordance with paragraph (b)(9)(ii) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

(12) EPA Reference Method 26 or 26A of appendix A-8 of this part shall be used to measure HCl emissions. As an alternative, HCl CEMS may be used as specified in paragraph (c)(5) of this section.

(13) EPA Reference Method 29 of appendix A-8 of this part shall be used to measure Pb, Cd, and Hg emissions. As an alternative, Hg emissions may be measured using ASTM D6784-02 (incorporated by reference, see §60.17). As an alternative for Pb, Cd, and Hg, multi-metals CEMS or Hg CEMS, may be used as specified in paragraph (c)(5) of this section. As an alternative, an owner or operator may elect to sample Hg by installing, calibrating, maintaining, and operating a continuous automated sampling system for monitoring Hg emissions as specified in paragraph (c)(7) of this section.

(14) The EPA Reference Method 22 of appendix A-7 of this part shall be used to determine compliance with the fugitive ash emissions limit under §60.52c(c). The minimum observation time shall be a series of three 1-hour observations.

(c) Following the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility shall:

(1) Determine compliance with the opacity limit by conducting an annual performance test (no more than 12 months following the previous performance test) using the applicable procedures and test methods listed in paragraph (b) of this section.

(2) Except as provided in paragraphs (c)(4) and (c)(5) of this section, determine compliance with the PM, CO, and HCl emissions limits by conducting an annual performance test (no more than 12 months following the previous performance test) using the applicable procedures and test methods listed in paragraph (b) of this section. If all three performance tests over a 3-year period indicate compliance with the emissions limit for a pollutant (PM, CO, or HCl), the owner or operator may forego a performance test for that pollutant for the subsequent 2 years. At a minimum, a performance test for PM, CO, and HCl shall be conducted every third year (no more than 36 months following the previous performance test). If a performance test conducted every third year indicates compliance with the emissions limit for a pollutant (PM, CO, or HCl), the owner or operator may forego a performance test for that pollutant for an additional 2 years. If any performance test indicates noncompliance with the respective emissions limit, a performance test for that pollutant shall be conducted annually until all annual performance tests over a 3-year period indicate compliance with the emissions limit. The use of the bypass stack during a performance test shall invalidate the performance test.

(3) (not applicable)

(4) (not applicable)

(5) Facilities using CEMS to demonstrate compliance with any of the emissions limits under §60.52c shall:

(i) For an affected facility as defined in §60.50c(a)(1) and (2), determine compliance with the appropriate emissions limit(s) using a 12-hour rolling average, calculated each hour as the average of the previous 12 operating hours.

(ii) (not applicable)

(iii) (not applicable)

(iv) (not applicable)

(v) (not applicable)

(6) (not applicable)

(7) (not applicable)

(d) Except as provided in paragraphs (c)(4) through (c)(7) of this section, the owner or operator of an affected facility equipped with a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and wet scrubber shall:

(1) Establish the appropriate maximum and minimum operating parameters, indicated in table 3 of this subpart for each control system, as site specific operating parameters during the initial performance test to determine compliance with the emission limits; and

(2) Following the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, ensure that the affected facility does not operate above any of the applicable maximum operating parameters or below any of the applicable minimum operating parameters listed in table 3 of this subpart and measured as 3-hour rolling averages (calculated each hour as the average of the previous 3 operating hours) at all times except during periods of startup, shutdown and malfunction. Operating parameter limits do not apply during performance tests. Operation above the established maximum or below the established minimum operating parameter(s) shall constitute a violation of established operating parameter(s).

(e) Except as provided in paragraph (i) of this section, for affected facilities equipped with a dry scrubber followed by a fabric filter:

(1) Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the CO emission limit.

(2) Operation of the affected facility above the maximum fabric filter inlet temperature, above the maximum charge rate, and below the minimum dioxin/furan sorbent flow rate (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit.

(3) Operation of the affected facility above the maximum charge rate and below the minimum HCl sorbent flow rate (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit.

(4) Operation of the affected facility above the maximum charge rate and below the minimum Hg sorbent flow rate (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit.

(5) Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd and Hg emissions limits.

(6) (not applicable)

(7) (not applicable)

(8) (not applicable)

(9) (not applicable)

(10) (not applicable)

(f) Except as provided in paragraph (i) of this section, for affected facilities equipped with a wet scrubber:

(1) Operation of the affected facility above the maximum charge rate and below the minimum pressure drop across the wet scrubber or below the minimum horsepower or amperage to the system (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the PM emission limit.

(2) Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the CO emission limit.

(3) Operation of the affected facility above the maximum charge rate, below the minimum secondary chamber temperature, and below the minimum scrubber liquor flow rate (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit.

(4) Operation of the affected facility above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit.

(5) Operation of the affected facility above the maximum flue gas temperature and above the maximum charge rate (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit.

(6) Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd and Hg emissions limits.

(7) Operation of the affected facility as defined in §60.50c(a)(3) and (4) above the CO emissions limit as measured by the CO CEMS specified in paragraph (c)(4) of this section shall constitute a violation of the CO emissions limit.

(8) Operation of the affected facility as defined in §60.50c(a)(3) and (4) above the PM, HCl, Pb, Cd, and/or Hg emissions limit as measured by the CEMS specified in paragraph (c)(5) of this section shall constitute a violation of the applicable emissions limit.

(9) Operation of the affected facility as defined in §60.50c(a)(3) and (4) above the dioxin/furan emissions limit as measured by the continuous automated sampling system specified in paragraph (c)(6) of this section shall constitute a violation of the dioxin/furan emissions limit.

(10) Operation of the affected facility as defined in §60.50c(a)(3) and (4) above the Hg emissions limit as measured by the continuous automated sampling system specified in paragraph (c)(7) of this section shall constitute a violation of the Hg emissions limit.

(g) (not applicable)

(h) (not applicable)

(i) (not applicable)

(j) The owner or operator of an affected facility using an air pollution control device other than a dry scrubber followed by a fabric filter, a wet scrubber, a dry scrubber followed by a fabric filter and a wet scrubber, or selective noncatalytic reduction technology to comply with the emissions limits under §60.52c shall petition the Administrator for other site-specific operating parameters to be established during the initial performance test and continuously monitored thereafter. The owner or operator shall not conduct the initial performance test until after the petition has been approved by the Administrator.

(k) The owner or operator of an affected facility may conduct a repeat performance test at any time to establish new values for the operating parameters. The Administrator may request a repeat performance test at any time.

[62 FR 48382, Sept. 15, 1997, as amended at 65 FR 61753, Oct. 17, 2000; 74 FR 51409, Oct. 6, 2009]

§ 60.57c MONITORING REQUIREMENTS.

(a) Except as provided in §60.56c(c)(4) through (c)(7), the owner or operator of an affected facility shall install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the applicable maximum and minimum operating parameters listed in Table 3 to this subpart (unless CEMS are used as a substitute for certain parameters as specified) such that these devices (or methods) measure and record values for these operating parameters at the frequencies indicated in Table 3 of this subpart at all times.

(b) (not applicable)

(c) The owner or operator of an affected facility shall install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of the bypass stack including date, time, and duration.

(d) The owner or operator of an affected facility using an air pollution control device other than a dry scrubber followed by a fabric filter, a wet scrubber, a dry scrubber followed by a fabric filter and a wet scrubber, or selective noncatalytic reduction technology to comply with the emissions limits under §60.52c shall install, calibrate (to manufacturers' specifications), maintain, and operate the equipment necessary to monitor the site-specific operating parameters developed pursuant to §60.56c(j).

(e) The owner or operator of an affected facility shall obtain monitoring data at all times during HMIWI operation except during periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data shall be obtained for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter that the affected facility is combusting hospital waste and/or medical/infectious waste.

(f) T(not applicable).

(g) (not applicable).

(h) (not applicable).

[62 FR 48382, Sept. 15, 1997, as amended at 74 FR 51412, Oct. 6, 2009]

§ 60.58c REPORTING AND RECORDKEEPING REQUIREMENTS.

(a) (not applicable)

(b) The owner or operator of an affected facility shall maintain the following information (as applicable) for a period of at least 5 years:

(1) Calendar date of each record;

(2) Records of the following data:

(i) Concentrations of any pollutant listed in §60.52c or measurements of opacity as determined by the continuous emission monitoring system (if applicable);

(ii) Results of fugitive emissions (by EPA Reference Method 22) tests, if applicable;

(iii) HMIWI charge dates, times, and weights and hourly charge rates;

(iv) (not applicable)

(v) Amount and type of dioxin/furan sorbent used during each hour of operation, as applicable;

(vi) Amount and type of Hg sorbent used during each hour of operation, as applicable;

(vii) Amount and type of HCl sorbent used during each hour of operation, as applicable;

(viii) For affected facilities as defined in §60.50c(a)(3) and (4), amount and type of NO_x reagent used during each hour of operation, as applicable;

(ix) Secondary chamber temperatures recorded during each minute of operation;

(x) Liquor flow rate to the wet scrubber inlet during each minute of operation, as applicable;

(xi) Horsepower or amperage to the wet scrubber during each minute of operation, as applicable;

(xii) Pressure drop across the wet scrubber system during each minute of operation, as applicable,

(xiii) Temperature at the outlet from the wet scrubber during each minute of operation, as applicable;

(xiv) pH at the inlet to the wet scrubber during each minute of operation, as applicable,

(xv) Records indicating use of the bypass stack, including dates, times, and durations, and

(xvi) For affected facilities complying with §60.56c(j) and §60.57c(d), the owner or operator shall maintain all operating parameter data collected;

(xvii) For affected facilities as defined in §60.50c(a)(3) and (4), records of the annual air pollution control device inspections, any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the Administrator.

(xviii) (not applicable)

(xix) (not applicable).

(3) Identification of calendar days for which data on emission rates or operating parameters specified under paragraph (b)(2) of this section have not been obtained, with an identification of the emission rates or operating parameters not measured, reasons for not obtaining the data, and a description of corrective actions taken.

(4) Identification of calendar days, times and durations of malfunctions, a description of the malfunction and the corrective action taken.

(5) Identification of calendar days for which data on emission rates or operating parameters specified under paragraph (b)(2) of this section exceeded the applicable limits, with a description of the exceedances, reasons for such exceedances, and a description of corrective actions taken.

(6) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emissions limits and/or to establish or re-establish operating parameters, as applicable, and a description, including sample calculations, of how the operating parameters were established or re-established, if applicable.

(7) (not applicable)

(8) Records showing the names of HMIWI operators who have completed review of the information in §60.53c(h) as required by §60.53c(i), including the date of the initial review and all subsequent annual reviews;

(9) Records showing the names of the HMIWI operators who have completed the operator training requirements, including documentation of training and the dates of the training;

(10) Records showing the names of the HMIWI operators who have met the criteria for qualification under §60.53c and the dates of their qualification; and

(11) Records of calibration of any monitoring devices as required under §60.57c(a) through (d).

(c) The owner or operator of an affected facility shall submit the information specified in paragraphs (c)(1) through (c)(4) of this section no later than 60 days following the initial performance test. All reports shall be signed by the facilities manager.

(1) The initial performance test data as recorded under §60.56c(b)(1) through (b)(14), as applicable.

(2) The values for the site-specific operating parameters established pursuant to §60.56c(d), (h), or (j), as applicable, and a description, including sample calculations, of how the operating parameters were established during the initial performance test.

(3) The waste management plan as specified in §60.55c.

(4) (not applicable)

(d) An annual report shall be submitted 1 year following the submissions of the information in paragraph (c) of this section and subsequent reports shall be submitted no more than 12 months following the previous report (once the unit is subject to permitting requirements under title V of the Clean Air Act, the owner or operator of an affected facility must submit these reports semiannually). The annual report shall include the information specified in paragraphs (d)(1) through (11) of this section. All reports shall be signed by the facilities manager.

(1) The values for the site-specific operating parameters established pursuant to §60.56c(d), (h), or (j), as applicable.

(2) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter recorded for the calendar year being reported, pursuant to §60.56c(d), (h), or (j), as applicable.

(3) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter recorded pursuant to §60.56c(d), (h), or (j) for the calendar year preceding the year being reported, in order to provide the Administrator with a summary of the performance of the affected facility over a 2-year period.

(4) Any information recorded under paragraphs (b)(3) through (b)(5) of this section for the calendar year being reported.

(5) Any information recorded under paragraphs (b)(3) through (b)(5) of this section for the calendar year preceding the year being reported, in order to provide the Administrator with a summary of the performance of the affected facility over a 2-year period.

(6) If a performance test was conducted during the reporting period, the results of that test.

(7) If no exceedances or malfunctions were reported under paragraphs (b)(3) through (b)(5) of this section for the calendar year being reported, a statement that no exceedances occurred during the reporting period.

(8) Any use of the bypass stack, the duration, reason for malfunction, and corrective action taken.

(9) For affected facilities as defined in §60.50c(a)(3) and (4), records of the annual air pollution control device inspection, any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the Administrator.

(10) (not applicable).

(11) (not applicable)

(e) The owner or operator of an affected facility shall submit semiannual reports containing any information recorded under paragraphs (b)(3) through (b)(5) of this section no later than 60 days following the reporting period. The first semiannual reporting period ends 6 months following the submission of information in paragraph (c) of this section. Subsequent reports shall be submitted no later than 6 calendar months following the previous report. All reports shall be signed by the facilities manager.

(f) All records specified under paragraph (b) of this section shall be maintained onsite in either paper copy or computer-readable format, unless an alternative format is approved by the Administrator.

(g) For affected facilities, as defined in §60.50c(a)(3) and (4), that choose to submit an electronic copy of stack test reports to EPA's WebFIRE data base, as of December 31, 2011, the owner or operator of an affected facility shall enter the test data into EPA's data base using the Electronic Reporting Tool located at http://www.epa.gov/ttn/chief/ert/ert_tool.html.

[62 FR 48382, Sept. 15, 1997, as amended at 74 FR 51413, Oct. 6, 2009; 76 FR 18413, Apr. 4, 2011]

Table 1A (not applicable).

[74 FR 51414, Oct. 6, 2009, as amended at 76 FR 18414, Apr. 4, 2011]

Table 1B (not applicable).

[74 FR 51414, Oct. 6, 2009, as amended at 76 FR 18414, Apr. 4, 2011]

TABLE 2 OF SUBPART Ec TO PART 60—TOXIC EQUIVALENCY FACTORS

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
Octachlorinated dibenzofuran	0.001

TABLE 3 TO SUBPART Ec OF PART 60—OPERATING PARAMETERS TO BE MONITORED AND MINIMUM MEASUREMENT AND RECORDING FREQUENCIES

Operating parameters to be monitored	Minimum frequency		Control system		
	Data measurement	Data recording	Dry scrubber followed by fabric filter	Wet scrubber	Dry scrubber followed by fabric filter and wet scrubber
Maximum operating parameters:					
Maximum charge rate	Continuous	1×hour	√	√	√
Maximum fabric filter inlet temperature	Continuous	1×minute	√		√
Maximum flue gas temperature	Continuous	1×minute	√	√	
Minimum operating parameters:					
Minimum secondary chamber temperature	Continuous	1×minute	√	√	√
Minimum dioxin/furan sorbent flow rate	Hourly	1×hour	√		√
Minimum HCl sorbent flow rate	Hourly	1×hour	√		√
Minimum mercury (Hg) sorbent flow rate	Hourly	1×hour	√		√
Minimum pressure drop across the wet scrubber or minimum horsepower or amperage to wet scrubber	Continuous	1×minute		√	√
Minimum scrubber liquor flow rate	Continuous	1×minute		√	√
Minimum scrubber liquor pH	Continuous	1×minute		√	√