



Charlie Crist
Governor

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

June 16, 2008

ELECTRONIC CORRESPONDENCE
rvanlith@brch.com

Richard Van Lith, Chief Executive Officer
Boca Raton Community Hospital
800 Meadows Road
3301 Gun Club Road
Boca Raton, FL 33486

Re: **Intent to Issue -- Title V Air Operation Permit Renewal**
DRAFT Permit Project No.: 0990119-007-AV

Dear Mr. Van Lith:

One copy of the DRAFT Permit for the renewal of a Title V Air Operation Permit for the Boca Raton Community Hospital located at 800 Meadows Road, Boca Raton, Palm Beach County, Florida, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" are also included.

An electronic version of the DRAFT Permit will be posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

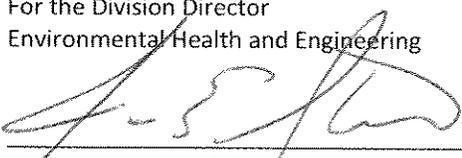
<http://www.dep.state.fl.us/air/eproducts/ards/default.asp>

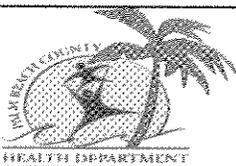
The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Laxmana Tallam, P.E. at the above letterhead address. If you have any other questions, please contact Laxmana Tallam, P.E. at 561-355-3136 ext. 1142.

Sincerely,

For the Division Director
Environmental Health and Engineering


James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering



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

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

Applicant:

Boca Raton Community Hospital
800 Meadows Road
Boca Raton, FL 33486

Draft Permit No.: 0990119-007-AV**Responsible Official**

Richard Van Lith, Chief Executive Officer

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL

The Palm Beach County Health Department (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal (copy of DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below.

Proposed Project: The applicant, Mr. Richard Van Lith, applied on April 04, 2008, to the permitting authority for a Title V Air Operation Permit Renewal for the Boca Raton Community Hospital located at 800 Meadows Road, Boca Raton, Palm Beach County.

The Title V Source includes a Simonds #AF-3C Incinerator (with a Heat Recovery Steam Generator) to burn Hospital/Medical/Infectious Waste, Fossil-Fuel Fired Steam Generating Units, Emergency Power Generators, Fuel Oil Storage Tanks, and Surface Coating Operations. Of these units, only the incinerator is considered regulated and the remaining activities have been identified as either unregulated or insignificant. The incinerator is subject to 40 CFR 60 Subpart Ec "Standards of Performance for Hospital/Medical/Infectious Waste Incinerators."

Permitting Authority: The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). However, in accordance with Section 403.182, F.S., DEP recognizes the Palm Beach County Health Department (PBC Health Department) as the approved local air pollution control program in Palm Beach County. As such, DEP and the PBC Health Department have entered into a Specific Operating Agreement that authorizes the PBC Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The mailing address of the **PBC Health Department is P.O. Box 29, West Palm Beach, Florida 33402-0029**. The PBC Health Department's Air Pollution Control Section is located at 901 Evernia Street in West Palm Beach, Florida and the phone number is (561) 355-3136. The PBC Health Department's Legal Office is located at **826 Evernia Street in West Palm Beach, Florida** and the phone number is (561) 355-3007. The PBC Health Department has determined that a Title V Air Pollution Operation Permit Renewal is required to commence or continue operations at the described facility.

Proposed Agency Action: The permitting authority intends to issue this Title V Air Operation Permit Renewal based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Publishing Notice of Proposed Agency Action: Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the PBC Health Department, P.O. Box 29, West

Palm Beach, Florida 33402-0029 (Telephone: 561/355-3136), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

The Palm Beach County Health Department will issue the PROPOSED permit, and subsequent Final Permit, in accordance with the conditions of the attached DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms and conditions.

Public Comment Period: The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

Petitions and Administrative Hearings: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the PBC Health Department's Legal Office at the address indicated above, and must be marked, "*Request for Administrative Hearing on Intent to Issue Air Pollution Permit.*" Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address and telephone number of the petitioner; name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so state;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules of statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation: Mediation will not be available in this proceeding.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

Executed in West Palm Beach, Florida
For the Division Director
Environmental Health and Engineering



James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL
PALM BEACH COUNTY HEALTH DEPARTMENT
DRAFT Permit project No. 0990119-007-AV
Boca Raton Community Hospital
Palm Beach County, Florida

The Palm Beach County (PBC) Health Department (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to the Boca Raton Community Hospital located at 800 Meadows Road, Boca Raton, Palm Beach County.

UTM Coordinates: Zone 17; 589.51 km E; 2915.67 km N; Latitude 26° 21' 29.72" North and Longitude: 80° 06' 10.40" West.

The applicant's name and address are: Mr. Richard Van Lith, Chief Executive Officer, Boca Raton Community Hospital, 800 Meadows Road, Boca Raton, Florida 33486.

The Title V Source includes a Simonds #AF-3C Incinerator (with a Heat Recovery Steam Generator) to burn Hospital/Medical/Infectious Waste, Fossil-Fuel Fired Steam Generating Units, Emergency Power Generators, Fuel Oil Storage Tanks, and Surface Coating Operations. Of these units, only the incinerator is considered regulated and the remaining activities have been identified as either unregulated or insignificant. The incinerator is subject to 40 CFR 60 Subpart Ec "Standards of Performance for Hospital/Medical/Infectious Waste Incinerators."

The permitting authority for this project is the Palm Beach County Health Department (PBC Health Department) whose mailing address is P.O. Box 29, West Palm Beach, Florida 33402-0029. For technical information regarding the project, please contact the air permitting supervisor, Laxmana Tallam, P.E., at (561) 355-3136. For questions regarding the administrative hearing procedures, please contact the PBC Health Department's Legal Office at 826 Evernia Street in West Palm Beach, Florida and phone number (561) 355-3007.

The PBC Health Department will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at Air Pollution Control Section at the address indicated above or facsimile at 561-804-9405. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (<http://faw.dos.state.fl.us/>) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the PBC Health Department's Legal Office at the address indicated above, and must be marked, "Request for Administrative Hearing on Intent to Issue Air Pollution Permit." Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address and telephone number of the petitioner; name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so state;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules of statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file is available for public inspection at the PBC Health Department's Air Pollution Control Section during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. The complete project file includes the DRAFT Permit, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact **Laxmana Tallam, P.E.**, at the above address, or call **561-355-3136**, for additional information.

**Boca Raton Community Hospital
Facility ID No.: 0990119
Palm Beach County, Florida**

TITLE V AIR OPERATION PERMIT RENEWAL

DRAFT Permit Project No: 0990119-007-AV

Permitting Authority & Compliance Authority:

Air Pollution Control Section
Palm Beach County Health Department
P.O. Box 29 (901 Evernia Street)
West Palm Beach, FL 33402-0029

Telephone: (561) 355-3136
Fax: (561) 804-9405

Title V Air Operation Permit Renewal

DRAFT Permit No. 0990119-007-AV

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Charlie Crist
Governor

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

PERMITTEE

Boca Raton Community Hospital
800 Meadows Road
Boca Raton, FL 33486

DRAFT Permit No.: 0990119-007-AV

Facility ARMS ID No.: 0990119

SIC No.: 8062

Project: Title V Air Operation Permit Renewal

Responsible Official:

The purpose of this permit is to renew the Title V Air Operation Permit, No. 0990119-006-AV. The facility is located at 800 Meadows Road, Boca Raton, Palm Beach County, Florida. UTM Coordinates: Zone 17; 589.51 km E; 2915.67 km N; Latitude 26° 21' 29.72" North and Longitude: 80° 06' 10.40" 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 Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under Chapter 403.087, F.S. However, in accordance with Section 403.182, F.S., the FDEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, the FDEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County.

Referenced attachments made a part of this permit:

- Appendix I: Insignificant Emissions Units / Activities
- Appendix U: List of unregulated emission units/activities
- Appendix TV-6: Title V Conditions (version dated 06/23/06)
- Appendix NSPS-A: 40 CFR Part 60 Subpart A – General Conditions
- Appendix NSPS – Ec: 40 CFR Part 60 Subpart Ec (applicable requirements)

Effective Date: [DRAFT]

Renewal Application Due Date: [DRAFT]

Expiration Date: [DRAFT]

D R A F T

James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering



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

SUBSECTION A. FACILITY DESCRIPTION

The Title V Source, identified as a General Medical and Surgical Hospital (SIC Code 8062), has been assigned AIRS ID No. 0990119. Potential emissions of hazardous air pollutants from the hospital/medical/infectious waste incinerator are limited below the major source thresholds by a federally-enforceable construction permit (0990119-005-AC). Criteria pollutant emissions are below the major source threshold of the preconstruction review programs.

The Title V Source includes a Hospital/Medical/Infectious Waste Incinerator (HMIWI), Fossil-Fuel Fired Steam Generating Units, Emergency Power Generators, and Surface Coating Operations.

The Title V Source is classified as a minor source under the Prevention of Significant Deterioration the New Source Review for Nonattainment Area programs and a synthetic minor source under the Hazardous Air Pollutant program.

The Title V Source includes emissions units subject to the Standards of Performance for Hospital/Medical/Infectious Waste Incinerators of 40 CFR Part 60, Subpart Ec and the New Source Performance Standards 40 CFR Part 60 Subpart Dc. The requirements of these New Source Performance Standards are addressed within Section III, Emissions Unit Conditions.

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 No.	STATUS	Brief Description
001	<i>Shutdown</i>	Simonds Model AF5 Natural Gas Fired Incinerator
002	Regulated	Simonds #AF-3C Incinerator with a Heat Recovery Steam Generator
003	Insignificant	Fossil-Fuel Fired Steam Generators
004	Insignificant	Emergency Electric Power Generators
005	Insignificant	Surface Coating Operations

SUBSECTION C. RELEVANT DOCUMENTS

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

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

Appendix A: Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H: Permit History

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

Statement of Basis

The following documents are on file with the permitting authority:

04/04/2008 Application for Title V permit renewal received (0990119-007-AV)

Hospital/Medical/Infectious Waste Incinerator (Emissions Unit ID No. 001) – ShutdownHospital/Medical/Infectious Waste Incinerator (Emissions Unit ID No. 002)

AC50-201266 Initial Air Construction Permit issued December 20, 1991.

AC50-188151 Modification Permit issued October 14, 1992.

AO50-231622 Initial Operating Permit issued August 6, 1993.

099-0119-001-AC Modification Permit issued August 5, 1996.

099-0119-002-AO Operating Permit Revision issued August 13, 1996.

099-0119-003-AO Operating Permit Renewal issued June 5, 1998.

099-0119-004-AV Initial Title V Air Operations Permit issued January 17, 2002.

099-0019-005-AC Air Construction Permit issued March 24, 2003

0990119-006-AV Title V permit revision issued October 07, 2003

Fossil-fuel Fired Steam Generators (Emissions Unit ID No. 003)

N/A Exempt by Rule.

Emergency Power Generators (Emissions Unit ID No. 004)

N/A Exempt by Rule.

Non-RACT Surface Coating Operations (Emissions Unit ID No. 005)

N/A Exempt by Rule.

Please reference the Permit No., Facility ID No., and appropriate Emissions Units ID Nos, on all correspondence, test report submittals, applications, etc.

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

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

SECTION II. FACILITY-WIDE CONDITIONS

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

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

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

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

and,

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

[40 CFR 68]

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

Palm Beach County Health Department

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

Florida Department of Environmental Protection

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

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

United States Environmental Protection Agency

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

SECTION II. FACILITY-WIDE CONDITIONS

- II.A.10.** Title V Effective Date: When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one. **[Rule 62-213.440, F.A.C.]**
- II.A.11.** Annual Statement of Compliance: The permittee shall provide an annual statement of compliance to the Permitting Authority on or before March 1st each year covering the period for the previous calendar year. **[40 CFR 70.6 & Rule 62-213.440, F.A.C.]**
- {Permitting note: See Condition No. 51, Appendix TV-5, Title V Conditions}*
- II.A.12.** Permit Renewal and Expiration: The permittee shall apply for a renewal of permit on or before the "Renewal Application Due Date" listed on page one of this permit. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the permittee's right to operate shall terminate.
- For purposes of 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.**
- [Rules 62-213.420(1)(a) & 62-213.430(3), F.A.C.]**
- II.A.13** 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 the 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, F.A.C.]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

SUBSECTION A, THIS SECTION ADDRESSES THE FOLLOWING EMISSIONS UNIT.

EU ID No.	Status	Brief Description
002	Regulated	Simonds #AF-3C Incinerator with a Heat Recovery Steam Generator

Emissions Unit(s) Details:

Hospital/Medical/Infectious Waste Incinerator (HMIWI), designated Emissions Unit 002, is a Simonds Model AF-3C incinerator fired by natural gas. 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. [Palm Beach County Bio-hazardous Waste Incineration Facility (PBC-BWIF) Ordinance]

Current State 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)(b), F.A.C.]

Federal and Future State Regulations: A large HMIWI with a continuous or intermittent maximum charging rate of more than 500 pounds per hour. [40 CFR 60.51c and Rule 62-204.800(8), F.A.C.]

The incinerator incorporates a mechanical ram feeder with an air lock system limited to a charging capacity of 730 pounds per hour. Hazardous air pollutant (HAP) 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 an EMOCOTEK Model 230 rotary atomizing wet scrubbing system.

The emissions unit is required to comply with the requirements of the Emission Standards as well as the requirements of the Palm Beach County Bio-hazardous Waste Incineration Facility Ordinance, Rule 62-296.401(4)(b), F.A.C. and Construction permit 099-0119-005-AC.

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 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:* 730 pounds per hour (3-hour average) of biohazardous, biological, biomedical, hospital, medical or infectious wastes. **[Air Construction Permit 0990119-005-AC]**

{Permitting note: Adequate retention time for this incinerator was established through review of design specifications submitted by the applicant. Restrictions on primary and secondary chamber maximum heat input were deemed redundant thus not incorporated into permit 0990119-005-AC }

III.A.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) **Not Federally Enforceable: 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. **[Letter of Approval dated 08/03/1993, PBC-BWIF Ordinance]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

- (2) *Incinerator*: The permittee is authorized to operate the emissions unit as an incinerator subject to the requirements of Rule 62-296.401(1), F.A.C. **[Air Construction Permit 0990119-005-AC]**
- (3) *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 0990119-005-AC]**
- (4) *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(8)(b)8, F.A.C. **[Rule 62-204.800(8)(b)8., F.A.C]**
- (5) *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 0990119-005-AC and Rule 62-204.800(8), F.A.C.]**
- (6) *Fuels*: The permittee is authorized to fire natural gas in the primary and secondary chambers of the emissions unit as a supplemental fuel. **[Permit No. 0990119-005-AC]**

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

- III.A.3.** Hours of Operation: The permittee shall be allowed to operate the emissions unit unrestricted (8760 hours per year) without prior authorization from the Permitting Authority. **[Air Construction Permit 099-0119-005-AC]**
- 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 0990119-005-AC]**
- 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 0990119-005-AC]**
- 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 0990119-005-AC]**
- III.A.7.** Radioactive Wastes: The permittee is advised to contact the Department of Health regarding the requirements that may apply to any proposed burning of radioactive waste. 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 license to incinerate radioactive waste or the waste is of such quantity to be exempt in accordance with HRS Rule 10D-91 or 10-104.003, F.A.C. **[Rule 62-296.401(4)(c)4., F.A.C. and Air Construction Permit 0990119-005-AC]**
- III.A.8.** Hazardous Wastes: The owner or operator is advised to contact the Department's Division of Waste Management regarding requirements that may apply to any proposed burning of hazardous waste. The permittee shall not allow hazardous wastes to be burned in the incinerator without prior authorization

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

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 0990119-005-AC]**

- III.A.9. 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.
- 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.
 - 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.

The permittee shall not allow operation of the emissions unit unless the operator has been trained by the equipment manufacturer's representatives or an equivalent organization using a state-approved training program. **[Rule 62-296.401(4)(c)6. F.A.C. and Air Construction Permit 0990119-005-AC]**

{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.10. Chromium:** The permittee shall not allow, cause, suffer or permit cadmium emissions that result in an annual average predicted ambient concentration (PAC) exceeding 8.3×10^{-5} micrograms per cubic meter, based on the emission test results. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- {Permitting note: unless otherwise specified, the averaging times for Specific Conditions III.A.10 through III.A.21, are based on the specified averaging time of the applicable test method.}*
- III.A.11. Sulfur Dioxide:** The permittee shall not allow, cause, suffer or permit sulfur dioxide (SO₂) emissions exceeding 55 parts per million by volume, dry basis, corrected to seven (7) percent oxygen. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
- III.A.12. Nitrogen Oxides:** The permittee shall not allow, cause, suffer or permit nitrogen oxides (NO_x) emissions exceeding 250 parts per million by volume, dry basis, corrected to seven (7) percent oxygen. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
- III.A.13. Visible Emissions:** The permittee, based on the method of operation, shall comply with the following visible emissions restrictions:
- Biohazardous Waste Incineration Facility:* Opacity of the exhaust flue gas shall not exceed five (5) percent (6-minute average), 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 greater than or equal to thirty (30) percent at any time. **[Not Federally Enforceable, PBC-BWIF Ordinance];** and
 - Incinerator/Biological Waste Incineration Facility:* For any biological waste incinerator unit with a capacity less than fifty (50) tons per day, visible emissions shall not exceed five percent (5%) opacity, six (6) minute average, except that visible emissions not exceeding fifteen percent (15%) opacity shall be allowed for up to six (6) minutes in any one (1) hour period.
[Rule 62-296.401(4)(b), F.A.C.]; and
 - Hospital/Medical/Infectious Waste Incinerator:* Visible emissions 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(8)(b), F.A.C., and 40 CFR 60.52c(b)]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

- III.A.14.** Carbon Monoxide (CO): The permittee, based on the method of operation, shall not allow, cause, suffer or permit carbon monoxide emissions greater than the following:
- (1) *Biohazardous Waste Incineration Facility*: Carbon monoxide (CO) emissions exceeding one hundred (100) parts per million by volume, dry, corrected to seven (7) percent oxygen on an hourly basis. **[Not Federally Enforceable, PBC-BWIF Ordinance]**; and
 - (2) *Incinerator/Biological Waste Incineration Facility*: Carbon monoxide (CO) emissions exceeding 100 parts per million by volume, dry basis, corrected to seven (7) percent oxygen on an hourly average basis. **[Rule 62-296.401(4)(d)3., F.A.C. and Air Construction Permit 0990119-005-AC]**; and
 - (3) *Hospital/Medical/Infectious Waste Incinerator*: Carbon monoxide (CO) emissions exceeding 40 parts per million by volume, dry basis, corrected to seven (7) percent oxygen. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
- III.A.15.** Particulate Matter (PM): The permittee, based on the method of operation, shall not allow, cause, suffer or permit particulate matter emissions greater than the following:
- (1) *Biohazardous Waste Incineration Facility*: Particulate matter (PM) emissions shall not exceed 0.030 grains per dry standard cubic foot of flue gas, corrected to seven (7) percent oxygen, average based on the test methodology. **[Not Federally Enforceable, PBC-BWIF Ordinance]**; and
 - (2) *Incinerator/Biological Waste Incineration Facility*: Particulate matter emissions shall not exceed 0.030 grains per dry standard cubic foot of flue gas, corrected to 7% O₂. **[Rule 62-296.401(4)(b), F.A.C. and Air Construction Permit 0990199-005-AC]**
 - (3) *Hospital/Medical/Infectious Waste Incinerator*: Particulate matter (PM) emissions shall not exceed 34 milligrams per dry standard cubic meter OR 0.015 grains per dry standard cubic foot, corrected to seven (7) percent oxygen. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
- III.A.16.** Hydrochloric Acid (HCl): The permittee, based on the method of operation, shall not allow, cause, suffer or permit hydrochloric acid emissions greater than the following:
- (1) *Biohazardous Waste Incineration Facility*: Hydrochloric acid (HCl) emissions exceeding four (4) pounds per hour; or shall be reduced by ninety (90) percent by weight on an hourly basis. **[Not Federally Enforceable, PBC-BWIF Ordinance]**; and
 - (2) *Incinerator/Biological Waste Incineration Facility*: Hydrochloric acid (HCl) emissions exceeding four (4) pounds per hour on an hourly average basis; or shall be reduced by 90% by weight on an hourly basis. **[Rule 62-296.401(4)(b)., F.A.C. and Air Construction Permit 0990119-005-AC]**; and
 - (3) *Hospital/Medical/Infectious Waste Incinerator*: Hydrochloric acid (HCl) emissions exceeding 15 parts per million by volume corrected to seven (7) percent oxygen; or shall be reduced by 99% or more. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
- III.A.17.** Dioxins/Furans: The permittee, based on the method of operation, shall not allow, cause, suffer or permit total dioxin/furan emissions greater than the following:
- (1) *Biohazardous Waste Incineration Facility*: Dioxin emissions resulting in an annual average predicted ambient concentration (PAC) that exceeds 2.2×10^{-8} micrograms per cubic meter, based on the emissions test results. **[Not Federally Enforceable, PBC-BWIF Ordinance]**; and
 - (2) *Hospital/Medical/Infectious Waste Incinerator*: Total dioxins/furans emissions exceeding 25 nanograms per dry standard cubic meter (11 grains per billion dry standard cubic feet) or 0.6 nanograms per dry standard cubic meter TEQ (0.26 grains per billion dry standard cubic feet), corrected to seven (7) percent oxygen. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
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SECTION III EMISSION UNIT SPECIFIC CONDITIONS

- III.A.18.** Lead: The permittee, based on the method of operation, shall not allow, cause, suffer or permit lead emissions greater than the following:
- (1) *Biohazardous Waste Incineration Facility*: Lead emissions resulting in a predicted ambient impact that exceeds 0.9 micrograms per cubic meter, average based on the test methodology. **[Not Federally Enforceable, PBC-BWIF Ordinance]**; and
 - (2) *Hospital/Medical/Infectious Waste Incinerator*: Lead emissions exceeding 0.07 milligrams per dry standard cubic meter (0.03 grains per thousand dry standard cubic feet), corrected to seven (7) percent oxygen; or reduced by 98% or more. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
- III.A.19.** Mercury (Hg): The permittee, based on the method of operation, shall not allow, cause, suffer or permit mercury emissions greater than the following:
- (1) *Biohazardous Waste Incineration Facility*: Mercury emissions shall not result in an annual average predicted ambient concentration (PAC) that exceeds 0.3 micrograms per cubic meter, based on the emissions test results. **[Not Federally Enforceable, PBC-BWIF Ordinance]**; and
 - (2) *Hospital/Medical/Infectious Waste Incinerator*: Mercury emissions exceeding 0.55 milligrams per dry standard cubic meter (0.24 grains per thousand dry standard cubic feet), corrected to seven (7) percent oxygen or reduced by 85% or more. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**
- III.A.20.** Cadmium: The permittee, based on the method of operation, shall not allow, cause, suffer or permit cadmium emissions greater than the following:
- (1) *Biohazardous Waste Incineration Facility*: Cadmium emissions shall resulting in an annual average predicted ambient concentration (PAC) that exceeds 5.6×10^{-4} micrograms per cubic meter, based on the emissions test results. **[Not Federally Enforceable, PBC-BWIF Ordinance]**; and
 - (2) *Hospital/Medical/Infectious Waste Incinerator*: Cadmium emissions exceeding 0.04 milligrams per dry standard cubic meter (0.02 grains per thousand dry standard cubic feet), corrected to seven (7) percent oxygen or reduced by 90% or more. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.52c(a)]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS**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.22. Test Methods: All emissions tests performed pursuant to this permit shall comply with the following EPA and/or DEP Methods as described in Rule 62-297.401, F.A.C. and 40 CFR 60 Appendix A: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(b) and 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *EPA Method 1*, Sampling and Velocity Traverses for Stationary Sources **[Rule 62-297.401(1)(a), F.A.C.]**;
- (2) *EPA Method 2*, Determination of Stack Gas Velocity and Volumetric Flow Rate **[Rule 62-297.401(2), F.A.C.]**;
- (3) *EPA Method 3*, Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight **[Rule 62-297.401(3), F.A.C.]**;
- (4) *EPA Method 3A*, Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure) **[Rule 62-297.401(3)(a), F.A.C.]**;
- (5) *EPA Method 4*, Determination of Moisture Content in Stack Gases **[Rule 62-297.401(4), F.A.C.]**;
- (6) *EPA Method 5*, Determination of Particulate Emissions from Stationary Sources **[Rule 62-297.401(5), F.A.C.]**;
- (7) *EPA Method 6*, Determination of Sulfur Dioxide Emissions from Stationary Sources **[Rule 62-297.401(6), F.A.C.]**;
- (8) *EPA Method 6C*, Determination of Sulfur Dioxide Emissions from Stationary Sources (Instrumental Analyzer Procedure) **[Rule 62-297.401(6)(c), F.A.C.]**;
- (9) *EPA Method 7*, Determination of Nitrogen Oxide Emissions from Stationary Sources **[Rule 62-297.401(7), F.A.C.]**;
- (10) *EPA Method 7E*, Determination of Nitrogen Oxide Emissions from Stationary Sources (Instrumental Analyzer Procedure) **[Rule 62-297.401(7)(e), F.A.C.]**;
- (11) *EPA Method 9*, Visual Determination of the Opacity of Emissions from Stationary Sources **[Rule 62-297.401(9)(a), F.A.C.]**;
- (12) *DEP Method 9*, Visual Determination of the Opacity of Emissions from Stationary Sources **[Rule 62-297.401(9)(c), F.A.C.]**;
- (13) *EPA Method 10*, Determination of Carbon Monoxide Emissions from Stationary Sources **[Rule 62-297.401(10), F.A.C.]**;
- (14) *EPA Method 10B*, Determination of Carbon Monoxide Emissions from Stationary Sources **[Rule 62-297.401(10)(b), F.A.C.]**;
- (15) *EPA Method 12*, Determination of Inorganic Lead Emissions from Stationary Sources **[Rule 62-297.401(12), F.A.C.]**;
- (16) *EPA Method 23*, Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources **[Rule 62-297.401(23), F.A.C.]**;
- (17) *EPA Method 26*, Determination of Hydrogen Chloride Emissions From Stationary Sources **[Rule 62-297.401(26), F.A.C.]**;
- (18) *EPA Method 26A*, Determination of Hydrogen Halide and Halogen Emissions From Stationary Sources - Isokinetic Method **[Rule 297.401(26)(a), F.A.C.]**;
- (19) *EPA Method 29*, Determination of Metals Emission from Stationary Sources **[Rule 62-297.401(29), F.A.C.]**; and
- (20) *EPA Method 101A*, Determination of Particulate and Gaseous Mercury Emissions from Sewage Sludge Incinerators **[Rule 62-297.401(32)(a), F.A.C.]**.

III.A.23. Test Procedures - Visible Emissions: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(b) and 62-297.401, F.A.C., and 40 CFR 60.56c]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

- (1) *Biohazardous Waste Incineration Facility*: EPA Method 9 and the 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. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Incinerator/Biological Waste Incineration Facility*: EPA Method 9 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. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rules 62-296.401(4)(d)1. and 62-297.310(4)(a)2., F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator*: EPA Method 9 and the required minimum period of observation for a compliance test shall be three (3) hours conducted under representative operating conditions. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (7)].**

III.A.24. Test Procedures – Particulate Matter: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(d)7.a. and 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *Biohazardous Waste Incineration Facility*: EPA Methods 5 or 29, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Incinerator/Biological Waste Incineration Facility*: The EPA Methods 5 or 26A, with the minimum sample volume of 30 dry standard cubic feet. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rules 62-296.401(4)(d)4. And 62-297.310(4)(a)2., F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator*: EPA Methods 5 or 29 with a minimum of three (3) test runs conducted under representative operating conditions and a minimum sampling time of one (1) hour per test run. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (6)]**

III.A.25. Test Procedures – Carbon Monoxide: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(d)7.a. and 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *Biohazardous Waste Incineration Facility*: EPA Methods 10 or 10B, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Incinerator/Biological Waste Incineration Facility*: The EPA Method 10. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rules 62-296.401(4)(d)2. and 62-297.310(4), F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator*: EPA Methods 10 or 10B, with a minimum of three (3) test runs conducted under representative operating conditions and a minimum sampling time of one (1) hour per test run. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (8)]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

III.A.26. Test Procedures – Hydrochloric Acid: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(d)7.a. and 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *Biohazardous Waste Incineration Facility:* EPA Method 26, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Incinerator/Biological Waste Incineration Facility:* EPA Methods 26 or 26A. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rules 62-296.401(4)(d)5. And 62-297.310(4), F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator:* EPA reference Method 26 or 26A 40 CFR 60 Appendix A shall be used to measure HCL emissions. If the permittee has selected the percentage reduction standards for HCl, the percentage reduction in HCl emissions (%R_{HCl}) is computed using the following formula:

$$\%R_{HCl} = \frac{(E_i - E_o)}{(E_i)} \times 100$$

Where:

%R_{HCl} = percentage reduction of HCl emissions achieved;

E_i = HCl emission concentration measured at the control device inlet, corrected to 7 percent oxygen (dry basis); and

E_o = HCl emission concentration measured at the control device outlet, corrected to 7 percent oxygen (dry basis)

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (10)]

III.A.27. Test Procedures – Dioxins/Furans: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(d)7.a., 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *Biohazardous Waste Incineration Facility:* EPA Method 23 of 40 CFR 60 Appendix A, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Hospital/Medical/Infectious Waste Incinerator:* EPA Method 23 of 40 CFR 60 Appendix A, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of four hours per test run. If the permittee has selected the toxic equivalency standards for dioxin/furans, the following procedures shall be used to determine compliance:
 - (i) Measure the concentration of each dioxin/furan tetra-through octacongener emitted using EPA Reference Method 23.
 - (ii) For each dioxin/furan congener measured in accordance with of Condition III.A.27.(2)(i), multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 2 of Appendix NSPS-Ec.

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- (iii) Sum the products calculated in accordance with Condition III.A.29.(2)(ii) to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (9)]

III.A.28. Test Procedures – Lead: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(d)7.a. and 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *Biohazardous Waste Incineration Facility:* EPA Methods 12 or 29, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Hospital/Medical/Infectious Waste Incinerator:* EPA Method 29 of 40 CFR 60 Appendix A, with a minimum of three (3) test runs conducted under representative operating conditions and a minimum sampling time of one (1) hour per test run. If the permittee has selected the percentage reduction standards for metals, the percentage reduction in emissions (%R_{metal}) is computed using the following formula:

$$\%R_{\text{metal}} = \frac{(E_i - E_o)}{(E_i)} \times 100$$

Where:

- %R_{metal} = percentage reduction of metal emission (Pb, Cd, or Hg) achieved;
- E_i = metal emission concentration (Pb, Cd, or Hg) measured at the control device inlet, corrected to 7 percent oxygen (dry basis); and
- E_o = metal emission concentration (Pb, Cd, or Hg) measured at the control device outlet, corrected to 7 percent oxygen (dry basis).

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (11)]

III.A.29. Test Procedures – Mercury: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(b) and 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *Biohazardous Waste Incineration Facility:* EPA Methods 101A or 29, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Hospital/Medical/Infectious Waste Incinerator:* EPA Method 29 of 40 CFR 60 Appendix A, with a minimum of three (3) test runs conducted under representative operating conditions and a minimum sampling time of one (1) hour per test run. If the permittee selects the percentage reduction standards for metals, the percentage reduction in emissions (%R_{metal}) is computed using the following formula in Condition III.A.28.(2). **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (11)]**

III.A.30. Test Procedures – Cadmium: All emissions tests performed pursuant to this permit shall comply with the following procedures: **[PBC-BWIF Ordinance, Rules 62-204.800(8)(b) and 62-297.401, F.A.C., and 40 CFR 60.56c]**

- (1) *Biohazardous Waste Incineration Facility:* EPA Methods “Modified 5” or 29, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling

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time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**

- (2) *Hospital/Medical/Infectious Waste Incinerator*: EPA Method 29 of 40 CFR 60 Appendix A, with a minimum of three (3) test runs conducted under representative operating conditions and a minimum sampling time of one (1) hour per test run. If the permittee selects the percentage reduction standards for metals, the percentage reduction in emissions (%Rmetal) is computed using the following formula in Condition III.A.28.(2). **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1), (2), and (11)]**

- III.A.31. Test Procedures – Chromium: EPA Methods “Modified 5” or 29, with a minimum of three test runs conducted under representative operating conditions and a minimum sampling time of one hour unless otherwise indicated. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- III.A.32. Test Procedures – Sulfur Dioxide: EPA Methods 6 or 6C with a minimum of three (3) test runs conducted under representative operating conditions and a minimum sampling time of one (1) hour per test run. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rules 62-297.310(7)(a) and 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1) and (2)]**
- III.A.33. Test Procedures – Nitrogen Oxides: EPA Methods 7, 7A, 7B, 7C, 7D, or 7E with a minimum of three (3) test runs conducted under representative operating conditions and a minimum sampling time of one (1) hour per test run. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rules 62-297.310(7)(a) and 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(1) and (2)]**
- III.A.34. Test Procedures – Sample Locations and Number of Traverse Points: EPA Method 1 shall be used to select the sampling location and number of traverse points. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(3)]**
- III.A.35. Test Procedures – Oxygen Concentrations: EPA Methods 3 or 3A shall be used for gas composition analysis, including measurement of oxygen concentration and shall be used simultaneously with each reference method. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(4)]**
- III.A.36. Test Procedures – Oxygen Corrections: When required, pollutant concentrations shall be adjusted to 7 percent oxygen using the following equation:

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

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.

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)(5)]

- III.A.37. Test Procedures – Bypass Stack Usage: The use of the bypass stack during a performance test shall invalidate the performance test. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS**COMPLIANCE ASSURANCE MONITORING**

III.A.38. Initial Compliance Demonstrations: The permittee demonstrated compliance with the Emission Limitations and Standards for a Hospital/Medical/Infections Waste Incinerator in accordance with the Test Methods and Procedures of this permit on February 19-21, 2001. This included the following pollutants:

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

[Rules 62.296.401(4)(e), F.A.C., and 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(b)]

III.A.39. 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:

- (1) *Biohazardous Waste Incineration Facility:* Visible Emissions, Carbon Monoxide, Particulate Matter, Hydrochloric Acid, Cadmium, Chromium, Lead, Mercury and Dioxins. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Incinerator/Biological Waste Incineration Facility:* Visible Emissions, Carbon Monoxide, Particulate Matter, and Hydrochloric Acid. **[Rules 62-296.401(4)(e)2., F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator:* The permittee shall determine compliance with the PM, CO, and HCL emission limits by conducting annual performance test (no more than 12 months following the previous performance test) using the applicable procedures and test methods. If all three performance tests over a 3-year period indicate compliance with the emission 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 emission 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 emission limit, a performance test for that pollutant shall be conducted until all annual performance tests over a 3-year period indicate compliance with the emission limit. The use of the bypass stack during a performance test shall invalidate the performance test. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(c)(1) and (2)]**

{Permitting note: The annual testing requirements of the PBC-BWIF Ordinance are more stringent than those of the Emission Guidelines and annual compliance testing for CO, PM and HCL will remain in effect.}

III.A.40. Renewal Compliance Demonstrations: Regardless of the method of operation, the permittee shall conduct a formal compliance test 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:

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

- (1) *Biohazardous Waste Incineration Facility*⁽¹⁾: Carbon monoxide (CO) content of the exhaust flue gas; and Opacity of the exhaust flue gas. **[Not Federally Enforceable, PBC-BWIF Ordinance]**
- (2) *Incinerator/Biological Waste Incineration Facility*: Secondary (or last) combustion chamber exit temperature. **[Rule 62-296.401(4), F.A.C.]**
- (3) *Hospital/Medical/Infectious Waste Incinerator*: Facilities using a CEMS to demonstrate compliance with any of the emission limits under 40 CFR 60.52c shall
 - (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 (not including startup, shutdown, or malfunction).
 - (b) Operate all CEMS in accordance with the applicable procedures under 40 CFR part 60, Appendices B and F.

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(c)(4)]

{Permitting note ⁽¹⁾ – The Health Department does not require Opacity CEMS on the emissions unit since it is equipped with a wet scrubber.}

III.A.42. 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 (wet scrubber), 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(8)(b), F.A.C., and 40 CFR 60.56c(d)(1) and (2)]

III.A.43. Compliance Assurance: Except as provided in Condition III.A.44. of this permit, the following activities shall constitute a violation of the specific emission limitation:

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- (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(8)(b), F.A.C., and 40 CFR 60.56c(f)(1) thru (6)]

- III.A.44.** 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.43.** of this permit. **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.56c(h)]**
- III.A.45.** Repeat Performance Testing Prior to 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(8)(b), F.A.C., and 40 CFR 60.56c(j)]**

MONITORING REQUIREMENTS

- III.A.46.** 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 except during periods of startup and shutdown. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.57c(a)]**
- III.A.47.** Bypass Duct Monitoring: The permittee 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. **[Rule 62-204.800(8)(b), F.A.C. and 40 CFR 60.57c(b)]**
- III.A.48.** 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(8)(b), F.A.C., and 40 CFR 60.57c(d)]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS**REPORTING AND RECORDKEEPING REQUIREMENTS**

III.A.49. 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 pollutant listed in 40 CFR 60.52c 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.49.(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.49.(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.
- (7) *Operator Review Training Records*: Records showing the names of HMIWI operators who have completed review of the information in Condition **III.A.56** as required by Condition **III.A.57**, 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.56** and the dates of their qualification; and
- (10) *Monitoring Device Calibration Records*: Records of calibration of any monitoring devices as required under Conditions **III.A.46 & III.A.47** of this permit.

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.58c(b)]

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

III.A.50. Initial Reports: The permittee shall submit the following information within 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 60.56(b)(1) through (b)(12), as applicable.
- (2) The values for the site-specific operating parameters established under Condition **III.A.42**.
- (3) The waste management plan as specified in Condition **III.A.55**.

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.58c(c)(1) thru (3)]

III.A.51. Semiannual Reports: The permittee shall submit a semiannual report as specified by Condition **III.A.52**. 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.49.(3) thru (5)** for the period being reported.
- (5) Any information recorded under Conditions **III.A.49.(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.49.(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.

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

III.A.52. Semiannual Report Submittal: The permittee shall submit semiannual reports containing any information recorded under Conditions **III.A.49.(3) thru (5)** and the information required under Condition **III.A.51**, 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.50**. 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(8)(b), F.A.C., and 40 CFR 60.58c(e)]**

III.A.53. Record Maintenance: All records specified in Condition **III.A.49**, 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(8)(b), F.A.C., and 40 CFR 60.58c(f)]**

WASTE MANAGEMENT PLANS

III.A.54. 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. However, BWIFs shall

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conduct emission compliance tests for these pollutants at least once in each five-year period of operation.

Minimum standards for an acceptable waste minimization and segregation program

Requirements for an acceptable program shall include but not 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.

[Not Federally Enforceable - PBC-BWIF Ordinance]

III.A.55. Hospital/Medical/Infectious Waste Incinerator: The permittee shall operate in accordance with the waste management plan submitted in **June 2000**.

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.55c]

OPERATOR TRAINING AND QUALIFICATION REQUIREMENTS

III.A.56. Incinerator/Biological Waste Incineration Facility Requirements: The permittee shall ensure that the following requirements are met and maintained:

- (1) Each operator of the unit shall successfully complete a training program meeting the requirements of 40 CFR 60.53c 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.
- (2) The content of the training program shall be approved by the Florida Department of Environmental Protection (FDEP) and shall:
- (3) Provide a basic understanding of the principles of the combustion process, provide instruction on proper operating practices and procedures, and increase awareness of regulation requirements and
 - (a) Safety concerns; and
 - (b) Shall be a minimum of 16 hours of instruction.

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- (4) A copy of the training certificate for each operator having satisfactorily completed the Department-approved training program was submitted to the Permitting Authority within 15 days of training. The permittee shall submit copies of the operator training certificates within 15 days after completion of the initial compliance test.

[Rule 62-296.401(4)(c), F.A.C., 40 CFR 60.53c, and Air Construction Permit 0990119-005-AC]

{Permitting note(s): The FDEP shall approve training programs which meet, at a minimum, the criteria set forth in the EPA Medical Waste Incinerator Operator Training Program Course Handbook EPA 453/B-93-018 and Instructor's Guide EPA 453/B-93-019.}

- III.A.57.** 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(8)(b), F.A.C., and 40 CFR 60.53c(a)]**

- III.A.58.** 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.59.** and **III.A.60.** **[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.53c(b)]**

- III.A.59.** Hospital/Medical/Infectious Waste Incinerator -- Training Program: The permittee shall ensure that the operators receive the following 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(8)(b), F.A.C., and 40 CFR 60.53c(c)]

- III.A.60.** 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.59.**; 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.

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- (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.60.(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.59**.

[Rule 62-204.800(8)(b), F.A.C., and 40 CFR 60.53c(d), (e), (f), and (g)]

III.A.61. Hospital/Medical/Infectious Waste Incinerator, Documentation: The permittee shall maintain documentation at the facility that addressed 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(8)(b), F.A.C., and 40 CFR 60.53c(h)]

III.A.62. Hospital/Medical/Infectious Waste Incinerator-- Review Program: The permittee shall have established a program for reviewing the information listed in Condition **III.A.61**. 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(8)(b), F.A.C., and 40 CFR 60.53c(i)]

III.A.63. Hospital/Medical/Infectious Waste Incinerator, Review Program: The permittee shall keep the information required by Condition **III.A.61**. 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(8)(b), F.A.C., and 40 CFR 60.53c(j)]**

PBC-BWIF ORDINANCE REQUIREMENTS (NOT FEDERALLY ENFORCEABLE)

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III.A.64. General Provisions for Licensing: The permittee shall comply with the following requirements of Article X, Section 11-234 of the PBC-BWIF Ordinance:

- (1) Receive and maintain an initial letter of approval for any new or modified Biohazardous Waste Incineration Facility (BWIF) and an annual license from the Palm Beach County Health Department (PBCHD) to operate an air pollution source in the county. Failure to meet these requirements shall constitute a violation of this article.
- (2) Renew the license on an annual basis. The BWIF license shall expire at the end of the calendar year.
- (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) An annual renewal license may be issued to all BWIFs which meet the requirements listed herein below:
 - (a) The BWIFs are in compliance with this article.
 - (b) The BWIFs provide quarterly CEM data summary reports to the Health Department.
 - (c) The BWIFs meet all applicable emission standards.
 - (d) The BWIFs pay the renewal license fee.

{Permitting note(s): 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. A fee is not required for this source pursuant to the Health Department's SOA with Department of Environmental Protection.}
- (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 Federally Enforceable, Article X, Section 11-234, PBC-BWIF Ordinance]

III.A.65. 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:

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- (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, in accordance with the approved EPA ‘Guidance on Air Quality Models’ (EPA 540/2-78-027). On a case-by-case basis, the Health Department may approve alternate models.
- (3) Air dispersion modeling parameters shall include, but not be limited to:
 - (a) Receptor location and affected population.
 - (b) Selection of full meteorological conditions.
 - (c) Building and terrain influence.
 - (d) Short- and long-term impact.
 - (e) Actual emission compliance test data and pollutant emission rates must be used for the incinerator operating input parameters.
 - (f) 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:

$$PAC = (PC) \times (0.025)$$

- (3) The predicted ambient concentration (PAC) for a pollutant must be less than the corresponding acceptable ambient concentrations (AAC) listed below.

Acceptable Ambient Concentrations (AAC)

Air Pollutant	AAC ($\mu\text{g}/\text{m}^3$)	Reference
Heavy Metals		
Cadmium	5.6×10^{-4}	Federal Register; Vol 56, No.35, Appendix V – Risk Specific Doses
Chromium	8.3×10^{-5}	
Lead	0.9	Federal Register; Vol 56, No.35, Appendix IV – Reference Air Concentrations
Mercury	0.3	
Dioxins	2.2×10^{-8}	Federal Register; Vol 56, No.35, Appendix V – Risk Specific Doses

Note: Since the health risk associated with these concentrations is 1 in 10,000, 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.

[Not Federally Enforceable, Article X, Section 11-237, PBC-BWIF Ordinance]

- III.A.66.** 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

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

procedures necessary to ensure accurate, precise, and valid data for the monitoring equipment at each site. **[Not Federally Enforceable, Article X, Section 11-238, PBC-BWIF Ordinance]**

III.A.67. 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 CEM 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 Federally Enforceable, Article X, Section 11-239, PBC-BWIF Ordinance]

FEDERAL NEW SOURCE PERFORMANCE STANDARDS

III.A.68. Federal NSPS Requirements: The following appendices identify the applicable portions of the regulations and are included.

- (1) Appendix NSPS-A, General Provisions.
- (2) Appendix NSPS-Ec, Standards of Performance for Hospital/Medical/Infectious Waste Incinerators.

[Air construction permit No. 0990119-005-AC]

III.A.69. 40 CFR Part 60, Subpart A: The permittee shall comply with the following applicable requirements of the General Provisions:

- (1) *Applicability*. 40 CFR 60.1(a), (b), and (c).
- (2) *Definitions*. 40 CFR 60.2.
- (3) *Units and Abbreviations*. 40 CFR 60.3.
- (4) *Address*. 40 CFR 60.4 (a) and (b)(K) and as specified in Condition Nos. **II.A.7.** and **II.A.8.** of this permit.
- (5) *Determination of Construction or Modification*. 40 CFR 60.5 (a) and (b).
- (6) *Review of Plans*. 40 CFR 60.6(c).
- (7) *Notification and Record Keeping*. 40 CFR 60.7, except (a)(1)-(3).
- (8) *Performance Tests*. 40 CFR 60.8, except (a).
- (9) *Compliance with Standards and Maintenance Requirements*. 40 CFR 60.11.
- (10) *Circumvention*. 40 CFR 60.12.
- (11) *Monitoring Requirements*. 40 CFR 60.13.
- (12) *Modification*. 40 CFR 60.14, except (h)-(l).
- (13) *Reconstruction*. 40 CFR 60.15.
- (14) *Incorporations by Reference*. 40 CFR 60.17.

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(15) *General Notification and Reporting Requirements.* 40 CFR 60.19.

(16) *Appendices*

- (a) Appendix A To Part 60—Test Methods
- (b) Appendix B—Performance Specifications
- (c) Appendix C To Part 60—Determination Of Emission Rate Change
- (d) Appendix F To Part 60—Quality Assurance Procedures

III.A.70. 40 CFR Part 60, Subpart Ec: The permittee shall comply with the following applicable requirements:

- (1) Applicability and Delegation of Authority. 40 CFR 60.50c(a) and (h).
- (2) Definitions. 40 CFR 60.51c.
- (3) Emission Limits. 40 CFR 60.52c(b).
- (4) Operating Training and Qualification Requirements. 40 CFR 60.53c.
- (5) Waste Management Plan. 40 CFR 60.55c.
- (6) Compliance and Performance Testing. 40 CFR 60.56c(a); (b), except (b)(12); (c), except (c)(3); (f); (h); and (j).
- (7) Monitoring Requirements. 40 CFR 60.57c (a), (b), and (d).
- (8) Reporting and Recordkeeping Requirements. 40 CFR 60.58c, except (a), (b)(2)(ii) & (iv)-(vii), (xv), and (b)(7).
- (9) Table 1 to Subpart Ec – Emission Limits for Large HMIWI.

Pollutant	Units (7 percent oxygen, dry basis)	Emission limits
Particulate matter	Milligrams per dry standard cubic meter (grains per dry standard cubic foot).	34 (0.015)
Carbon monoxide	Parts per million by volume	40
Dioxins/ furans	Nanograms per dry standard cubic meter total dioxins/furans (grains per billion dry standard cubic feet) Or Nanograms per dry standard cubic meter TEQ (grains per billion dry standard cubic feet).	25 (11) or 0.6 (0.26)
Hydrogen chloride	Parts per million by volume or percent reduction	15 or 99%
Sulfur dioxide	Parts per million by volume	55
Nitrogen oxides	Parts per million by volume	250
Lead	Milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction.	0.07(0.03) or 98%
Cadmium	Milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction.	0.04 (0.02) or 90%
Mercury	Milligrams per dry standard cubic meter (grains per	0.55 (0.24)

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Pollutant	Units (7 percent oxygen, dry basis)	Emission limits
	thousand dry standard cubic feet) or percent reduction.	or 85%

(10) Table 2 to Subpart Ec - 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

(11) Table 3 to Subpart Ec - Operating Parameters to be Monitored and Minimum Measurement and Recording Frequencies

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	Continuous	1 x minute
or amperage to wet scrubber.		
Minimum scrubber liquor flow rate.	Continuous	1 x minute
Minimum scrubber liquor pH.	Continuous	1 x minute

III.A.71. Common Conditions: This emissions unit is also subject to **Specific Conditions III.B.1 through III.B.23.** contained in **Subsection B. Common Conditions.**

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SUBSECTION B. COMMON CONDITIONS

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

<u>E.U. ID No.</u>	Status	Brief Description
002	Regulated	Simonds #AF-3C Incinerator with a Heat Recovery Steam Generator

- III.B.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.B.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.B.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.B.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.B.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.B.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

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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.B.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.B.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.B.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.B.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.B.11 Calibration of Sampling Equipment: Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1. **[Rule 62-297.310(4)(d), F.A.C.]**

Table 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	Micrometer	+/-0.001"

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Table 297.310-1 Calibration Schedule			
Item	Minimum Calibration Frequency	Reference Instrument	Tolerance
	when nicked, dented, or corroded Max. deviation between readings		mean of at least three readings .004"
Dry Gas Meter and Orifice Meter	Full Scale: When received, When 5% change observed, Annually 1. One Point: Semiannually 2. Check after each test series	Spirometer or calibrated wet test or dry gas test meter Comparison check	2% 5%

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

III.B.14 Waiver of Compliance Test Requirements: If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply. **[Rule 62-297.310(7)(c), F.A.C.]**

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

III.B.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.]**

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- III.B.17 Test Reports: The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information: **[Rule 62-297.310(8)(c), F.A.C.]**
- (a) The type, location, and designation of the emissions unit tested.
 - (b) The facility at which the emissions unit is located.
 - (c) The owner or operator of the emissions unit.
 - (d) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 - (e) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission-limiting standard.
 - (f) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 - (g) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 - (h) The date, starting time, and duration of each sampling run.
 - (i) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 - (j) The number of points sampled and configuration and location of the sampling plane.
 - (k) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 - (l) The type, manufacturer, and configuration of the sampling equipment used.
 - (m) Data related to the required calibration of the test equipment.
 - (n) Data on the identification, processing, and weights of all filters used.
 - (o) Data on the types and amounts of any chemical solutions used.
 - (p) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 - (q) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 - (r) All measured and calculated data required to be determined by each applicable test procedure for each run.
 - (s) The detailed calculations for one run that relate the collected data to the calculated emission rate.
 - (t) The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
 - (u) A certification that, to the knowledge of the owner or his authorized agent, all data submitted are 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.

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- III.B.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.B.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.B.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.]**

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

Abbreviations and Acronyms:

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

Citations:

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

Code of Federal Regulations:

Example: **[40 CFR 60.334]**

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

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

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

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

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

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 0990221

Where:

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

Permit Numbers:

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

Where:

- AC = Air Construction Permit
- AV = Air Operation Permit (Title V Source)
- 099 = 3-digit number code identifying the facility is located in Palm Beach County
- 0221 = 4-digit number assigned by permit tracking database
- 001 or 002 = 3-digit sequential project number assigned by permit tracking database

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

Where:

- PSD = Prevention of Significant Deterioration Permit
- PA = Power Plant Siting Act Permit
- AC = old Air Construction Permit numbering

**SECTION IV. Appendix H
Permit History**

Permit History (for tracking purposes)

E.U. ID No.	Description	Permit No.	Issue Date	Expiration Date	Type of permit
-001	Simonds Model AF5 Natural Gas Fired Incinerator -- SHUTDOWN --	0990119-001-AC	08/05/1996	08/05/1997	Construction
-002	Simonds #AF-3C Incinerator with a Heat Recovery Steam Generator	0990119-002-AO	08/13/1996	08/15/1998	Operation
		0990119-003-AO	06/05/1998	06/05/2003	Operation
		0990119-004-AV	01/17/2002	01/17/2007	Initial TV
		0990119-005-AC	03/24/2003	03/24/2004	Construction
		0990119-006-AV	10/07/2003	10/06/2008	TV Revision

**SECTION IV. Appendix I
List of insignificant Emission Units and/or Activities**

The equipment and activities listed below are exempt pursuant to Rules 62-213.430(6), 62-210.300 and 62-4.040, F.A.C. and are considered to emit insignificant amounts of air pollution.

EU ID No.	EU Description	Activities/Equipment
003	Steam Generators	<p>Three (3) 6.5 mmBtu/hr Natural Gas Fired Units with Distillate Oil as Back-up. (Rule 62-210.300(3)(a) 34., F.A.C.)</p> <p>Any individual fossil fuel steam generator and hot water generating unit with a rated heat input equaling 100 million BTU per hour or less and burning annually n more than 150 million standard cubic feet of natural gas or no more than one million gallons of fuel oil containing no more than 0.05 percent sulfur, or an equivalent prorated amount if multiple fuels are used, provided:</p> <p>a. The total annual fuel consumption for <u>all</u> units exempted by Rules 62-210.300(3)(a)34.,F.A.C.,at a facility does not exceed 375 million standard cubic feet f natural gas r 2.5 million gallons of propane r 2.5 million gallons fuel oil containing no more than 0.05 percent sulfur, 290,000 gallons of fuel oil with a sulfur content not exceeding 0.5 percent by weight, or 145,000 gallons of fuel oil with a sulfur content not exceeding 1.0 percent by weight ; or an equivalent prorated amount if multiple fuels are used and;</p> <p>b. The unit is n t subject to the Federal Acid Rain Program or any unit specific applicable requirement.</p>
004	Internal Combustion Engines	<p>Emergency Generators (Rule 62-210.300(3) (a) 35., F.A.C.)</p> <p>Total fuel consumption by all such emergency generators within the facility is limited to 32,000 gallons per year f diesel fuel or 4.4 million standard cubic feet of natural gas.</p>
005	Surface Coating Operations	<p>Non-RACT Coating Activities (Rule 62-210.300(3)(a) 27., F.A.C.)</p> <p>Surface coating operations within a single facility if the total quantity of coatings containing greater than 5.0 percent VOCs, by volume, used is 6.0 gallons per day or less, averaged monthly, provided:</p> <p>a. Such operations are not subject to any unit specific applicable requirement; and</p> <p>b. The amount of coatings used shall include any solvents and thinners used in the process including those used for cleanup.</p>

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.

Appendix U
List of Unregulated Emissions Units and/or Activities.

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

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

EU Description	Activities/Equipment
Miscellaneous Natural Gas Combustion Activities	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.
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.

SECTION IV. – Appendix S

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

E.U. ID No. Brief Description

-002 Simonds #AF-3C Incinerator with a Heat Recovery Steam Generator

			Allowable Emissions			Equivalent Emissions*			
Pollutant Name	Fuel(s)	Hours/Year	Standards	lbs./hr	TPY	lbs./hr	TPY	Regulatory Citation(s)	See permit condition(s)
Chromium	NG/HMI	8760	8.3 X 10 ⁻⁵ µg/m ³ (Ambient Air)	-	-	2.3 x 10 ⁻⁴	5.0 X 10 ⁻⁵	PBC BWIF Ordinance	III.A.10.
Sulfur Dioxide	NG/HMI	8760	55 ppmvd @ 7% O ₂	-	-	0.63	2.76	40 CFR 60.52c(a)	III.A.11.
Nitrogen Oxides	NG/HMI	8760	250 ppmvd @ 7% O ₂	-	-	2.06	9.02	40 CFR 60.52c(a)	III.A.12.
Visible Emissions	NG/HMI	8760	5% Opacity (6-min.)	-	-	-	-	PBC-BWIF Ordinance	III.A.13.(1)
			≤20% Opacity (3 min/hr)	-	-	-	-	PBC-BWIF Ordinance	III.A.13.(1)
			<30% Opacity (All Times)	-	-	-	-	PBC-BWIF Ordinance	III.A.13.(1)
			5% Opacity (6-min.)	-	-	-	-	Rule 62-296.401(1)(a), F.A.C.	III.A.13.(2)
			<15% Opacity (6 min/hr)	-	-	-	-	Rule 62-296.401(1)(a), F.A.C.	III.A.13.(2)
≤10% Opacity (6-min.)	-	-	-	-	40 CFR 60.52c(c)	III.A.13.(3)			
Carbon Monoxide	NG/HMI	8760	≤100 ppmvd @ 7% O ₂	-	-	0.50	2.2	PBC-BWIF Ordinance	III.A.14.(1)
			≤100 ppmvd @ 7% O ₂	-	-	0.50	2.2	Rule 62-296.401(4)(d)3, F.A.C.	III.A.14.(2)
			≤40 ppmvd @ 7% O ₂	-	-	0.20	0.88	40 CFR 60.52c(a)	III.A.14.(3)
Particulate Matter	NG/HMI	8760	0.03 gr/dscf @ 7% O ₂	-	-	0.38	1.68	PBC-BWIF Ordinance	III.A.15.(1)
			0.03 gr/dscf @ 7% O ₂	-	-	0.38	1.68	Rule 62-296.401(4)(b)2, F.A.C.	III.A.15.(2)
			0.015 gr/dscf @ 7% O ₂	-	-	0.19	0.84	40 CFR 60.52c(a)	III.A.15.(3)
Hydrochloric Acid	NG/HMI	8760	≤4 lb/hr or 90% Reduction	4	8.8	4	17.52	PBC-BWIF Ordinance	III.A.16.(1)
			≤4 lb/hr or 90% Reduction	4	8.8	4	17.52	Rule 62-296.401(4)(b)2, F.A.C.	III.A.16.(2)
			15 ppmvd @ 7% O ₂ or 99% Reduction	-	-	0.098	0.428	40 CFR 60.52c(a)	III.A.16(3)
Dioxins/Furans	NG/HMI	8760	2.2 X 10 ⁻⁸ µg/m ³ (Ambient Air)	-	-	6.0 X 10 ⁻⁸	1.3 X 10 ⁻⁷	PBC-BWIF Ordinance	III.A.17.(1)
			25 ng/dscm or 11gr/bdscf OR 0.6 ng/dscm TEQ (0.26 gr/bdscf TEQ) @ 7% O ₂	-	-	1.4 X 10 ⁻⁷	6.2 X 10 ⁻⁷	40 CFR 60.52c(a)	III.A.17.(2)

SECTION IV. – Appendix S

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

Lead	NG/HMI	8760	0.9 µg/m ³ (Ambient Air) 0.07 mg/dscm or 0.03 gr/kdscf @ 7% O ₂ or 98% Reduction	-	-	2.4 3.8 X 10 ⁻⁴	5.4 1.7 X 10 ⁻³	PBC-BWIF Ordinance 40 CFR 60.52c(a)	III.A.18.(1) III.A.18.(2)
Mercury	NG/HMI	8760	0.3 µg/m ³ (Ambient Air) 0.55 mg/dscm or 0.24 gr/kdscf @ 7% O ₂ or 85% Reduction	-	-	0.8 3.0 X 10 ⁻³	1.82 1.3 X 10 ⁻²	PBC-BWIF Ordinance 40 CFR 60.52c(a)	III.A.19.(1) III.A.19.(2)
Cadmium	NG/HMI	8760	5.6 X 10 ⁻⁴ µg/m ³ (Ambient Air) 0.04 mg/dscm or 0.02 gr/kdscf @ 7% O ₂ or 90% Reduction	-	-	1.5 X 10 ⁻³ 2.2 X 10 ⁻⁴	3.4 X 10 ⁻³ 9.5 X 10 ⁻⁴	PBC-BWIF Ordinance 40 CFR 60.52c(a)	III.A.20.(1) III.A.20.(2)

Notes: Emissions estimated based on a design flow of 2,241 dscfm and the stack test results.

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

SECTION IV. Appendix S
Table 2-1: Summary of Compliance Requirements

E.U. ID No. Brief Description

-002 Simonds #AF-3C Incinerator with a Heat Recovery Steam Generator

Pollutant Name or Parameter	Fuels	Compliance Method(s)	Testing Time Frequency	Frequency Base Date ⁽¹⁾	Min. Compliance Test Duration	CMS ⁽²⁾	See permit condition(s)
Visible Emissions	NG/HMIW	EPA Method 9 ⁽³⁾ DEP Method 9 EPA Method 9	A A I & A	02/19/2001	60 minutes 60 minutes 3 hours	(4)	III.A.23., III.A.38., III.A.39, and III.A.40
Particulate Matter	NG/HMIW	EPA Method 5 or 29 EPA Method 5 or 26A EPA Method 5 or 29	A A I, A ⁽⁴⁾ , & R	02/19/2001	3 hours 3 hours 3 hours	(5)	III.A.24., III.A.38., III.A.39, and III.A.40
Carbon Monoxide	NG/HMIW	EPA Method 10 or 10B EPA Method 10 EPA Method 10 or 10B	A A I, A ⁽⁴⁾ , & R	02/19/2001	3 hours 3 hours 3 hours	(6) (7)	III.A.25., III.A.38., III.A.39, and III.A.40
Hydrochloric Acid	NG/HMIW	EPA Method 26 EPA Method 26 or 26A EPA Method 26	A A I, A ⁽⁴⁾ , & R	02/19/2001	3 hours 3 hours 3 hours	(8)	III.A.26., III.A.38., III.A.39, and III.A.40
Dioxins/Furans	NG/HMIW	EPA Method 23 EPA Method 23	A I & R	02/19/2001	3 hours 12 hours	(9)	III.A.27., III.A.38., III.A.39, and III.A.40
Lead	NG/HMIW	EPA Method 12 or 29 EPA Method 29	A I & R	02/19/2001	3 hours 3 hours	(10)	III.A.28, III.A.38., III.A.39, and III.A.40.
Mercury	NG/HMIW	EPA Method 101A or 29 EPA Method 29	A I & R	02/19/2001	3 hours 3 hours	(11)	III.A.29., III.A.38., III.A.39, and III.A.40
Cadmium	NG/HMIW	EPA Method 5 (Modified) or 29 EPA Method 29	A I & R	02/19/2001	3 hours 3 hours	(10)	III.A.30., III.A.38., III.A.39, and III.A.40
Chromium	NG/HMIW	EPA Method 5 (Modified) or 29	A	02/19/2001	3 hours		III.A.31. and III.A.39.
Sulfur Dioxide	NG/HMIW	EPA Method 6 or 6C	I & R	04/10/2001	3 hours		III.A.32, III.A.38., and III.A.40.
Nitrogen Oxides	NG/HMIW	EPA Method 7, 7A-7E	I & R	04/10/2001	3 hours		III.A.33., III.A.38., and III.A.40
Sample Locations & Traverse Points	NG/HMIW	EPA Method 1	As Required	As Required	As Required		III.A.34.

SECTION IV. Appendix S
Table 2-1: Summary of Compliance Requirements

E.U. ID No. Brief Description

-002 Simonds #AF-3C Incinerator with a Heat Recovery Steam Generator

Pollutant Name or Parameter	Fuels	Compliance Method(s)	Testing Time Frequency	Frequency Base Date ⁽¹⁾	Min. Compliance Test Duration	CMS ⁽²⁾	See permit condition(s)
Oxygen	NG/HMIW	EPA Method 3 or 3A	As Required	As Required	As Required		III.A.35.

Notes:

- (1) The Frequency base date is established for planning purposes only, see Rule 62-297.310, F.A.C.
- (2) CMS [=] continuous monitoring system
- (3) Annual testing is required under the PBC-BWIF Ordinance.
- (4) For units equipped with a wet scrubber, the Health Department has waived the requirement to have an opacity monitor.
- (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. Appendix NSPS-A
40 CFR 60 Subpart A – General Conditions (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.

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
<i>°C—degree Celsius (centigrade)</i>	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
$^{\circ}\text{F}$ —degree Fahrenheit	psig—pounds per square inch gage
ft—feet	$^{\circ}\text{R}$ —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	N_2 —nitrogen
CO—carbon monoxide	NO—nitric oxide
CO_2 —carbon dioxide	NO_2 —nitrogen dioxide
HCl—hydrochloric acid	NO_x —nitrogen oxides
Hg—mercury	O_2 —oxygen
H_2O —water	SO_2 —sulfur dioxide
H_2S —hydrogen sulfide	SO_3 —sulfur trioxide
H_2SO_4 —sulfuric acid	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.

[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:

- (1) A notification of the date construction (or reconstruction as defined under § 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
- (2) [Reserved]
- (3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
- (4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in § 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
- (5) 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.

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

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.

- (a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- (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.
- (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 concurrently 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.

- (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-quest 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.
- (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 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.

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- (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.
 - (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 alter-native, 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:
 - (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 (Diocetyl 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.
 - (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)(iii).
- (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 post-marked 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.

- (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]

SECTION IV. Appendix NSPS-Ec
40 CFR Part 60 Subpart Ec (applicable requirements)

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

§ 60.50c Applicability and delegation of authority.

(a) Except as provided in paragraphs (b) through (h) of this section, the affected facility to which this subpart applies is each individual hospital/medical/infectious waste incinerator (HMIWI) for which construction is commenced after June 20, 1996 or for which modification is commenced after March 16, 1998.

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

§ 60.51c Definitions.

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.

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 dibenzoparadioxins and dibenzofurans, as measured by EPA Reference Method 23.

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.

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.

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,

$$C = PV \cdot 15,000 / 8,500$$

Where:

C=HMIWI capacity, lb/hr

PV=primary chamber volume, ft³

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

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

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.

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 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 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, or dioxin/furan emission 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.

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.

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 non-vaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

§ 60.52c Emission limits.

(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 from the stack of that affected facility any gases that exhibit greater than 10 percent opacity (6-minute block average).

§ 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.

§ 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 paper, cardboard, plastics, glass, battery, or metal recycling; or 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 emission 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.

§ 60.56c Compliance and performance testing.

(a) The emission limits under this subpart apply at all times except during periods of startup, shutdown, or malfunction, provided that no hospital waste or medical/infectious waste is charged to the affected facility during startup, shutdown, or malfunction.

(b) The owner or operator of an affected facility shall conduct an initial performance test as required under § 60.8 to determine compliance with the emission limits using the procedures and test methods listed in paragraphs (b)(1) through (b)(12) of this section. 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 or 3A of appendix A of this part shall be used for gas composition analysis, including measurement of oxygen concentration. EPA Reference Method 3 or 3A of appendix A of this part shall be used simultaneously with each reference method.

(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 or 29 of appendix A of this part shall be used to measure the particulate matter emissions.

(7) EPA Reference Method 9 of appendix A of this part shall be used to measure stack opacity.

(8) EPA Reference Method 10 or 10B of appendix A of this part shall be used to measure the CO emissions.

(9) EPA Reference Method 23 of appendix A of this part shall be used to measure total dioxin/furan emissions. The minimum sample time shall be 4 hours per test run. If the affected facility has selected the toxic equivalency standards for dioxin/furans, under § 60.52c, the following procedures shall be used to determine compliance:

(i) Measure the concentration of each dioxin/furan tetra-through octacongener 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.

(10) EPA Reference Method 26 of appendix A of this part shall be used to measure HCl emissions. If the affected facility has selected the percentage reduction standards for HCl under § 60.52c, the percentage reduction in HCl emissions ($\%RHCl$) is computed using the following formula:

$$\%RHCl = (E_i - E_o) / E_i \times 100$$

Where:

$\%RHCl$ = percentage reduction of HCl emissions achieved;

E_i=HCl emission concentration measured at the control device inlet, corrected to 7 percent oxygen (dry basis); and

E_o=HCl emission concentration measured at the control device outlet, corrected to 7 percent oxygen (dry basis).

(11) EPA Reference Method 29 of appendix A of this part shall be used to measure Pb, Cd, and Hg emissions. If the affected facility has selected the percentage reduction standards for metals under § 60.52c, the percentage reduction in emissions (%R_{metal}) is computed using the following formula:

$$\%R_{\text{metal}} = (E_i - E_o) / E_i \times 100$$

Where:

%R_{metal}=percentage reduction of metal emission (Pb, Cd, or Hg) achieved;

E_i=metal emission concentration (Pb, Cd, or Hg) measured at the control device inlet, corrected to 7 percent oxygen (dry basis); and

E_o=metal emission concentration (Pb, Cd, or Hg) measured at the control device outlet, corrected to 7 percent oxygen (dry basis).

(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) Determine compliance with the PM, CO, and HCl emission 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 emission 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 emission 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 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. The use of the bypass stack during a performance test shall invalidate the performance test.

(4) Facilities using a CEMS to demonstrate compliance with any of the emission limits under § 60.52c shall:

(i) 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 (not including startup, shutdown, or malfunction).

(ii) Operate all CEMS in accordance with the applicable procedures under appendices B and F of this part.

(f) Except as provided in paragraph (h) 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 (except during startup, shutdown, or malfunction) shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd and Hg emission limits.

(h) The owner or operator of an affected facility may conduct a repeat performance test within 30 days of violation of applicable operating parameter(s) to demonstrate that the affected facility is not in violation of the applicable emission limit(s). Repeat performance tests conducted pursuant to this paragraph shall be conducted using the identical operating parameters that indicated a violation under paragraph (e), (f), or (g) of this section.

(j) 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.

§ 60.57c Monitoring requirements.

(a) 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 of this subpart 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 except during periods of startup and shutdown.

(b) 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 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.

§ 60.58c Reporting and recordkeeping requirements.

(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);

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

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

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

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

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

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

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

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

(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 emission limits and/or to establish operating parameters, as 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), (b), and (c).

(c) The owner or operator of an affected facility shall submit the information specified in paragraphs (c)(1) through (c)(3) 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)(12), as applicable.

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

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

(d) An annual report shall be submitted 1 year following the submission 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 (d)(8) 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) or (i), 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) or (i), 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) or (i) 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.

(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.

TABLE 2 TO SUPBART EC—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—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	X	X	X
Maximum fabric filter inlet temperature	Continuous	1-minute	X		X
Maximum flue gas temperature	Continuous	1-minute	X	X	
Minimum operating parameters					
Minimum secondary chamber temperature	Continuous	1-minute	X	X	X
Minimum dioxin/furan sorbent flow rate	Hourly	1-hour	X		X
Minimum HCl sorbent flow rate	Hourly	1-hour	X		X
Minimum mercury (Hg) sorbent flow rate	Hourly	1-hour	X		X
Minimum pressure drop across the wet scrubber or minimum horsepower or amperage to wet scrubber	Continuous	1-minute		X	X
Minimum scrubber liquor flow rate.	Continuous	1-minute		X	X
Minimum scrubber liquor pH	Continuous	1-minute		X	X

SECTION IV. – Appendix TV-6
Title V Conditions (version dated 06/23/06)

Chapter 62-4, F.A.C.

1. **Not federally enforceable. General Prohibition.** Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, constructed, expanded, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated there under. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.
[Rule 62-4.030, Florida Administrative Code (F.A.C.); and, Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable. Procedures to Obtain Permits and Other Authorizations; Applications.**
 - (1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.
 - (2) All applications and supporting documents shall be filed in quadruplicate with the Department.
 - (3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except, when the application is for renewal of an air pollution operation permit at a non-Title V source as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.
 - (4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.
 - (5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.
 - (b) When an application is received without the required fee, the Department shall acknowledge receipt of the application and shall immediately notify the applicant by certified mail that the required fee was not received and advise the applicant of the correct fee. The Department shall take no further action until the correct fee is received. If a fee was received by the Department which is less than the amount required, the Department shall return the fee along with the written notification.
 - (c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.
 - (d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.
 - (e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.
 - (6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.
 - (7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application for the same time duration except for modification under Chapter 62-45, F.A.C.
[Rule 62-4.050, F.A.C.]

3. **Standards for Issuing or Denying Permits.** Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.
[Rule 62-4.070(7), F.A.C.]

SECTION IV. – Appendix TV-6
Title V Conditions (version dated 06/23/06)

4. Modification of Permit Conditions.

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

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

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

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

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

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

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

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

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

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

6. Suspension and Revocation.

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

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

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

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

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

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

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

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

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

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

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

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Title V Conditions (version dated 06/23/06)

8. Transfer of Permits.

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

(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.

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

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

(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

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

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

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

10. For purposes of notification to the Department pursuant to Condition No. 9., Condition No. 12.(8), and Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of 40 CFR 70.6(a)(3)(iii)(B), "prompt" shall have the same meaning as "immediately". **[also, see Conditions Nos. 9. and 12.(8).]**

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

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

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

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

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

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

(3) As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal

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rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

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

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

(6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

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

(a) Have access to and copy any records that must be kept under conditions of the permit;

(b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

(c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

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

(a) A description of and cause of noncompliance; and

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

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

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

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

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

(14) The permittee shall comply with the following:

(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

(b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The person responsible for performing the sampling or measurements;
3. The dates analyses were performed;
4. The person responsible for performing the analyses;
5. The analytical techniques or methods used;
6. The results of such analyses.

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

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

13. Construction Permits.

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

(a) A completed application on forms furnished by the Department.

(b) An engineering report covering:

1. Plant description and operations,
2. Types and quantities of all waste material to be generated whether liquid, gaseous or solid,
3. Proposed waste control facilities,
4. The treatment objectives,
5. The design criteria on which the control facilities are based, and
6. Other information deemed relevant.

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

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

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

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

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

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

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

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

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

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

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

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

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C.,

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and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-210, F.A.C.

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

(1) Air Construction Permits.

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

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

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

a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;

b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; and

c. Any change in a permit limitation or requirement that originates from a permit issued pursuant to 40 CFR 52.21, Rule 62-204.800(11)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or Rule 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under Rule 62-204.800(11)(d)2., Rule 62-212.400 or Rule 62-212.500, F.A.C., as appropriate.

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

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

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

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

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;

2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.

3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.

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

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

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

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

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

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

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

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

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

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

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

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

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

20. **Emissions Unit Reclassification.**

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

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

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

21. **Transfer of Air Permits.**

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

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

[Rule 62-210.300(7), F.A.C.]

22. **Public Notice and Comment.**

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

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

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

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

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

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

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

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1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
 2. A 30-day period for submittal of public comments; and
 3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
 2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
 2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.
- (c) The notice shall identify:
1. The facility;

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2. The name and address of the office at which processing of the permit occurs;
3. The activity or activities involved in the permit action;
4. The emissions change involved in any permit revision;
5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;
6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;
7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and
8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

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

23. Administrative Permit Corrections.

- (1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
 - (a) Typographical errors noted in the permit;
 - (b) Name, address or phone number change from that in the permit;
 - (c) A change requiring more frequent monitoring or reporting by the permittee;
 - (d) A change in ownership or operational control of a facility, subject to the following provisions:
 1. The Department determines that no other change in the permit is necessary;
 2. The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
 3. The new permittee has notified the Department of the effective date of sale or legal transfer.
 - (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
 - (f) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
 - (g) Any other similar minor administrative change at the source.
- (2) Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- (3) After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.
- (4) For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

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

24. Emissions Computation and Reporting.

- (1) **Applicability.** This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.
- (2) **Computation of Emissions.** For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.
 - (a) **Basic Approach.** The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions

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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,

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provided all stack tests used shall represent the same operational and physical configuration of the unit.

- b. Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
- c. The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.

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

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

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

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

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

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

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

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

25. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

26. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by accessing the Division's website at www.dep.state.fl.us/air. The requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department's electronic application form.

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

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

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

(b) Reserved.

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

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

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

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Chapter 62-213, F.A.C.

27. Responsible Official.

- (1) Each Title V source must identify a responsible official on each application for Title V permit, permit revision, and permit renewal. For sources with only one responsible official, this is how the Title V source designates the responsible official.
- (2) Each Title V source may designate more than one responsible official, provided a primary responsible official is designated as responsible for the certifications of all other designated responsible officials. Any action taken by the primary responsible official shall take precedence over any action taken by any other designated responsible official.
- (3) Any facility initially designating more than one responsible official or changing the list of responsible officials must submit a Responsible Official Notification Form (DEP Form No. 62-213.900(8)) designating all responsible officials for a Title V source, stating which responsible official is the primary responsible official, and providing an effective date for any changes to the list of responsible officials. Each individual listed on the Responsible Official Notification Form must meet the definition of responsible official given at Rule 62-210.200, F.A.C.
- (4) A Title V source with only one responsible official shall submit DEP Form No. 62-213.900(8) for a change in responsible official.
- (5) No person shall take any action as a responsible official at a Title V source unless designated a responsible official as required by this rule, except that the existing responsible official of any Title V source which has a change in responsible official during the term of the permit and before the effective date of this rule may continue to act as a responsible official until the first submittal of DEP Form No. 62-213.900(8) or the next application for Title V permit, permit revision or permit renewal, whichever comes first.

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

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

(1)(g) If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to \$50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

(1)(i) Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.

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

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

29. Reserved.

30. Reserved.

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

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

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

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

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

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

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

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

- (1) Permitted sources may change among those alternative methods of operation;
 - (2) A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
 - (a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
 - (b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
 - (3) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.
- [Rule 62-213.410, F.A.C.]

34. Immediate Implementation Pending Revision Process.

- (1) Those permitted Title V sources making any change that constitutes a modification pursuant to the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to 42 USC 7412(a) or to 40 CFR 52.01, 60.2, or 61.15, adopted and incorporated by reference at Rule 62-204.800, F.A.C., may implement such change prior to final issuance of a permit revision, provided the change:
 - (a) Does not violate any applicable requirement;
 - (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
 - (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
 - (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and which the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.
- (2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its

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application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

- (3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action on the operation permit revision application until all the requirements of Rules 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.
- (4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit. If any terms and conditions of the new or revised construction permit have not been complied with prior to the issuance of the draft operation permit revision, the operation permit shall include a compliance plan in accordance with the provisions of Rule 62-213.440(2), F.A.C.
- (5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.
- (6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

35. Permit Applications.

(1) **Duty to Apply.** For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, F.A.C., and Rules 62-4.050(1) through (3), F.A.C.

(a) **Timely Application.**

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) **Complete Application.**

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change(s) from the currently effective Title V permit and any other requirements that become applicable at the time of application. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4., F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

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

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supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

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

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

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. (**also, see Condition No. 50.**)

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

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

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

38. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate. No Title V permit will be issued for a new term except through the renewal process.

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

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

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

(i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).

(ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

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(iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

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

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

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

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

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

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

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

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

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

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

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

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

42. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

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

43. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.

[Rule 62-213.440(1)(b)3.a., F.A.C.]

44. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., deviations from permit requirements, including those attributable to upset conditions as

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defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.

[Rule 62-213.440(1)(b)3.b., F.A.C.]

45. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(1)(b)3.c, F.A.C.]

46. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.

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

47. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity.

[Rule 62-213.440(1)(d)3., F.A.C.]

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

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

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

[Rule 62-213.440(1)(d)5., F.A.C.]

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

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

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

a. Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and

b. Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.

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

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

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

52. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency,

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the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.

[Rule 62-213.460, F.A.C.]

53. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

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

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

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

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

Chapter 62-256, F.A.C.

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

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

Chapter 62-281, F.A.C.

55. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

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

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

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Chapter 62-296, F.A.C.

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

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

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

57. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

3. Reasonable precautions include the following:

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

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

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

STATEMENT OF BASIS

Facility ID No.: **0990119**
Boca Raton Community Hospital
Title V Operation Permit Renewal
Draft Permit No.: 0990119-007-AV

This Title V Air Operation Permit Renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The subject of this permit is the renewal of Title V Air Operation Permit 0990119-006-AV. The facility is located at 800 Meadows Road, Boca Raton, Palm Beach County, Florida. UTM Coordinates: Zone 17; 589.51 km E; 2915.67 km N; Latitude 26° 21' 29.72" North and Longitude: 80° 06' 10.40" West.

The Title V Source includes a Simonds #AF-3C Incinerator (with a Heat Recovery Steam Generator) to burn Hospital/Medical/Infectious Waste, Fossil-Fuel Fired Steam Generating Units, Emergency Power Generators, Fuel Oil Storage Tanks, and Surface Coating Operations. Of these units, only the incinerator is considered regulated and the remaining activities have been identified as either unregulated or insignificant.

The incinerator is subject to 40 CFR 60 Subpart Ec "Standards of Performance for Hospital/Medical/Infectious Waste Incinerators." Steam generating units, emergency generators and surface coating operations are considered insignificant since they are categorically exempt according to Rule 62-210.300(3)(a), F.A.C.

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 facility is classified as a natural-minor source under the Prevention of Significant Deterioration (PSD) program. Potential emissions of criteria pollutants from the source are limited below the 250 ton per year – a major source threshold of the PSD program -- by a federally enforceable construction permit (0990119-005-AC).

CAM does not apply.

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

Based on the Title V Air Operation Permit Renewal application received April 04, 2008, this facility is not a major source of hazardous air pollutants (HAPs).