



Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
Secretary

JUNE 4, 2007
ELECTRONIC CORRESPONDENCE

Mr. Radu Alexander Damian, Director
Field Operations and Maintenance Area
South Florida Water Management District
3301 Gun Road Club
West Palm Beach, FL 33046

Re: Title V Air Operation Permit Revision
PROPOSED Permit Project No.: 0990349-004-AV
Pump Station S-5A

Dear Mr. Damian:

One copy of the "PROPOSED Determination" for the revision of a Title V Air Operation Permit for the Pump Station S-5A located at 20700 State Road 80 in Palm Beach County, is enclosed. This letter is only a courtesy to inform you that the DRAFT Permit has become a PROPOSED Permit.

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

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

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Permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Laxmana Tallam at 561-355-3136, ext 1142.

Sincerely,

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

Enclosures

copy furnished to:



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PROPOSED Determination

Title V Air Operation Permit Revision
PROPOSED Permit Project No.: 0990349-004-AV
Page 1 of 1

I. Public Notice.

An “INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION” to **South Florida Water management District** for the **Pump Station S-5A** located at 20700 State Road 80 in Palm Beach County, Florida was clerked on **March 16, 2007**.

The “PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION” was published in the **The Palm Beach Post** on **May 02, 2007**. The DRAFT Permit was available for public inspection at the **Palm Beach County Health Department in West Palm Beach**. Proof of publication of the “PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION” was received on **May 09, 2007**.

II. Public Comment(s).

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

III. Conclusion.

Since there were no comments received during the Public Notice period, no changes were made to the DRAFT Permit and the permitting authority hereby issues the PROPOSED Permit.

**South Florida Water Management District
Pump Station S-5A
Facility ID No.: 0990349
Palm Beach County, Florida**

TITLE V AIR OPERATION PERMIT REVISION

PROPOSED Permit Project No. 099-0349-004-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 Revision

PROPOSED Permit No. 099-0349-004-AV

Table of Contents

SECTION	PAGE No.
Title Page	i
Table of Contents	ii
Placard Page	1
SECTION I. Facility Information	2
A. Facility Description	2
B. Emissions Units Summary	3
C. Relevant Documents	3
SECTION II. Facility-Wide Conditions	4
SECTION III. Emissions Unit Specific Conditions	
A. EU-001: Six (6) diesel engines each powering an emergency flood control pump and two emergency generators.	7
B. Four (4) 25,000-gallon above-ground fuel oil storage tanks	12
C. Common Conditions	13
SECTION IV. Appendices	
Appendix A: Lists of Abbreviations, Acronyms, Rule Citation Formats, and Identification Formats.	A-1
Appendix D: Fuel Monitoring Plan	D-1
Appendix H: Permit History and Summary of Identification Number Transfer	H-1
Appendix I: List of Insignificant Emissions Units and/or Activities	I-1
Appendix U: List of unregulated emission units/activities	U-1
Appendix CP: Compliance Plan	CP-1
Appendix S: Summary of Air Pollutant Standards and Terms (Table 1-1) and Compliance Requirements (Table 2-1)	S-1
APPENDIX TV-6: TITLE V CONDITIONS version dated 06/23/2006	TV-6



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Secretary

PERMITTEE

South Florida Water Management District
3301 Gun Road Club
West Palm Beach, FL 33046

PROPOSED Permit No.: 099-0349-004-AV

Facility ARMS ID No.: 0990349

SIC Nos.: 9511

Project: Pump Station S-5A, Title V Air
Operation Permit Revision

Responsible Official:

Mr. Radu Alexander Damian, Director
Field Operations and Maintenance Area

The purpose of this permit is to revise the Title V Air Operation Permit, No. 0990349-002-AV. The permit revision is to incorporate the conditions of the permit no. 0990349-003-AC. The facility is located at 20700 State Road 80 in Palm Beach County, Florida. UTM Coordinates: UTM Coordinates: Zone 17; 562.860 km E; 2951.577 km N; Latitude: 26° 41' 02" North / Longitude: 80° 22' 05" West.

This Title V Air Operation Permit Revision 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 CP: Compliance Plan
Appendix D: Fuel Monitoring Plan
Appendix I: Insignificant Emissions Units and/or Activities
Appendix U: List of unregulated emission units/activities
Appendix TV-6: Title V Conditions (version dated 06/23/06)

Effective Date: **[PROPOSED]**

Renewal Application Due Date: **April 19, 2008**

Expiration Date: **October 16, 2008**

P R O P O S E D

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

SECTION I – SUMMARY INFORMATION

SUBSECTION A. FACILITY DESCRIPTION

The Title V Source, identified as Pump Station S-5A (SIC Code 9511), has been assigned AIRS ID No. 0990349. It is located at 20700 State Road 80 in Palm Beach County, Florida. UTM Coordinates: Zone 17; 562.860 km E; 2951.577 km N; Latitude: 26° 41' 02" North / Longitude: 80° 22' 05" West.

Station is located along the West Palm Beach Canal, immediately east of Twenty Mile Bend, and midway between West Palm Beach and Belle Glade.

The Title V Source includes six (6) diesel fired pump engines, two (2) emergency power generators (535 hp each), and four (4) 25,000 gallon dual storage tanks and a gasoline storage/distribution system (pump & one 4,000-gallon gasoline underground storage tank). The pumps are Fairbanks-Morse 166 inch horizontal propeller pumps designed to move 800 cubic feet of water per second at 11.1 feet of static head. The diesel engines are 10 cylinder, opposed piston, 1600 horsepower, Fairbanks-Morse Model No. 38D8-1/8-1600 hp engines.

The facility is classified as a synthetic-minor source under the Prevention of Significant Deterioration (PSD) program and a natural minor source under the Hazardous Air Pollutant 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 (099-0349-003-AC).

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	Regulated	<p>Six (6) 1600 horsepower (hp) Fairbanks-Morse diesel engine/pump combinations.</p> <p><i>These six diesel engine can operate on a mixture of natural gas (approximately 80 %*) and low sulfur distillate oil (approximately 20 %*) or entirely on low-sulfur distillate oil (0.05% S). During low-sulfur fuel curtailment episodes, the engines can also operate on standard No. 2 distillate (0.5% S).</i></p> <p>This unit also contains two (2) 535 hp diesel engines powering two Cummins emergency electrical generators.</p> <p><i>The emergency generators are capable of combusting distillate oil only.</i></p>
002	Unregulated	Volatile Organic Liquid Storage Tanks – Four (4) 25,000 gallon aboveground storage tanks.

* The 80/20- fuel ratio is a manufacturer's estimate and, therefore, is subject to change in the field calibrations.

SECTION I – SUMMARY INFORMATION**SUBSECTION C. RELEVANT DOCUMENTS**

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

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:Title V Operating Permit

Initial Title V Permit (0990349-001-AV) issued May 01, 1998
Title V Permit Renewal (0990349-002-AV) issued October 17, 2003
Air Construction permit (0990349-003-AC) issued March 21, 2006
Title V Permit Revision application received June 24, 2005
Title V Draft Permit (004-AV) issued March 16, 2007
Intent to Issue Published May 02, 2007

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s), 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. **[Rule 62-213.430(3), F.A.C.]**
- II.A.13.** Appendix CP, Compliance Plan, is a part of this permit.
[Rules 62-213.405 and 62-213.440, F.A.C.]
- II.A.14** Appendix D, Fuel Monitoring Plan, is a part of this permit.
[Air Construction permit no. 0990349-003-AC]

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

SUBSECTION A, THIS SECTION ADDRESSES THE FOLLOWING EMISSIONS UNITS.

EU ID No.	Status	Brief Description
001	Regulated	<p>Six (6) 1600 horsepower (hp) Fairbanks-Morse diesel engine/pump combinations.</p> <p><i>These six diesel engine can operate on a mixture of natural gas (approximately 80 %*) and low sulfur distillate oil (approximately 20 %*) or entirely on low-sulfur distillate oil (0.05% S). During low-sulfur fuel curtailment episodes, the engines can also operate on standard No. 2 distillate (0.5% S).</i></p> <p>This unit also contains two (2) 535 hp diesel engines powering two Cummins emergency electrical generators.</p> <p><i>The emergency generators are capable of combusting distillate oil only.</i></p>

Emissions Unit(s) Details:

Six 1600 bhp diesel engines power a flood control pump station. Each engine is a 10-cylinder, opposed piston, 1600 bhp Fairbanks Morse Model No. 38D8-1/8-1600 bhp. Each flood control pump is a Fairbanks Morse 116 inch horizontal propeller pump rated at 800 cubic feet of water per second at 11.1 feet of static head.

The facility proposes to modify the six diesel engines to allow dual fuel firing at a ratio of approximately 80% natural gas and 20% distillate oil (Grade No. 2). These engines also have the ability to burn 100% distillate oil.

The emission unit is not subject to the regulations of 40 CFR 60 Subpart IIII “ Stationary Compression Ignition (CI) Internal Combustion Engines (ICE)”.

The facility also operates two (2) emergency power generators (535 hp each), and four (4) 25,000 gallon dual storage tanks and a gasoline storage/distribution system (pump & one 4,000-gallon gasoline underground storage tank).

The emergency generators operate only on distillate fuel oil.

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 emission unit in excess of the following without prior authorization from the Permitting Authority:

- Maximum Heat input:** The total heat input for the six pump engines and the two emergency generators included in this emission unit shall not exceed 155,880 million BTU in any consecutive 365-day period.
- Heat Input Modifications:** If the Nitrogen Oxides (NOx) emission factor measured during the emissions factor verification tests (see Specific Condition III.A.12) exceeds 3.2 lb/MMBTU, the permittee shall calculate and immediately implement a new heat input cap which adequately maintains the facility’s potential emissions below the PSD Major Source threshold. If applicable, within 90 days of completion of emission factor verification testing, the permittee shall submit a construction permit application to PBCHD to make the new heat cap federally enforceable.

[Air Construction Permit 0990349-003-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:

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

(a) Pump Engines. The Six (6) 1600 horsepower (hp) Fairbanks-Morse diesel engine/pump combinations are allowed to fire either:

- a mixture of natural gas (approximately 80%) and low sulfur distillate oil (approximately 20%). The 80/20- fuel ratio is a manufacturer's estimate and, therefore, is subject to change in the field calibrations, or
- low-sulfur distillate oil (0.05% S or less), or
- the temporary use of distillate fuel with higher Sulfur content (up to 0.5 % wt.) will be allowed as specified in Specific Condition III.A.4.

(b) Emergency Generators: The two 535 hp diesel engines powering two Cummins emergency electrical generators are allowed to fire either:

- low-sulfur distillate oil (0.05% S or less).
- the temporary use of distillate fuel with higher Sulfur content (up to 0.5 % wt.) will be allowed as specified in Specific Condition III.A.4

[Air Construction Permit 0990349-003-AC]

III.A.3. Hours of Operation: The permittee is authorized to operate the emissions units continuously. The hours of operations of the each emergency generator shall not exceed 500 hours in any calendar year.
[Air Construction Permit 0990349-003-AC and Rule 62-210.200, F.A.C.]

{Permitting note: Compliance with the emission limit discussed above results in the NOx emissions of 249.5 tpy and will ensure that the facility does not operate as a major PSD source of air pollutants}.

EMISSION LIMITATIONS AND STANDARDS

III.A.4. Fuels: At no time, other than that specified below, shall the permittee knowingly use a distillate fuel with a sulfur content higher than 0.05 % by weight in any of the stationary internal combustion engines located at this facility. The temporary use of distillate fuel with higher sulfur content (up to 0.5 % wt.) will be allowed when either the supply of low sulfur fuel is deemed unavailable by the Florida Department of Environmental Protection (FDEP), or when a state of emergency is declared by the Governor's Office.

To avoid possible interruptions in operations, the permittee may begin using No.2 distillate fuel oil with a sulfur content of up to 0.5% by weight in all the permitted emission units upon notification of the fuel unavailability to the Florida Department of Environmental Protection. The permittee may continue to combust this higher-sulfur (0.5 % wt.) distillate fuel until such time as the state of emergency designation issued by the Governor is rescinded or until the low-sulfur (0.05% wt.) distillate fuel is deemed available by FDEP. For 12 months following the end of the emergency order, the restoration of low sulfur fuel availability, or the post-delivery discovery of unauthorized fuel load with a sulfur content above 0.05% by weight, the permittee will be allowed to combust the higher sulfur (up to 0.5%) distillate fuel that remains in the fuel tanks after as long as blending with low sulfur distillate is implemented as soon as practicable to meet the low sulfur standard. After this 12-month period, the fuel sulfur content in each storage tank shall be no higher than 0.05%. Extension to this compliance schedule will be considered on a case-by-case basis.

[Air Construction Permit 0990349-003-AC]

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.5. 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: **[62-297.401, F.A.C.]**
- (a) *EPA Method 1*, Sampling and Velocity Traverses for Stationary Sources **[Rule 62-297.401(1)(a), F.A.C.]**;
 - (b) *EPA Method 2*, Determination of Stack Gas Velocity and Volumetric Flow Rate **[Rule 62-297.401(2), F.A.C.]**;
 - (c) *EPA Method 3*, Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight **[Rule 62-297.401(3), F.A.C.]**;
 - (d) *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.]**;
 - (e) *EPA Method 4*, Determination of Moisture Content in Stack Gases **[Rule 62-297.401(4), F.A.C.]**;
 - (f) *EPA Method 7*, Determination of Nitrogen Oxide Emissions from Stationary Sources **[Rule 62-297.401(7), F.A.C.]**;
 - (g) *EPA Method 7E*, Determination of Nitrogen Oxide Emissions from Stationary Sources (Instrumental Analyzer Procedure) **[Rule 62-297.401(7)(e), F.A.C.]**;
 - (h) *EPA Method 9*, Visual Determination of the Opacity of Emissions from Stationary Sources **[Rule 62-297.401(9)(a), F.A.C.]**.
- III.A.6. Fuel Oil Sulfur Content:** All fuel oil sulfur content tests performed pursuant to the requirements of this permit shall be determined using ASTM D129-91, ASTM D2662-94, or ASTM D4294-90, Rule 62-297.440(1)(h), (1)(i), or (1)(j), F.A.C. Copies of the documents are available from ASTM. **[Air Construction Permit 09900349-003-AC]**
- III.A.7. Test Procedures - Visible Emissions:** All emissions tests performed pursuant to EPA Method 9 and the minimum period of observation for a compliance test shall be thirty (30) 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. **[Air Construction Permit 0990349-003-AC]**
- III.A.8. 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. The applicant can request PBCHD to approve an alternative testing method (i.e. combustion analyzer). If alternative testing methodology is requested, the permittee shall submit to PBCHD a testing protocol at least 30 days prior to the date of the test. The alternative testing methods shall comply with the Relative Accuracy requirements of 40 CFR 60, Appendix B - Performance Specification 2 or equivalent performance certification procedures. **[Air Construction Permit 0990349-003-AC]**
- #### COMPLIANCE ASSURANCE MONITORING
- III.A.9 Fuel Oil Sulfur Content:** The permittee shall monitor the fuel sulfur content in accordance with the most recently approved fuel monitoring plan. Compliance with the post-shortage sulfur limit of the fuel in the storage tanks can be demonstrated by either direct fuel sampling of the storage tank or through calculation of fuel sulfur content of the fuel mixture using fuel delivery records and mass balance. **[Air Construction Permit 0990349-003-AC]**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

- III.A.10. Special Compliance Tests:** When the Health 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 Rule 62-210, 62-212, 62-296, or 62-297, F.A.C. or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the facility to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions units and to provide a report on the results of said tests to the Health Department. **[Rule 62-297.310(7)(a)9., F.A.C.]**

{Permitting Note: The emissions units have been exempted from the NOx-RACT requirements of Rule 62-296.500(4)(b)7., F.A.C. by the Florida Department of Environmental Protection in a letter dated December 13, 1996 from Mr. C. Fancy, Bureau Chief, FDEP. In addition, the emissions units have avoided the requirements of BACT of Rule 62-212.300(5)(c), F.A.C. by accepting a federally enforceable cap on annual heat input. The Health Department reserves the right to request a special compliance test for emissions of nitrogen oxides in the event new data indicates that potential emissions would exceed 250 tons per year. }

- III.A.11. Annual Heat Input:** The permittee shall monitor compliance with the annual heat input limit on a monthly basis. The fuel heating value needed to demonstrate compliance with the annual heat input limit of the fuel in the storage tanks can be obtained by either direct fuel sampling of the storage tank fuel or through calculation of the heating value of the distillate fuel using fuel delivery records and mass balance. Records of natural gas heating value can be obtained from the utilities company.

If the rolling 12-month total does not exceed 104,040 MMBTU, the permittee shall continue monitor heat input on a monthly basis (rolling 12-month total). If the rolling 12-month total exceeds 104,040 MMBTU, the permittee shall monitor heat input on a daily basis (rolling 365-day total). When the rolling 365-day total does not exceed 104,040 MMBTU, for 30 consecutive days, monthly monitoring can be resumed. **[Construction Permit No. 0990349-003-AC]**

- III.A.12. Emission Factor Verification:** The NOx emission factors used to establish the heat input cap (cap factors) shall be verified by stack testing of at least one of the six (6) 1600 horsepower pump engines. The emission factor verification tests will be conducted while the emission units operate on the natural gas/distillate fuel mixture. The proposed testing protocol shall address the following items:

- proposed test date
- sampling locations
- the total number of tests per engine
- the duration of each test run
- operating parameters during testing (i.e. engine operating loads, heat input monitoring)
- testing methods
- quality assurance provisions
- data analysis procedures

{Permitting Note: The permittee submitted the test protocol on June 14, 2006. The NOx emission factor verification test was not conducted as of this proposed permit issuance date}

The Palm Beach County Health Department will evaluate all the data collected from the emission factor verification tests in order to establish the minimum emission monitoring requirements (i.e. frequency, testing methodology, etc.) that will be incorporated into the Title V operating permit. The minimum emission monitoring requirements shall provide reasonable assurance that the potential emissions of nitrogen oxides from this facility do not exceed the PSD synthetic minor threshold of 250 tpy under any operating conditions (i.e. operating load, fuel type, etc.).

None of the emission factor verification requirements shall apply to the emergency generators.
[Construction Permit No. 099-0349-003-AC]

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

REPORTING AND RECORDKEEPING REQUIREMENTS

III.A.13 Record Keeping Requirements:

- (a) For monthly heat input monitoring (the rolling 12-month total does not exceed 104,040 MMBTU.): Within the first 15 days of each month, the permittee shall record in a written log the following information:
- (1) Gallons of No. 2 distillate fuel consumed by all the engines in this emission unit for the previous month of operation (gal);
 - (2) Average heating value of the distillate fuel consumed by all the engines in this emission unit for the previous month of operation (BTU/gal);
 - (3) Standard cubic feet of natural gas consumed by all the engines in this emission unit for the previous month of operation (SCF);
 - (4) Average heating value of the natural gas consumed by all the engines in this emission unit for the previous month of operation (BTU/SCF);
 - (5) Combined heat input (MMBTU) from all fuels to all the engines in this emission unit for the previous month of operation.
 - (6) Combined heat input (MMBTU from all fuels) to all the engines in this emission unit for the previous 12 months of operation.
- [Air Construction Permit No. 099-0349-003-AC]**
- (b) For daily heat input monitoring (the rolling 12-month total does exceed 104,040 MMBTU): Once per day, the permittee shall record in a written log the following information:
- (1) Gallons of No. 2 distillate fuel consumed by all the engines in this emission unit for the previous day of operation (gal);
 - (2) Average heating value of the distillate fuel consumed by all the engines in this emission unit for the previous day of operation (BTU/gal);
 - (3) Standard Cubic feet of natural gas consumed by all the engines in this emission unit for the previous day of operation (SCF);
 - (4) Average heating value of the natural gas consumed by all the engines in this emission unit for the previous day of operation (BTU/SCF);
 - (5) Combined heat input (MMBTU) to all the engines in this emission unit for the previous day of operation.
 - (6) Combined heat input (MMBTU) to all the engines in this emission unit for the previous 364 days of operation.
- (c) Fuel Heating Value: The permittee shall maintain records of the fuel heating value from the respective fuel suppliers. The monthly and/or daily heat input calculations shall be based on the most recently available heating values for each type of fuel. All records shall be kept for a minimum period of 5 years.
- (d) For fuel sulfur content: The permittee shall maintain all fuel sulfur monitoring records in accordance with the most recently approved fuel-monitoring plan. All records shall be kept for a minimum period of 5 years.

[Air Construction Permit 0990349-003-AC]

SECTION III EMISSION UNIT SPECIFIC CONDITIONS

III.A.15. Reporting Requirements

The following reporting requirements shall only apply in cases where the supply of low-sulfur fuel is interrupted:

Upon receiving initial notification of the unavailability of low-sulfur (0.05 % wt.) distillate fuel from the fuel supplier, or the declaration of a state of emergency by the Governor's Office, the permittee shall notify the Florida Department of Environmental Protection and the Palm Beach County Health Department by telephone, fax, or e-mail. A written notification shall be submitted within three (3) working days to the Florida Department of Environmental Protection – Division of Air Resources Management, Bureau of Air Regulation at 2600 Blair Stone Road, MS #5505, Tallahassee, FL 32399-2400. The notification shall provide all the relevant facts associated with the disruption in the delivery of low sulfur fuel including the estimated amount of low sulfur fuel on site, the projected fuel consumption requirements for each station, the anticipated duration of the low sulfur fuel supply interruption. The permittee shall also include any proposed changes to the regular monitoring, recordkeeping and reporting requirement resulting from the curtailment. Copies of all fuel unavailability notifications shall be submitted to the Palm Beach County Health Department. [Air Construction Permit 0990349-003-AC]

COMMON CONDITIONS

III.A.16. Common Conditions: This emissions unit is also subject to **Specific Conditions III.C.1. through III.C.20.** contained in **Subsection C. Common Conditions.**

SECTION III EMISSION UNIT SPECIFIC CONDITIONS**GROUP B. This portion of the permit addresses the following group of emissions units:**

EU ID No.	EMISSIONS UNIT DESCRIPTION
002	UNREGULATED Four (4) 25,000-gallon above-ground fuel oil storage tanks

OPERATING RESTRICTIONS

III.B.1 Permitted Capacity: The permittee shall not allow, cause, suffer, or permit the capacity of Emissions Unit 002 in excess of the following without prior authorization from the Permitting Authority:

- (a) Storage Capacity: The permittee is authorized to operate each tank up to a maximum storage capacity of 25,000 gallons. **[Air Construction Permit 0990349-003-AC]**

III.B.2 Methods of Operation: The permittee shall not allow, cause, suffer or permit any change in the method of operation of Emissions Unit 002 without prior authorization from the Permitting Authority. The authorized methods of operation include the following:

(a) Fuel Type(s): During normal operations, only low sulfur (0.05% S wt.) distillate oil shall be stored in each tank. Upon notification to the Florida Department of Environmental Protection, the permittee may store No.2 distillate fuel oil with a sulfur content of up to 0.5% by weight in each tank during episodes of unavailability of low sulfur distillate. For 12 months following the end of the low sulfur fuel shortage or the post-delivery discovery of unauthorized fuel load with a sulfur content above 0.05% by weight, the permittee will be allowed to combust the higher sulfur (up to 0.5%) distillate fuel that remains in the fuel tanks after as long as blending with low sulfur distillate is implemented as soon as practicable to meet the low sulfur standard. After this 12-month period, the fuel sulfur content in each storage tank shall be no higher than 0.05%. Extension to this compliance schedule will be considered on a case-by-case basis.

(b) Fuel Vapor Pressure: The storing and handling of any volatile organic liquids within the units with a maximum true vapor pressure less than or equal to 15.0 kPa (2.176 psi) at normal ambient temperatures. **[Air Construction Permit 0990349-003-AC]**

III.B.3 Hours of Operation: The permittee is authorized to operate the units continuously. **[Air Construction Permit 0990349-003-AC]**

COMPLIANCE DEMONSTRATIONS AND MONITORING

III.B.4 Operating Parameters: The permittee shall implement the following monitoring requirements to ensure compliance with the Specific Condition III.B.2:

- (a) Volatile Organic Liquid Types: For each fuel delivery, the permittee shall monitor and record the date, time, quantity, heating value and the sulfur content of the delivered fuel. **[Air Construction Permit 0990349-003-AC]**

SECTION III COMMON CONDITIONS**SUBSECTION C. 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
001	Regulated	<ul style="list-style-type: none"> • Six (6) 1600 horsepower (hp) Fairbanks-Morse diesel engine/pump combinations. • Two (2) 535 hp diesel engines powering two Cummins emergency electrical generators.

III.C.1 Required Number of Test Runs: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. **[Rule 62-297.310(1), F.A.C.]**

III.C.2 Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. **[Rule 62-297.301(2), F.A.C.]**

III.C.3 Permitted Capacity: Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. **[Rule 62-297.310(2)(b), F.A.C.]**

III.C.4 Calculation of Emission Rate: The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. **[Rule 62-297.310(3), F.A.C.]**

III.C.5 Required Sampling Time: Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes. **[Rule 62-297.310(4)(a)1, F.A.C.]**

III.C.6 Opacity Compliance Tests: When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

- (a) For batch, cyclical processes, or other operations, which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

SECTION III COMMON CONDITIONS

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

III.C.7 **Minimum Sample Volume:** Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet. **[Rule 62-297.310(4)(b), F.A.C.]**

III.C.8 **Required Flow Rate Range:** For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained. **[Rule 62-297.310(4)(c), F.A.C.]**

III.C.9 **Allowed Modification to EPA Method 5:** When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube. **[Rule 62-297.310(4)(e), F.A.C.]**

III.C.10 **Required Equipment:** The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards. **[Rule 62-297.310(5)(a), F.A.C.]**

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

Table 297.310-1 Calibration Schedule			
Item	Minimum Calibration Frequency	Reference Instrument	Tolerance
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. Thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded Max. deviation between readings	Micrometer	+/-0.001" mean of at least three readings .004"
Dry Gas Meter and Orifice Meter	Full Scale: When received, When 5% change observed,	Spirometer or calibrated wet test or dry gas test meter	2%

SECTION III COMMON CONDITIONS

Table 297.310-1 Calibration Schedule			
Item	Minimum Calibration Frequency	Reference Instrument	Tolerance
	Annually 1. One Point: Semiannually 2. Check after each test series	Comparison check	5%

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

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

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

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

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

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

- (a) The type, location, and designation of the emissions unit tested.
- (b) The facility at which the emissions unit is located.
- (c) The owner or operator of the emissions unit.

SECTION III COMMON CONDITIONS

- (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.

III.C.18 Recordkeeping: The permittee shall ensure that all records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses. **[Rule 62-213.440(1)(b)2.a., F.A.C.]**

III.C.19 Record Retention: The permittee shall retain records of all monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. **[Rule 62-213.440(1)(b)2.b., F.A.C.]**

SECTION III COMMON CONDITIONS

III.C.20 Alternate Sampling Procedure: The owner or operator of any emissions unit subject to the provisions of this chapter may request in writing a determination by the Secretary or his/her designee that any requirement of this chapter (except for any continuous monitoring requirements) relating to emissions test procedures, methodology, equipment, or test facilities shall not apply to such emissions unit and shall request approval of an alternate procedures or requirements. The request shall set forth the following information, at a minimum:

- (a) Specific emissions unit and permit number, if any, for which exception is requested.
- (b) The specific provision(s) of this chapter from which an exception is sought.
- (c) The basis for the exception, including but not limited to any hardship which would result from compliance with the provisions of this chapter.
- (d) The alternate procedure(s) or requirement(s) for which approval is sought and a demonstration that such alternate procedure(s) or requirement(s) shall be adequate to demonstrate compliance with applicable emission limiting standards contained in the rules of the Department or any permit issued pursuant to those rules.

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

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.

SECTION IV. Appendix A

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

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

APPENDIX D. FUEL MONITORING PLAN

For this facility, compliance with fuel oil sulfur content limits shall be determined as follows:

For each load of fuel delivered to the facility, the permittee shall either:

- A) obtain a copy of the fuel analysis from the fuel supplier. Methods for determining the fuel sulfur content of the distillate oil shall be ASTM Method D 129-91, D 1552, D2622-94, D 4294-90 or comparable Department approved method. Records shall specify the test method used. [Rule 62-297.310(7)(c), F.A.C.]
- B) collect a fuel sample to be sent for laboratory analysis based on one of the following methods: ASTM Method D 129-91, D 1552, D2622-94, D 4294-90 or comparable Department approved method. [Rule 62-297.310(7)(c), F.A.C.]

In addition to the requirements specified above, the permittee has agreed to verify fuel supplier's analyses by conducting independent analysis of fuel samples collected randomly from regular fuel shipments using one of the ASTM methods listed above. Random sampling shall be conducted on a quarterly basis on each quarter in which a load of fuel was delivered to the station. Upon demonstration of agreement with vendor certified values for three consecutive quarters for which fuel was delivered to the station, the permittee may reduce the frequency of the random fuel sampling from quarterly to annually. Quarterly random sampling will be resumed if a significant discrepancy between the vendor supplied value and the independent test results is observed. The significance of the discrepancy shall be determined on a case-by-case basis taking into account the accuracy and limitations of the test methods used.

The permittee shall notify the Palm Beach County Health Department within 3 business days of obtaining information (vendor-supplied fuel analysis or independent fuel analyses results) that indicates a sulfur content of the fuel above 0.05%. Notification shall include the following information:

- Reported fuel sulfur content
- Estimate of fuel quantity involved
- Proposed corrective actions to attain compliance with the 0.05% sulfur limit

In order to document continuing compliance with heat input limit, records of the percent sulfur content of all fuel burned and the quantities of fuel burned shall be kept. The basis of these records of sulfur content shall be either as-shipped sulfur content as indicated in the fuel analyses provided by the vendor, laboratory analyses of fuel samples collected by the permittee upon receiving a fuel shipment, or in the case of on-site blending, analyses of a fuel sample from the fuel storage tank(s). Alternatively, the permittee may use fuel delivery records and mass balance to demonstrate compliance of the blended fuel with the post-shortage sulfur limit. The permittee shall document the results of all the random fuel sampling.

All records shall be maintained for a period of 5 years and shall be kept at the South Florida Water Management District main office located at 3301 Gun Club Road, West Palm Beach, Florida 33406. All records shall be available to the Department upon request. [Rules 62-4.070(3) and 62-213.440(1)(b), F.A.C.]

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

Permit History (for tracking purposes)

<u>E.U. ID No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u>	<u>Revised Date(s)</u>
-001	Six (6) Stationary Internal Combustion Engines	099-0349-001-AV	05/01/1998	05/01/2003		
-002	Four (4) 25,000-gallon above-ground fuel oil storage tanks	099-0349-002-AV 099-0349-003-AC	10/17/2003 03/21/2006	10/16/2008 03/20/2007		

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), and 62-4.040(1)(b), F.A.C. and are considered to emit insignificant amounts of air pollution.

BRIEF DESCRIPTION OF EMISSIONS UNIT AND/OR ACTIVITY
Internal Combustion Engines from Vehicles
Heating Units, General Purpose IC Engines and Other Combustion Sources
Degreasing Units (non-HAP solvent)
Asbestos Renovation & Demolition Activities
Non-Halogenated Solvent Storage & Cleaning
Vehicle Refueling Operations and Associated Fuel Storage

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’.

Brief Description of Emissions Units and/or Activity

Four (4) 25,000-gallon above-ground fuel oil storage tanks
One (1) 4,000 gallon gasoline underground storage tank
Architectural Surface Coating Operations
Steam Cleaning Equipment
Belt & Drum Sanders
Brazing, Soldering or Welding Equipment
Petroleum Lubricating System
Fire & Safety Equipment
Fungicide, Herbicide & Pesticide Applications
Abrasive Blasting Activities
Distillate Oil Piping System
Lawn & Ground Maintenance
Paved & Unpaved Roads

Appendix CP Compliance Plan

A compliance plan is required according to Rule 62-213.405, F.A.C., to assure compliance with the Air Construction Permit 0990349-003-AC.

This compliance schedule is for one of the Six Pump Engines.

ACTIVITY	DUE DATE	COMPLETION DATE
Complete Installation	Prior to Expiration of the Construction Permit	
Notify FDEP of Completion of Installation	Prior to Expiration of the Construction Permit	
Notification of Initial Startup	Prior to Expiration of the Construction Permit	
Notification of Initial Emission Test ¹	At least 15 days prior to the date of the test	
Conduct Initial Emission Test ¹	Prior to Expiration of the Construction Permit	
Submit Initial Emission Test Report	No later than 45 days after the last sampling run of the test	

¹ Per specific conditions 1.2, 3.3 and 4.2, Section III, Air Construction Permit 0990349-003-AC, an initial Nitrogen Oxide (NOx) Emissions Test shall be conducted at one of the six 1600-hp pump engines. NOx emissions shall not exceed 3.2 lb/mmBtu/hr. NOx emissions shall be demonstrated by using EPA Method 7, 7A, 7B, 7C, 7D, or 7E, as described in 40 CFR 60, Appendix A, adopted by reference in Rule 62-204.800, F.A.C., and adopted in Rule 62-297.401, F.A.C. The permittee shall act according to the specific condition 1.2 (section III of 0990349-003-AC) If the stack test result exceeds 3.2 lb/mmBtu.

The responsible official shall notify the Department in writing, within 15 days after the date for completion of each milestone, detailing the achievement of compliance, of progress achieved, requirements met or unmet, corrective measures adopted, and an explanation of any measures not met by the completion date for the compliance milestone. The responsible official shall certify that such notice is complete and accurate.

SECTION IV. – Appendix S Summary of Air Pollutant Standards and Terms

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

E.U. ID No.**Brief Description**

-001 Six (6) Internal Combustion Engines and two emergency generators

Pollutant/ Parameter	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standards	lbs./hr	TPY	lbs./hr	TPY		
Sulfur Content	LSDO	8,760	0.05 % by weight	-	-			0990349-003-AC	III.A.2
Heat Content	All fuels	8,760	155,880 mmbtu/yr				NO _x (249.91)	0990349-003-AC	III.A.1
Sulfur Content	DO	When LSDO unavailable	0.5 % by weight	-	-			0990349-003-AC	III.A.2
Notes: LSDO – Low sulfur Distillate Oil									

SECTION IV. Appendix S

Summary of Compliance Requirements

Table 2-1, Summary of Compliance Requirements

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

E.U. ID No. Brief Description

-001 Six (6) Internal Combustion Engines and two emergency generators

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	LSDO	EPA Method 9	(3)	(3)	30 minutes	NA	III.A.7
Nitrogen Oxides	LSDO	EPA Methods 1-4, 7A-7E	(5)	(5)	3 hours	NA	III.A.8 , III.A.10
Fuel Oil Sulfur Content	LSDO	ASTM	Random/Quarterly	(4)	NA	NA	Appendix D
<p>Notes:</p> <ul style="list-style-type: none"> (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) Testing is required only if requested. (4) Testing is required in accordance with fuel monitoring plan in Appendix D. Fuel Vendor Certification shall be acceptable during other periods. (5) Testing for Emission factor verification test shall be conducted if the Health Department has reason to believe that the emission factors are changed. 							

SECTION IV. – Appendix TV-6 Title V Conditions

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

Chapter 62-4, F.A.C.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. Modification of Permit Conditions.

SECTION IV. – Appendix TV-6 Title V 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.]

SECTION IV. – Appendix TV-6 Title V Conditions

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.

SECTION IV. – Appendix TV-6
Title V Conditions

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- (3) As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
- (4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- (5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- (7) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- (8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information: **(also, see Condition No. 10.)**
- (a) A description of and cause of noncompliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- (9) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (14) The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used;

SECTION IV. – Appendix TV-6
Title V Conditions

6. The results of such analyses.

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

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

13. Construction Permits.

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

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
 - 1. Plant description and operations,
 - 2. Types and quantities of all waste material to be generated whether liquid, gaseous or solid,
 - 3. Proposed waste control facilities,
 - 4. The treatment objectives,
 - 5. The design criteria on which the control facilities are based, and
 - 6. Other information deemed relevant.

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

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

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

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

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

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

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

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

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

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

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

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

Chapter 62-204, F.A.C.

SECTION IV. – Appendix TV-6
Title V Conditions

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

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

Chapter 62-210, F.A.C.

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

(1) Air Construction Permits.

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

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

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

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

SECTION IV. – Appendix TV-6
Title V Conditions

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.]

SECTION IV. – Appendix TV-6
Title V Conditions

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.

(b) 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.

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

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

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

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and

SECTION IV. – Appendix TV-6
Title V Conditions

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- the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and
 3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
 2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
 2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.
- (c) The notice shall identify:
1. The facility;
 2. The name and address of the office at which processing of the permit occurs;
 3. The activity or activities involved in the permit action;
 4. The emissions change involved in any permit revision;
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SECTION IV. – Appendix TV-6
Title V Conditions

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 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.

SECTION IV. – Appendix TV-6

Title V Conditions

of 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 the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.

3. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.

(b) Continuous Emissions Monitoring System (CEMS).

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

a. The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or

b. The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.

2. Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:

a. A calibrated flowmeter that records data on a continuous basis, if available; or

b. The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.

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

(c) Mass Balance Calculations.

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

a. Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and

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

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

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

(d) Emission Factors.

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

a. If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.

b. Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.

c. The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of

operation, unless the owner or operator demonstrates that such computation is the most accurate method available.

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

SECTION IV. – Appendix TV-6 Title V Conditions

(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.

(c) 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.

(d) 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.]

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

SECTION IV. – Appendix TV-6 Title V Conditions

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.

(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;

SECTION IV. – Appendix TV-6
Title V Conditions

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- (g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.;
 - (h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of “major source of air pollution” at Rule 62-210.200, F.A.C.;
 - (i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1), (2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;
 - (j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source;

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

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

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

34. Immediate Implementation Pending Revision Process.

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

SECTION IV. – Appendix TV-6
Title V Conditions

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

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

35. Permit Applications.

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

(a) **Timely Application.**

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

(b) **Complete Application.**

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

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

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

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

SECTION IV. – Appendix TV-6 Title V Conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(n), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a

SECTION IV. – Appendix TV-6
Title V Conditions

permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION IV. – Appendix TV-6
Title V Conditions

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

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

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

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

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

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

- a. Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
- b. Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.

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

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

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

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

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

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

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

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

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

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

SECTION IV. – Appendix TV-6 Title V Conditions

Chapter 62-256, F.A.C.

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

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

Chapter 62-281, F.A.C.

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

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

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

Chapter 62-296, F.A.C.

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

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

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

57. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially

SECTION IV. – Appendix TV-6
Title V Conditions

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

South Florida Water Management District
Pump Station S-5A
Facility ID No.: 0990349
Palm Beach County

Title V Air Operation Permit Revision
PROPOSED Permit Project No.: 099-0349-004-AV

This Title V Air Operation Permit Revision 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 for the revision of Title V Air Operation Permit 099-0349-002-AV. The Pump Station S-5A is located at 20700 State Road 80 in Palm Beach County, Florida. UTM Coordinates: Zone 17; 562.860 km E; 2951.577 km N; Latitude: 26° 41' 02" North / Longitude: 80° 22' 05" West.

The Title V Source includes six (6) diesel fired pump engines, two (2) emergency power generators (535 hp each), and four (4) 25,000 gallon dual storage tanks and a gasoline storage/distribution system (pump & one 4,000-gallon gasoline underground storage tank). The pumps are Fairbanks-Morse 166 inch horizontal propeller pumps designed to move 800 cubic feet of water per second at 11.1 feet of static head. The diesel engines are 10 cylinder, opposed piston, 1600 horsepower, Fairbanks-Morse Model No. 38D8-1/8-1600 hp engines.

The facility is classified as a synthetic-minor source under the Prevention of Significant Deterioration (PSD) program and a natural minor source under the Hazardous Air Pollutant program. Potential emissions of criteria pollutants from the source are limited to below the 250 ton per year – a major source threshold of the PSD program -- by a federally enforceable construction permit (099-0349-003-AC).

CAM does not apply. Monitoring activities include monthly fuel usage and the heat input records and operating restriction on fuel type.

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

Based on the Title V Air Operation Permit Revision application received June 24, 2005, this facility is not a major source of hazardous air pollutants (HAPs).