



Charlie Crist
Governor

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

ELECTRONIC CORRESPONDENCE

April 23, 2010

rdamian@sfwmd.gov

Mr. Radu Alexander Damian, Director,
Central Field Operations, Operations and Maintenance Resources
South Florida Water Management District
3301 Gun Club Road, Department 5400
West Palm Beach, FL 33406

Re: DRAFT Air Construction Permit No. 0990621-005-AC
DRAFT/PROPOSED Title V Air Operation Permit Renewal Project No. 0990621-006-AV
Palm Beach County – SFWMD Pump Station S-362

Dear Mr. Damian:

One copy of the Technical Evaluation and Preliminary Determination, the combined Public Notice, the Draft Air Construction Permit, and the DRAFT/PROPOSED Title V Air Operation Permit Renewal for the South Florida Water Management District for Pump Station S-362 is located one mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida. UTM Coordinates: Zone 17; 565.941 km E; 2946.303 km N; Latitude 26° 37' 32" North and Longitude: 80° 19' 05" West, Palm Beach County, FL, is enclosed. The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" are also included.

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

<http://www.dep.state.fl.us/air/emission/apds/default.asp>

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

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Laxmana Tallam, P.E., at the below letterhead address. If you have any other questions, please contact Laxmana Tallam, at 561-837-5978.

Sincerely,

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

JES/LT/pk
Enclosures



Post Office Box 29 / 800 Clematis Street
West Palm Beach, FL 33402-0029
www.pbchd.com

In the Matter of an
Application for Permits by:

South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

DRAFT Permit No.: 0990621-005-AC
DRAFT/PROPOSED Permit No. 0990621-006-AV
SFWMD Pump Station S-362
Palm Beach County

**INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION
PERMIT RENEWAL**

The Palm Beach County (PBC) Health Department (permitting authority) gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Renewal (copies of the Draft Air Construction Permit and DRAFT/PROPOSED Title V Air Operation Permit Renewal are attached) for the Title V source detailed in the application(s) specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, South Florida Water Management District applied on **2/9/2010**, to the permitting authority for an Air Construction Permit and a Title V Air Operation Permit Renewal for Pump Station S-362 is located one mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida. UTM Coordinates: Zone 17; 565.941 km E; 2946.303 km N; Latitude 26° 37' 32" North and Longitude: 80° 19' 05" West, Palm Beach County, FL.

This is a combined air construction permit and renewal Title V operating permit for Pump station S-362. This source includes three 1,303 horsepower (hp), two 839 hp Fairbanks-Morse diesel engine/pump combinations, and two 685 hp and one 535 hp emergency generators. All eight engines can operate on either distillate fuel (0.05% S by wt) or ultra-low sulfur fuel oil (0.0015% S by wt). In addition, Pump Station S-362 contains several insignificant emission units including four 22,000-gallon fuel oil storage tanks, seven day-tanks and miscellaneous surface coating activities.

The construction permit modification is required to process the Permittee's request to remove the quarterly fuel sampling and sulfur analysis that is required in the current permit.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212 and 62-213. This source is not exempt from construction and Title V permitting procedures. The permitting authority has determined that an Air Construction Permit and a Title V Air Operation Permit Renewal are required to construct and to commence or continue operations at the described facility.

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

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL**." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area

affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the permitting authority's office at Air Pollution Control Section, Palm Beach County Health Department, 800 Clematis St., Post Office Box 29, West Palm Beach, Florida 33402-0029 (Telephone: (561) 837-5978; Fax: (561) 837-5295), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permits pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Air Construction Permit in accordance with the conditions of the attached Draft Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

EPA has agreed to treat the DRAFT Title V Permit as a PROPOSED Title V Permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The FINAL Title V Air Operation Permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions.

The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address:

<http://www.epa.gov/region4/air/permits/Florida.htm>

The permitting authority will accept written comments concerning the proposed Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Permitting authority's Legal Office, located at 800 Clematis Street in West Palm Beach, Florida, 33402 (Telephone: (561) 837-5900, Fax (561) 837-5295). Petitions filed by the permit's (construction and renewal) applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those

entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

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

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

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

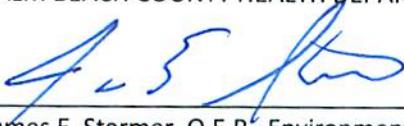
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such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

Mediation is not available for this proceeding.

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

requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the U.S. EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

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



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

**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT RENEWAL**

PALM BEACH COUNTY HEALTH DEPARTMENT

DRAFT Air Construction Permit No.: 0990621-005-AC
DRAFT/ PROPOSED Title V Air Operation Permit Renewal Project No. and 0990621-006-AV

SFWMD Pump Station S-362

Palm Beach County

The Palm Beach County (PBC) Health Department (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit renewal and an Air Construction Permit to the South Florida Water Management District for pump station S-362 is located one mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida. UTM Coordinates: Zone 17; 565.941 km E; 2946.303 km N; Latitude 26° 37' 32" North and Longitude: 80° 19' 05" West, Palm Beach County, Florida.

The pump station is part of the Everglades Construction Project authorized by the Everglades Forever Act, Section 373.4592, Florida Statutes.

This is a combined air construction permit and renewal operating permit for Pump station S-362. This source includes three 1,303 horsepower (hp), two 839 hp Fairbanks-Morse diesel engine/pump combinations, and two 685 hp and one 535 hp emergency generators. All eight engines can operate on either distillate fuel (0.05% S by wt) or ultra-low sulfur fuel oil (0.0015% S by wt). In addition, Pump Station S-362 contains several insignificant emission units including four 22,000- gallon fuel oil storage tanks, seven day-tanks and miscellaneous surface coating activities.

The construction permit modification is required to process the Permittee's request to remove the quarterly fuel sampling and sulfur analysis that is required in the current permit.

The permitting authority will issue the Air Construction Permit in accordance with the conditions of the Draft Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

EPA has agreed to treat the DRAFT Title V Permit as a PROPOSED Title V Permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The FINAL Title V Air Operation Permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions.

The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address:

<http://www.epa.gov/region4/air/permits/Florida.htm>

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice. Written comments should be provided to the Palm Beach County Health Department, 800 Clematis St., P.O. Box 29, West Palm Beach, Florida 33402-0029. Any written comments filed shall be made available for public inspection.

If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The Permitting Authority will accept written comments concerning the DRAFT/PROPOSED Title V Air Operation Permit Renewal for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at 800 Clematis St., P.O. Box 29, West Palm Beach, Florida 33402-0029. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (<http://faw.dos.state.fl.us/>) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT/PROPOSED Title V Air Operation Permit Renewal, the Permitting Authority shall issue a Revised DRAFT Title V Air Operation Permit Renewal and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Permitting authority's Legal Office, located at 800 Clematis Street in West Palm Beach, Florida, 33402 (Telephone: (561) 837-5900, Fax (561) 837-5295). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code (F.A.C.).

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

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

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

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

Mediation is not available for this proceeding.

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

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:

Palm Beach County Health Department
800 Clematis St./P.O. Box 29
West Palm Beach, Florida 33402-0029
Telephone: (561) 837-5978
Fax: (561) 837-5295

The complete project file includes the Technical Evaluation and Preliminary Determination and associated Draft Air Construction Permit and DRAFT/PROPOSED Title V Air Operation Permit Renewal, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Laxmana Tallam, P.E., at the above address, or call 561-837-5978, for additional information.



Charlie Crist
Governor

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

ISSUED TO (PERMITTEE):

South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

ARMS No.	0990621
Permit No.	0990621-005-AC
Issued:	DRAFT
Expires:	DRAFT

Authorized Representative:

Radu Alexander Damian, *Director, Central Field Operations, Operations and Maintenance Resources*

PROJECT Description: Removal of the quarterly fuel-sampling requirement
Location: SFWMD Pump Station S-362 is located one mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida., Palm Beach County, FL
UTM: Zone 17; 565.941 km E; 2946.303 km N
 Latitude. 26 deg. 26'04"; Latitude 26° 37' 32" North and Longitude: 80° 19' 05" West
SIC: Air and Water Resource and Solid Waste Management [SIC: 9511]

STATEMENT OF BASIS:

The Florida Department of Environmental Protection (DEP) has permitting jurisdiction for this project pursuant to Section 403.087 of the Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the DEP recognizes the Palm Beach County Health Department (Health Department) as the approved local air pollution control program in Palm Beach County. As such, the DEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits to for this type of air pollution source located in Palm Beach County. Accordingly, the Health Department issues this permit under the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The permittee is authorized to perform the work for the proposed project in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Health Department.

ISSUED BY:

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

DRAFT

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



Post Office Box 29 / 800 Clematis Street
West Palm Beach, FL. 33402
www.pbchd.com

SECTION I. FACILITY INFORMATION**PERMIT HISTORY**

02-09-2010: Health Department received concurrent application for air construction permit and Title V permit renewal.

REGULATORY CLASSIFICATION

The engines at this station are used to power five flood control pumps. The pump station is part of the Everglades Construction Project authorized by the Everglades Forever Act, Section 373.4592, Florida Statutes. The station will be used to pump water from the North New River Canal into the Stormwater Treatment Area (STA) 3/4 for treatment prior to discharge into the Everglades Protection Area.

Pump Station S-362 has the potential to emit with respect to nitrogen oxides (NOx) in excess of the significant emission rates of Table 62-212.400-2, F.A.C. based on continuous operation at full load. The Health Department issued an air construction permit, 0990621-002-AC, on August 15, 2005, that included a federally enforceable restriction on the total annual fuel consumption of 1.34 million gallons per year for all the stationary emission sources at Pump Station S-362. Since the nitrogen oxides emissions associated with the combustion of this amount of fuel are below the PSD major source threshold (250 tons per year), this source is classified as a synthetic PSD minor source of air pollution.

This permit modification is issued to remove the fuel sampling protocol as requested by the South Florida Water Management District (SFWMD). The SFWMD has been burning ultra-low sulfur diesel fuel since its availability as of September 2009. The sulfur content of this fuel is 0.0015%, which is significantly below 0.05% -- the allowable sulfur limit in the permit. Since sulfur content and the associated Sulfur dioxide emissions are greatly reduced, removing fuel-sampling requirement would not lessen the protection of environment. **(Appendix D).**

REGULATORY CLASSIFICATION

Title III: The facility is not a major source of hazardous air pollutants (HAPs)

Title IV: The facility will not operate units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The permittee requests a limit on fuel consumption to establish synthetic PSD minor status in accordance with Rule 62-212.400 F.A.C.

RACT: The diesel engines in this facility are not subject to the Major Source NOx RACT requirements in accordance with guidance issued by the Florida Department of Environmental Protection.

NSPS: The facility is not subject to any requirements of 40 CFR 60.

NESHAP: The facility is subject to the requirements of 40 CFR 61, Subpart M, Asbestos.

40 CFR 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines"

PERMIT CONTENT

- Section I: Summary Information
- Section II: Facility-Wide Specific Conditions
- Section III: Emissions Unit Specific Conditions
- Section IV: Appendices

Appendix A: General Permitting Conditions, [62-4.160 F.A.C.]

Appendix B: Lists of Abbreviations, Acronyms, Rule Citation Formats, and Identification Formats.

Appendix C: Summary of General Testing Requirements, [62-297, F.A.C.]

Appendix D: Fuel Monitoring Plan

Appendix ZZZZ: Applicable Requirements from 40 CFR Part 63 Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines

SECTION I. FACILITY INFORMATION**SUMMARY OF EMISSION UNITS**

Pump station S-362 includes three 1303 horsepower (hp) Fairbanks-Morse diesel engine/pump combinations, two 839 hp Fairbanks-Morse diesel engine/pump combinations, two 685 hp Cummins emergency generators and one 535 hp Cummins emergency generator. All eight engines can operate on distillate fuel (0.5% S by wt), low sulfur fuel oil (0.05% S by wt) or ultra-low sulfur fuel (0.0015% S by wt). In addition, Pump Station S-362 contains several insignificant and/or exempt emission units including four 20,000-gallon fuel oil storage tanks, seven day-tanks and miscellaneous surface coating activities.

EMISSIONS UNIT LIST**ID NOS. AND BRIEF DESCRIPTIONS**

EU ID No.	Status	Brief Description
001	Regulated	Stationary Internal Combustion Engines – Three 1303 hp diesel engine/pump combinations, two 839 hp diesel engine/pump combinations, two 685 hp diesel emergency generators, and one 535 hp diesel emergency generator.
002	Insignificant*	Volatile Organic Liquid Storage Tanks – Three 20,000-gallon above-ground fuel oil storage tanks
003	Insignificant*	Volatile Organic Liquid Storage Tanks – Seven aboveground storage tanks less than 40 cubic meters in capacity.

**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.*

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**1.0 ADMINISTRATIVE**

- 1.1 Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department (Health Department) at P.O. Box 29 (800 Clematis Street), West Palm Beach, Florida, 33402-0029, and telephone number (561) 837-5900. **[Specific Operating Agreement - SOA]**
- 1.2 General Conditions: The permittee shall be aware of, and operate under, the attached General Conditions listed in **Appendix A** of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**
- 1.3 Citation Formats: **Appendix B** of this permit provides the format for Lists of Abbreviations, Acronyms, Rule Citation Formats, and Identification Formats citing applicable regulations.
- 1.4 Application for a Title V Operation Permit: Any applicant for a Title V permit, permit revision or permit renewal must submit an application form number 62-210.900(1), which must include all the information specified by subsection 62-213.420 (3) F.A.C., except that an application for permit revision must contain only the 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 the 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 the responsible official in accordance with subsection 62-213.420(4), F.A.C. **[Rule 62-213.420(1)(b)1, F.A.C.]**
For purpose of a permit renewal, a timely application is one that is submitted 225 days before expiration of a permit that expires after June 1, 2009. **[Rule 62-213.420(1)(a), F.A.C.]**
- 1.5 Applicable Regulations: This facility is subject to the following regulations: Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. **[Rule 62-210.300, F.A.C. and the SOA]**

2.0 EMISSION LIMITING STANDARDS

- 2.1 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), 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)(b), F.A.C., such failure shall not be a violation of the rule. **[Rule 62-296.320(4)(b), 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), F.A.C.]**
- 2.2 Prevention of Accidental Releases (Section 112(r) of CAA): At such time as the requirements of 40 CFR Part 68 are applicable to this source, the permittee shall: **[Section 112(r)(7)(B)(iii) of the CAA, 40 CFR Part 68, Section 252.941(1)(c), F.S.]**

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- (1) Submit a Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office RMP Reporting Center.
 - (2) Report to the appropriate representative of the Department of Community Affairs, as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the permittee is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the Clean Air Act (CAA).
 - (3) Submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S. and Rule 9G-21, F.A.C.
- 2.3 **Objectionable Odors:** Objectionable Odor Prohibited: The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. **[Rule 62-296.320(2), F.A.C.]**
- Note: An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-210.200(220), F.A.C.]*
- 2.4 **General VOC Standards.** Volatile Organic Compounds Emissions or Organic Solvents Emissions: The permittee shall allow no person to store, pump, handle, process, load, unload, or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. **[Rule 62-296.320(1), F.A.C.]**
- 2.5 **Unconfined Particulate Emission Limiting Standards:** Unconfined Emissions of Particulate Matter: The permittee shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions shall include the following:
- (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.
- [Rule 62-296.320(4)(c), F.A.C., and Application received February 9, 2010]**
- 3.0 PERFORMANCE STANDARDS**
- 3.1 **Circumvention:** The permittee shall not circumvent air pollution control equipment/methods or allow the emission of air pollutants without the equipment/methods operating properly. **[Rule 62-210.650, F.A.C.]**
- 3.2 **Excess Emissions Requirements:**
- (a) Excess emissions resulting from start-up, shutdown or malfunction of these emissions units 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 Health Department for longer duration. **[Rule 62-210.700(1), F.A.C.]**

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- (b) 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 start-up, shutdown, or malfunction are prohibited. **[Rule 62-210.700(4), F.A.C.]**
- (c) In case of excess emissions resulting from malfunctions, the permittee shall notify the Air Pollution Control Section of the Palm Beach County Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the problem; and the corrective actions being taken to prevent recurrence. **[Rule 62-210.700(6), F.A.C.]**
- (d) Considering operational variations in types of industrial equipment operations affected by this rule, the Department may adjust the maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest. **[Rule 62-210.700(5), F.A.C.]**

4.0 COMPLIANCE MONITORING REQUIREMENTS

- 4.1 Duration: Unless otherwise specified in this permit, all records and reports required by this permit shall be kept for at least 3 years from the date the information was recorded. **[Rule 62-4.160(14)(b), F.A.C.]**
- 4.2 Test Procedures: All test methods and procedures shall be performed in accordance with the applicable requirements of Chapter 62-297, F.A.C., summarized in **Appendix C** of this permit. **[Rule 62-297.100, F.A.C.]**
- 4.3 Operational Rate during Testing: Unless otherwise stated in the applicable emission limiting standard for a rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load 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 62-297.310(2), F.A.C.]**
- 4.4 Test Notification: At least 15 days prior to the date on which each formal compliance test is to begin, the permittee shall notify the Health Department in writing of: the test date; the expected test time; the location of the test; the facility contact person responsible for coordinating the test; and the person or company conducting test. The 15 day notification requirement may be waived at the discretion of the Health Department. Likewise, if circumstances prevent testing during the 60-day test window specified for the emissions unit, the owner or operator may request an alternate test date before the expiration of this window. **[Rule 62-297.310(7)(a)9., F.A.C.]**
- 4.5 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 a DEP rule or permit is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Health Department. **[Rule 62-297.310(7)(b), F.A.C.]**

5.0 REPORTS REQUIRED

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- 5.1 Annual Operations Report: The annual operating report [DEP Form No. 62-210.900(5)] shall be submitted to the Palm Beach County Health Department by April 1. If the report is submitted, using the Department's electronic annual operating report software (EAOR), there is no requirement to submit a copy to DEP or the Palm Beach County Health Department. **[Rule 62-210.370(3)(c), F.A.C.]**
- 5.2 Excess Emissions Report: If excess emissions occur, the Health Department may request a written summary report of the incident. **[Rules 62-4.130 and 62-210.700(6), F.A.C.]**
- 5.3 Emission Compliance Stack Test Reports: For each required emissions compliance test, a report indicating the results of the test shall be filed with the Health Department as soon as practical, but no later than 45 days after the last sampling run is completed. The report shall provide sufficient detail on the tested emissions unit and the procedures used to allow the Health Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in **Rule 62-297.310(8)(c), F.A.C.** and summarized in **Appendix C** of this permit. Additional report information may be specified for a given group of emissions units in this permit. **[Rule 62-297.310(8), F.A.C.]**

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS

GROUP A. This portion of the permit addresses the following group of emissions units:

EU ID No.	EMISSIONS UNIT DESCRIPTION
001	<p>Three 1303 hp diesel engine/pump combinations, two 839 hp diesel engine/pump combinations, two 685 hp diesel emergency generators, and one 535 hp diesel emergency generator.</p> <p>Each of the three 1303 hp pump engines is rated ~ 10mmbtu per hour and consumes 71 gallons of fuel per hour.</p> <p>Each of the two 839 hp pump engines is rated ~ 6mmbtu/hr and consumes 46 gallons of fuel per hour.</p> <p>Each of the two 685 hp generators is rated ~4mmbu/hr and consumes 32 gallons of fuel per hour. The one 535 hp generator is rated at 3.47 mmbtu/hr, and consumes ~25 gallons of fuel per hour.</p> <p>All eight engines are capable of operating on distillate fuel (0.5% S by wt), low sulfur (0.05% S by wt) or ultra-low sulfur distillate fuel oil (0.0015% S by wt).</p> <p>Stack parameters for Pump Engines: Stack height 60 feet, Exit Temperature 500 F, Exit Diameter 1.3 to 1.5 feet, Volumetric Flow Rate 8,060 to 12,517 acfm.</p> <p>Stack Parameters for Generators: Stack height 60 feet, Exit Temperature 900 F, Exit Dia. 0.708 feet, Volumetric Flow Rate 4,419 to 5,568 acfm.</p>

These diesel engines are subject to the regulations of 40 CFR 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines"

1.0 OPERATING RESTRICTIONS

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

Annual Fuel Consumption: Annual fuel consumption for the pump station including support equipment shall not exceed 1.34 million gallons of distillate fuel per consecutive 12 months, rolling total.

[Permit No. 0990621-002-AC]

1.2 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:

- (a) Fuels: The permittee is authorized to fire low sulfur (0.05% wt.) or ultra-low sulfur (0.0015% wt.) distillate oil in the emissions units. The temporary use of distillate fuel with higher sulfur content (up to 0.5 % wt.) will be allowed as specified in Specific Condition 2.1 of this Section **[Permit No. 099621-002-AC]**
- (a) Stack Extensions: In order to meet the NAAQS and the PSD Class II increments requirements, only low sulfur distillate fuel (0.05% wt.) shall be used in this emission unit until all the stacks in this emission unit are extended to 24.8 meters, in accordance ambient impact modeling results submitted by SFWMD on behalf of the U.S. Army Corps of Engineers. The stack extension requirements shall not apply during the low sulfur fuel curtailment episodes specified in Specific Condition III.2.1. Based on the current stack configuration, the use of regular distillate fuel (0.5 % wt.) during non-curtailment situations could result in violation of the NAAQS and/or the PSD Class II increments requirements. **[Permit No. 099621-002-AC]**

1.3 Hours of Operation: The permittee shall be allowed to operate the emissions unit unrestricted (8760 hours per year) without prior authorization from the Permitting Authority. **[Permit No. 099621-002-AC]**

2.0 EMISSION LIMITING AND PERFORMANCE STANDARDS

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS

- 2.1 **Fuels:** At no time, other than that specified below, shall the permittee (South Florida Water Management District) 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.) or ultra-low (0.0015%) sulfur 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.

[Permit No. 0990621-002-AC]

3.0 TEST METHODS AND PROCEDURES

- 3.1 **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: **[Rule 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.];**
- 3.2 **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 62-297.401, F.A.C.]**

4.0 COMPLIANCE ASSURANCE MONITORING

- 4.1 **Fuel Oil Sulfur Content:** The permittee shall monitor the fuel sulfur content in accordance with the most recently approved fuel-monitoring plan (**Appendix D**). 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 blend using fuel delivery records and mass balance. **[Permit No. 0990621-002-AC, and applicant's request]**

{Permitting Note: The requirement for the random quarterly sulfur fuel sampling was removed from the permit, please refer to Appendix D}

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS

- 4.2 Annual Fuel Consumption: The permittee shall monitor compliance with the annual fuel consumption limit on a monthly basis. If the rolling 12-month total does not exceed 1,073,414 gallons, the permittee shall continue monitor fuel consumption on a monthly basis (rolling 12-month total). If the rolling 12-month total exceeds 1,073,414 gallons, the permittee shall monitor fuel consumption on a daily basis (rolling 365-day total). When the rolling 365-day total does not exceed 1,073,414 gallons for 30 consecutive days, monthly monitoring can be resumed. **[Permit No. 0990621-002-AC]**
- 4.3 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 fuel oil usage. The Health Department reserves the right to request a special compliance test for emissions of nitrogen oxides in the event new data indicate that potential emissions would exceed 250 tons per year. }*

5.0 REPORTING AND RECORDKEEPING REQUIREMENTS**5.1 Record Keeping Requirements:**

- (a) For monthly fuel consumption monitoring (the rolling 12-month total does not exceed 1,073,414 gallons): Within the first 15 days of each month, the permittee shall record in a written log the following information:
- (1) Gallons of diesel fuel consumed for the previous month of operation;
 - (2) Gallons of diesel fuel consumed for the previous consecutive 12 months of operation; and
 - (3) Hours of operation for each pump engine and emergency generator.
- [Permit No. 0990621-002-AC]**
- (b) For daily fuel consumption monitoring (the rolling 12-month total does exceed 1,073,414 million gallons): Once per day, the permittee shall record in a written log the following information:
- (1) Gallons of diesel fuel consumed for the previous 364 days of operation;
 - (2) Gallons of diesel fuel consumed for the that day of operation; and
 - (3) Hours of operation for each pump engine and emergency generator.
- [Permit No. 0990621-002-AC]**
- (c) For fuel sulfur content: The permittee shall maintain all fuel sulfur monitoring records in accordance with the most recently approved fuel-monitoring plan (Appendix D). All records shall be kept for a minimum period of 5 years. **[Permit No. 0990621-002-AC, and Applicant's request]**

5.2 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.) or ultra-low sulfur (0.0015% 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

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS

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.
[Permit No. 0990621-002-AC]

- 6.0** The facility is subject to the applicable Requirements of 'National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines' Regulations (40 CFR Part 63 Subpart ZZZZ). These requirements are included in Appendix ZZZZ.

The facility must comply with the applicable emission limitations and operating limitations no later than May 3, 2013 [40 CFR Part 63 Subpart ZZZZ]

7.0 COMMON CONDITIONS

- 7.1 Common Conditions: This emissions unit is also subject to **Specific Conditions 1.1 through 1.20** contained in **Appendix C. Common Conditions.**

SECTION III. B. EMISSIONS UNIT SPECIFIC CONDITIONS

GROUP B. This portion of the permit addresses the following group of emissions units:

EU ID No.	EMISSIONS UNIT DESCRIPTION
002	Four 20,000-gallon above-ground fuel oil storage tanks – EXEMPT/ INSIGNIFICANT
003	Seven aboveground storage tanks less than 40 cubic meters in capacity – EXEMPT/INSIGNIFICANT

1.0 OPERATING RESTRICTIONS

- 1.1 Permitted Capacity. The permittee shall not allow, cause, suffer, or permit the capacity of the emissions units in excess of the stated capacities without prior authorization from the Permitting Authority.
- 1.2 Methods of Operation: The permittee shall not allow, cause, suffer or permit any change in the method of operation of Emissions Units 002 & 003 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.) or ultra-low (0.0015% 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.
- 1.3 Hours of Operation: The permittee is authorized to operate the emission units continuously.

2.0 COMPLIANCE DEMONSTRATIONS AND MONITORING

- 2.1 Operating Parameters: The permittee shall implement the following monitoring requirements.
- (a) Volatile Organic Liquid Types: For each fuel delivery, the permittee shall monitor and record the date, time, quantity, and the sulfur content of the delivered fuel. **[Permit No. 0990621-002-AC, and Rule 62-213.440(1)(b), F.A.C]**

LIST OF APPENDICES

APPENDIX	DESCRIPTION
A	General Permit Conditions [F.A.C. 62-4.160]
B	Appendix B, Lists of Abbreviations, Acronyms, Rule Citation Formats, and Identification Formats.
C	Summary of General Testing Requirements [F.A.C. 62-297]
D	Fuel Monitoring Plan

APPENDIX A
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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.
- G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.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.
- G.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 Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or 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.
- G.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 a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the 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.

- G.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:
- (a) A description of and cause of non-compliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.
- (1)
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.
- G.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

APPENDIX A
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

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 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

- G.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.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, 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.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology;
 - (b) Determination of Prevention of Significant Deterioration; and
 - (c) Compliance with New Source Performance Standards.
- G.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 or this permit. These materials shall be retained at least three 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; and
 - 6. The results of such analyses.
- G.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 that 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.

APPENDIX B

Lists of Abbreviations, Acronyms, Rule Citation Formats, and Identification Formats.

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, guidance memorandums, permit numbers, and ID numbers.

Code of Federal Regulations:

Example: **[40 CFR 60.334]**

Where: 40 reference to Title 40

CFR reference to Code of Federal Regulations

60 reference to Part 60

60.334 reference to Regulation 60.334

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

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

Where: 62 reference to Title 62

62-213 reference to Chapter 62-213

62-213.205 reference to Rule 62-213.205, F.A.C.

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

Identification Numbers:Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 = 3-digit number code identifying the facility is located in Polk County

0221 = 4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or

APPENDIX B

Lists of Abbreviations, Acronyms, Rule Citation Formats, and Identification Formats.

1050221-001-AC

Where:

- AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by permit tracking database
001 or 002 = 3-digit sequential project number assigned by permit tracking database

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

Where:

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

APPENDIX C. SUMMARY OF TESTING REQUIREMENTS**SECTION IV APPENDIX C****GENERAL COMPLIANCE TEST REQUIREMENTS (RULE 62-297.310, F.A.C.)**

- 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.]**
- 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.]**
- 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.]**
- 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.]**
- 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.]**
- C.6 **Opacity Compliance Tests:** When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
- (a) For batch, cyclical processes, or other operations, which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
 - (b) The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard. **[Rule 62-297.310(4)(a)2, F.A.C.]**

APPENDIX C. SUMMARY OF TESTING REQUIREMENTS

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

- 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

APPENDIX C. SUMMARY OF TESTING REQUIREMENTS

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.]**

- 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.]**
- 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.]**
- 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.]**
- 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.]**
- C.17 **Test Reports:** The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information: **[Rule 62-297.310(8)(c), F.A.C.]**
- (a) The type, location, and designation of the emissions unit tested.
 - (b) The facility at which the emissions unit is located.
 - (c) The owner or operator of the emissions unit.
 - (d) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 - (e) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission-limiting standard.
 - (f) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 - (g) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 - (h) The date, starting time, and duration of each sampling run.
 - (i) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 - (j) The number of points sampled and configuration and location of the sampling plane.
 - (k) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 - (l) The type, manufacturer, and configuration of the sampling equipment used.
 - (m) Data related to the required calibration of the test equipment.
 - (n) Data on the identification, processing, and weights of all filters used.

APPENDIX C. SUMMARY OF TESTING REQUIREMENTS

- (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, the resulting maximum allowable emission rate for the emissions unit, plus the test results in the same form and unit of measure.
 - (u) A certification that, to the knowledge of the owner or his authorized agent, all data submitted is true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.
- 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.]**
- 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.]**
- 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 D
FUEL SULFUR 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:

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 D129-91, D1552, D2622-94, D4294-90, D5453, or comparable Department approved method. Records shall specify the test method used. **The fuel analysis from fuel supplier along with fuel delivery receipts are kept at the facility. [Rule 62-297.310(7)(c), F.A.C., and Permit No. 0990621-002-AC]**

In order to document continuing compliance with fuel sulfur 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.

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(l)(b), F.A.C.]

As per this permit modification, the random quarterly fuel sampling is removed from this plan, since the SFWMD has been burning ultra-low sulfur diesel fuel since its availability. The sulfur content of this fuel is 0.0015%, which is significantly below 0.05% -- the allowable sulfur limit in the permit. Since sulfur content and the associated Sulfur dioxide emissions are greatly reduced, removing fuel-sampling requirement would not lessen the protection of environment.

Appendix ZZZZ

Applicable Requirements from 40 CFR Part 63 Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines

63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand. An area source of HAP emissions is a source that is not a major source.

63.6590 What parts of my plant does this subpart cover?

(a) *Affected source.* An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) *Existing stationary RICE.*

For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

63.6595 When do I have to comply with this subpart?

If you have an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013

63.6603 What emission limitations and operating limitations must I meet if I own or operate an existing stationary CI RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in 40 CFR 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

63.6604 What fuel requirements must I meet if I own or operate an existing stationary CI RICE?

If you own or operate an existing nonemergency CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel.

63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations and operating limitations in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing CI stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary CI RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in 40 CFR 63.6595 and according to the provisions in 40 CFR 63.7(a)(2).

(b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

63.6620 What performance tests and other procedures must I use?

a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart.

d) You must conduct three separate test runs for each performance test required in this section, as specified in 40 CFR 63.7(e)(3). Each test run must last at least 1 hour.

(e)(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

$$(1) \quad \frac{C_i - C_o}{C_i} \times 100 = R \quad (\text{Eq. 1})$$

Where:

C_i = concentration of CO or formaldehyde at the control device inlet,

C_o = concentration of CO or formaldehyde at the control device outlet, and

R = percent reduction of CO or formaldehyde emissions.

(2) You must normalize the carbon monoxide (CO) or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO_2). If pollutant concentrations are to be corrected to 15 percent oxygen and CO_2 concentration is measured in lieu of oxygen concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, section 5.2, and the following equation:

$$(1) \quad F_o = \frac{0.209 F_d}{F_c} \quad (\text{Eq. 2})$$

Where:

F_o = Fuel factor based on the ratio of oxygen volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3/J ($\text{dscf}/10^6 \text{ Btu}$).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J ($\text{dscf}/10^6 \text{ Btu}$).

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent oxygen, as follows:

$$(1) \quad X_{\text{CO}_2} = \frac{5.9}{F_o} \quad (\text{Eq. 3})$$

Where:

X_{CO_2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2 - 15 percent O_2 , the defined O_2 correction value, percent

(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

(2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (*e.g.*, operator adjustment, automatic controller adjustment, etc.) or unintentionally (*e.g.*, wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided

63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(g) If you own or operate an existing non-emergency CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (g)(2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska not accessible by the FAHS do not have to meet the requirements of paragraph (g) in this section.

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or (2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals.

(h) If you operate a new or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary engine that is subject to the work, operation or management practices in items 1, 2, or 4 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil before continuing to use the engine. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

63.6640 How do I demonstrate continuous compliance with the emission limitations and operating limitations?

(a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in 40 CFR 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a new emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the engine according to the conditions described in paragraphs (f)(1) through (4) of this section.

1) For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited.

(2) There is no time limit on the use of emergency stationary RICE in emergency situations.

(3) You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year.

The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

(4) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment

overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(4), as long as the power provided by the financial arrangement is limited to emergency power.

63.6645 What notifications must I submit and when?

- (a) You must submit all of the notifications in 40 CFR 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;
- (2) An existing stationary CI RICE located at an area source of HAP emissions.

63.6650 What reports must I submit and when?

You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 CFR 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in 40 CFR 63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in 40 CFR 63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 CFR 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in 40 CFR 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.6605(b), including actions taken to correct a malfunction.

- (4) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.
- (5) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.
- (d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.
- (4) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.
- (5) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.
- (f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

63.6655 What records must I keep?

If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(3), (b)(1) through (b)(3) and (c) of this section.

A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).

- (2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.
- (3) Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii).
- (4) Records of all required maintenance performed on the air pollution control and monitoring equipment.
- (5) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.
- (e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;
- (1) An existing stationary CI RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.
- (2) An existing stationary emergency CI RICE.
- (3) An existing stationary CI RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.
- (f) If you own or operate any of the stationary RICE in paragraphs (f)(1) or (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the nonresettable hour meter. The owner or operator must document how many hours are spent for emergency operation; including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.
- (1) An existing emergency stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.
- (2) An existing emergency stationary CI RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines. ???

63.6660 In what form and how long must I keep my records?

Your records must be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). As specified in 40 CFR 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1).

63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in 40 CFR 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

Area source means any stationary source of HAP that is not a major source as defined in part 63.

Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

Black start engine means an engine whose only purpose is to start up a combustion turbine.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101-549, 104 Stat. 2399).

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.

(4) Fails to satisfy the general duty to minimize emissions established by 40 CFR63.6(e)(1)(i).

Diesel engine means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g. biodiesel) that is suitable for use in compression ignition engines

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

Dual-fuel engine means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

Emergency stationary RICE means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used for peak shaving are not considered emergency stationary ICE. Stationary CI ICE used to supply power to an electric grid or that supply nonemergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under 40 CFR 63.6640(f). Emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may also operate an additional 50 hours per year in non-emergency situations. All other emergency stationary RICE must comply with the requirements specified in 40 CFR 63.6640(f).

Engine startup means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

Four-stroke engine means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

Gaseous fuel means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

Gasoline means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

Glycol dehydration unit means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

Hazardous air pollutants (HAP) means any air pollutants listed in or pursuant to section 112(b) of the CAA.

ISO standard day conditions means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

Lean burn engine means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

Limited use stationary RICE means any stationary RICE that operates less than 100 hours per year.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

Liquid fuel means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

Major Source, as used in this subpart, shall have the same meaning as in 40 CFR63.2, except that:

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in 40 CFR63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in 40 CFR63.1271 of subpart HHH of this part, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_x) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_x, CO, and volatile organic compounds (VOC) into CO₂, nitrogen, and water.

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.*, remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst means an add-on catalytic control device that controls CO and VOC by oxidation.

Peaking unit or engine means any standby engine intended for use during periods of high demand that are not emergencies.

Percent load means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in 40 CFR63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to 40 CFR63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to 40 CFR63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C₃H₈.

Residential/commercial/institutional emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or residences, commercial establishments such as office buildings, hotels, or stores, or institutional establishments such as medical centers, research centers, and institutions of higher education.

Responsible official means responsible official as defined in 40 CFR 70.2.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO_x (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Site-rated HP means the maximum manufacturer's design capacity at engine site conditions.

Spark ignition means relating to: either a gasoline-fueled engine; or any other type of engine a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary reciprocating internal combustion engine (RICE) means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differs from mobile RICE in that stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

Stationary RICE test cell/stand means an engine test cell/stand, as defined in subpart P of this part, that tests stationary RICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Subpart means 40 CFR part 63, subpart ZZZZ.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

Table 2b Operating Limitations for Existing Non- Emergency Compression Ignition Stationary RICE >500 HP, As stated in 40 CFR 63.6600, 63.6601, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed lean burn and existing, new and reconstructed compression ignition stationary RICE:	
For each ...	You must meet the following operating limitation ...
1. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.	a. Maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and
	b. Maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. ¹
2. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and not using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst.	Comply with any operating limitations approved by the Administrator.
¹ Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(g) for a different temperature range.	

Table 2d Requirements for Existing Compression Ignition Stationary RICE Located at Area Sources of HAP Emissions		
As stated in 40 CFR 63.6600 and 63.6640, you must comply with the following emission and operating limitations for existing compression ignition stationary RICE:		
For each ...	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must ...
1. Non-Emergency, non-black start CI ≤ 300 HP.	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;	Minimize the engine’s time spent at idle and minimize the engine’s startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
2. Non-Emergency, non-black start CI 300<HP≤500.	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O ₂ ; or	
	b. Reduce CO emissions by 70 percent or more.	
3. Non-Emergency, non-black start CI > 500 HP.	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O ₂ ; or	
	b. Reduce CO emissions by 70 percent or more.	
4. Emergency CI and black start CI. ²	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
¹ Sources have the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) in order to extend the specified oil change requirement in Table 2d of this subpart.		
² If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.		

Table 3
Subsequent Performance Tests As stated in 40 CFR 63.6615 and 63.6620, you must comply with the following subsequent performance test requirements:

For each . . .	Complying with the requirement to . . .	You must . . .
4. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are not limited use stationary RICE.	Limit or reduce CO or formaldehyde emissions.	Conduct subsequent performance tests every 8,760 hrs or 3 years, whichever comes first.

<p align="center">Table 4 Requirements for Performance Tests As stated in §40 CFR 63.6610, 63.6611, 63.6612, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE for existing sources:</p>				
For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE.	a. Reduce CO emissions.	i. Measure the O ₂ at the inlet and outlet of the control device; and	(1) Portable CO and O ₂ analyzer.	(a) Using ASTM D6522–00 (2005) ^{a, b} (incorporated by reference, see 40 CFR 63.14). Measurements to determine O ₂ must be made at the same time as the measurements for CO concentration.
		ii. Measure the CO at the inlet and the outlet of the control device.	(1) Portable CO and O ₂ analyzer.	(a) Using ASTM D6522–00 (2005) a, b (incorporated by reference, see 40 CFR 63.14) or Method 10 of 40 CFR appendix A. The CO concentration must be at 15 percent O ₂ , dry basis.
3. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust.	i. Select the sampling port location and the number of traverse points; and	(1) Method 1 or 1A of 40 CFR part 60, appendix A 40 CFR 63.7(d)(1)(i).	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (2005).	(a) Measurements to determine O ₂ concentration must be made at the same time and location as the measurements for formaldehyde concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and	(1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03.	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration.
		iv. Measure formaldehyde at the exhaust of the stationary RICE; or	(1) Method 320 of 40 CFR part 63, appendix A; or ASTM D6348–03 ^c , provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130.	(a) Formaldehyde concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
		v. Measure CO at the exhaust of the stationary RICE.	(1) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (2005) ^a , Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.	(a) CO concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour longer runs.
<p>^a You may also use Methods 3A and 10 as options to ASTM–D6522–00 (2005). You may obtain a copy of ASTM–D6522–00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106. ASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.</p> <p>^b You may also use Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.</p> <p>^c You may obtain a copy of ASTM–D6348–03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.</p>				

<p align="center">Table 5 Initial Compliance With Emission Limitations and Operating Limitations As stated in §40 CFR 63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:</p>		
For each	Complying with the requirement to...	You have demonstrated initial compliance if ...
<p>8. Existing stationary non-emergency RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source.</p> <p>9. Existing stationary non-emergency RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source.</p>	<p>a. Reduce CO or formaldehyde emissions ...</p> <p>a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust.</p>	<p>i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.</p> <p>i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O₂, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.</p>

Table 6 Continuous Compliance With Emission Limitations and Operating Limitations As stated in 40 CFR 63.6640, you must continuously comply with the required by the following: emissions and operating limitations as		
For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
8. Stationary RICE >500 HP located at a major source.	Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR.	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit a; and ii. Collecting the approved operating parameter (if any) data according to 40 CFR 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
9. Existing stationary CI RICE not subject to any numerical emission limitations.	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions
10. Existing stationary RICE >500 HP that are not limited use stationary RICE, except 4SRB >500 HP located at major sources. 11. Existing limited use stationary RICE >500 HP that are limited use CI stationary RICE.	a. Reduce CO or formaldehyde emissions; or b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust. a. Reduce CO or formaldehyde emissions; or b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust.	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit. i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit.

^a After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

**Table 7
Requirements for Reports**

As stated in 40 CFR 63.6650, you must comply with the following requirements for reports:

You must submit a(n) . . .	The report must contain. . .	You must submit the report . . .
1. Compliance report	<p>a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or</p> <p>b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in 40 CFR 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), the information in 40 CFR 63.6650(e); or</p> <p>c. If you had a malfunction during the reporting period, the information in 40 CFR 63.6650(c)(4).</p>	<p>i. Semiannually according to the requirements in 40 CFR 63.6650(b)(1)–(5) for engines that are not limited use stationary CI RICE subject to numerical emission limitations; and</p> <p>ii. Annually according to the requirements in 40 CFR 63.6650(b)(6)–(9) for engines that are limited use stationary CI RICE subject to numerical emission limitations.</p> <p>i. Semiannually according to the requirements in 40 CFR 63.6650(b).</p> <p>i. Semiannually according to the requirements in 40 CFR 63.6650(b).</p>
2. Report	<p>a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and</p> <p>b. The operating limits provided in your Federally enforceable permit, and any deviations from these limits; and</p> <p>c. Any problems or errors suspected with the meters.</p>	<p>i. Annually, according to the requirements in 40 CFR 63.6650.</p> <p>i. See item 2.a.i.</p> <p>i. See item 2.a.i.</p>

Table 8
Applicability of General Provisions to Subpart ZZZZ

As stated in 40 CFR 63.6665, you must comply with the following applicable general provisions.

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.1	General applicability of the General Provisions.	Yes.	
63.2	Definitions	Yes	Additional terms defined in 63.6675.
63.3	Units and abbreviations	Yes.	
63.4	Prohibited activities and circumvention	Yes.	
63.5	Construction and reconstruction	Yes.	
63.6(a)	Applicability	Yes.	
63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources.	Yes.	
63.6(b)(5)	Notification	Yes.	
63.6(b)(6)	[Reserved]		
63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources.	Yes.	
63.6(c)(1)-(2)	Compliance dates for existing sources	Yes.	
63.6(c)(3)-(4)	[Reserved]		
63.6(c)(5)	Compliance dates for existing area sources that become major sources.	Yes.	
63.6(d)	[Reserved]		
63.6(e)	Operation and maintenance	No.	
63.6(f)(1)	Applicability of standards	No.	
63.6(f)(2)	Methods for determining compliance	Yes.	
63.6(f)(3)	Finding of compliance	Yes.	
63.6(g)(1)-(3)	Use of alternate standard	Yes.	
63.6(h)	Opacity and visible emission standards	No ...	Subpart ZZZZ does not contain opacity or visible emission standards.
63.6(i)	Compliance extension procedures and criteria.	Yes.	
63.6(j)	Presidential compliance exemption	Yes.	
63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at 63.6610, 63.6611, and 63.6612.
63.7(a)(3)	CAA section 114 authority	Yes.	
63.7(b)(1)	Notification of performance test	Yes	Except that 63.7(b)(1) only applies as specified in 63.6645.
63.7(b)(2)	Notification of rescheduling	Yes	Except that 63.7(b)(2) only applies as specified in 63.6645.
63.7(c)	Quality assurance/test plan	Yes	Except that 63.7(c) only applies as specified in 63.6645.-
63.7(d)	Testing facilities	Yes.	
63.7(e)(1)	Conditions for conducting performance tests.	No.	Subpart ZZZZ specifies conditions for conducting performance tests at 63.6620.
63.7(e)(2)	Conduct of performance tests and reduction of data.	Yes	Subpart ZZZZ specifies test methods at 63.6620.

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.7(e)(3) 63.7(e)(4) 63.7(f)	Test run duration Administrator may require other testing under section 114 of the CAA. Alternative test method provisions	Yes. Yes. Yes.	
63.7(g)	Performance test data analysis, recordkeeping, and reporting.	Yes.	
63.7(h) 63.8(a)(1) 63.8(a)(2) 63.8(a)(3) 63.8(a)(4) 63.8(b)(1) 63.8(b)(2)–(3) 63.8(c)(1) 63.8(c)(1)(i) 63.8(c)(1)(ii)	Waiver of tests Applicability of monitoring requirements Performance specifications [Reserved] Monitoring for control devices Monitoring Multiple effluents and multiple monitoring systems. Monitoring system operation and maintenance. Routine and predictable SSM SSM not in Startup Shutdown Malfunction Plan.	Yes. Yes ... Yes. No. Yes. Yes. Yes. Yes. Yes.	Subpart ZZZZ contains specific requirements for monitoring at 63.6625.
63.8(c)(1)(iii) 63.8(c)(2)–(3) 63.8(c)(4) 63.8(c)(5) 63.8(c)(6)–(8) 63.8(d) 63.8(e) 63.8(f)(1)–(5) 63.8(f)(6) 63.8(g) 63.9(a)	Compliance with operation and maintenance requirements. Monitoring system installation Continuous monitoring system (CMS) requirements. COMS minimum procedures CMS requirements CMS quality control CMS performance evaluation Alternative monitoring method Alternative to relative accuracy test Data reduction Applicability and State delegation of notification requirements.	Yes. Yes. Yes No . Yes Yes. Yes Yes . Yes . Yes .. Yes.	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS). Subpart ZZZZ does not require COMS. Except that subpart ZZZZ does not require COMS. Except for 63.8(e)(5)(ii), which applies to COMS. Except that 63.8(e) only applies as specified in 63.6645. Except that 63.8(f)(4) only applies as specified in 63.6645. Except that 63.8(f)(6) only applies as specified in 63.6645. Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at 63.6635 and 63.6640.

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.9(b)(1)–(5)	Initial notifications	Yes	Except that 63.9(b)(3) is reserved. Except that 63.9(b) only applies as specified in 63.6645.
63.9(c)	Request for compliance extension	Yes	Except that 63.9(c) only applies as specified in 63.6645.
63.9(d)	Notification of special compliance requirements for new sources.	Yes .	Except that 63.9(d) only applies as specified in 63.6645.
63.9(e)	Notification of performance test	Yes .	Except that 63.9(e) only applies as specified in 63.6645.
63.9(f)	Notification of visible emission (VE)/opacity test.	No ..	Subpart ZZZZ does not contain opacity or VE standards.
63.9(g)(1)	Notification of performance evaluation	Yes .	Except that 63.9(g) only applies as specified in 63.6645.
63.9(g)(2)	Notification of use of COMS data	No ..	Subpart ZZZZ does not contain opacity or VE standards.
63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded.	Yes .	If alternative is in use. Except that 63.9(g) only applies as specified in 63.6645.
63.9(h)(1)–(6)	Notification of compliance status	Yes .	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. 63.9(h)(4) is reserved. Except that 63.9(h) only applies as specified in 63.6645.
63.9(i)	Adjustment of submittal deadlines	Yes.	
63.9(j)	Change in previous information	Yes.	
63.10(a)	Administrative provisions for recordkeeping/reporting.	Yes.	
63.10(b)(1)	Record retention	Yes.	
63.10(b)(2)(i)–(v)	Records related to SSM	No.	
63.10(b)(2)(vi)–(xi)	Records	Yes.	
63.10(b)(2)(xii)	Record when under waiver	Yes.	
63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes..	For CO standard if using RATA alternative.
63.10(b)(2)(xiv)	Records of supporting documentation	Yes.	
63.10(b)(3)	Records of applicability determination	Yes.	
63.10(c)	Additional records for sources using CEMS.	Yes	Except that 63.10(c)(2)–(4) and (9) are reserved.
63.10(d)(1)	General reporting requirements	Yes.	
63.10(d)(2)	Report of performance test results	Yes.	
63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
63.10(d)(4)	Progress reports	Yes.	
63.10(d)(5)	Startup, shutdown, and malfunction reports	No.	
63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes.	
63.10(e)(2)(ii)	COMS-related report	No ..	Subpart ZZZZ does not require COMS.

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.10(e)(3)	Excess emission and parameter	Yes..	Except that 63.10(e)(3)(i) (C) is reserved.
63.10(e)(4) 63.10(f) 63.11 63.12 63.13 63.14 63.15	Reporting COMS data Waiver for recordkeeping/reporting Flares State authority and delegations Addresses Incorporation by reference Availability of information	No Yes. No. Yes. Yes. Yes. Yes.	Subpart ZZZZ does not require COMS.

TITLE V OPERATION PERMIT RENEWAL

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Pump Station G-362
Facility ID No.: 0990621

Palm Beach County, Florida

DRAFT/PROPOSED Permit No.: 0990621-006-AV

Permitting & Compliance Authority

Palm Beach County Health Department
Division of Environmental Public Health
P.O. Box 29 / 800 Clematis St.
West Palm Beach, Florida 33402-0029
Telephone: (561) 837-5900
Fax: 561/837-5295

April 23, 2010

TITLE V AIR OPERATION PERMIT RENEWAL

**SFWMD -- Pump Station S-362
DRAFT/PROPOSED Permit Project No.: 0990621-006-AV**

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Charlie Crist
Governor

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

Permittee

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

Responsible Official:

Mr. Radu Alexander Damian, Director, Central Field
Operations, Operations and Maintenance Resources

Permit No.: 0990621-006-AV
Facility ARMS ID No.: 0990621
SIC Nos.: 95, 9511
Project: Title V Air Operation Permit Renewal
Effective Date: **DRAFT**
Expiration Date: **DRAFT**
Renewal Application Due Date: **DRAFT**

This Draft/Proposed Title V Air Pollution Operation Permit is issued concurrently with the Draft Air Construction Permit No. 0990621-005-AC for the purpose of removing the requirement of the quarterly fuel sampling and for renewal of the Title V operating permit for the SFWMD Pump Station S-362 located one mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida. UTM Coordinates: Zone 17; 565.941 km E; 2946.303 km N; Latitude 26° 37' 32" North and Longitude: 80° 19' 05" West.

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 the authority to issue or deny permits for this type of air pollution source located in Palm Beach County.

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

Referenced attachments made a part of this permit:

Appendix A, Lists of Abbreviations, Acronyms, Rule Citation Formats, and Identification Formats.

Appendix D, Fuel Monitoring Plan

Appendix I, Insignificant Emissions Units and/or Activities

Appendix TV-6, Title V Conditions (version dated 06/23/06)

Appendix ZZZZ: Applicable Requirements from 40 CFR Part 63 Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines

DRAFT

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



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SECTION I. FACILITY INFORMATION

SUBSECTION A. FACILITY DESCRIPTION

The Title V Source, identified as Pump Station S-362 (SIC Code 9511), has been assigned AIRS ID No. 0990621. It is located one mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida. UTM Coordinates: Zone 17; 565.941 km E; 2946.303 km N; Latitude 26° 37' 32" North and Longitude: 80° 19' 05" West.

SUMMARY OF EMISSION UNIT

Pump station S-362 includes three 1303 horsepower (hp) Fairbanks-Morse diesel engine/pump combinations, two 839 hp Fairbanks-Morse diesel engine/pump combinations, two 685 hp Cummins emergency generators and one 535 hp Cummins emergency generator. All eight engines can operate on distillate fuel (0.5% S by wt), low sulfur fuel oil (0.05% S by wt) or ultra-low sulfur fuel (0.0015% S by wt). In addition, Pump Station S-362 contains several insignificant emission units including four 20,000-gallon fuel oil storage tanks, seven day-tanks and miscellaneous surface coating activities.

The diesel engines at this facility are subject to 40 CFR Part 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines."

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

EU ID No.	Status	Brief Description
001	Regulated	Stationary Internal Combustion Engines – Three 1303 hp diesel engine/pump combinations, two 839 hp diesel engine/pump combinations, two 685 hp diesel emergency generators, and one 535 hp diesel emergency generator.
002	Insignificant*	Volatile Organic Liquid Storage Tanks – Three 20,000-gallon above-ground fuel oil storage tanks
003	Insignificant*	Volatile Organic Liquid Storage Tanks – Seven aboveground storage tanks less than 40 cubic meters in capacity.

**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.*

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 (Table1-1) and Compliance Requirements (Table 2-1)
- Statement of Basis

The following documents are on file with the permitting authority:

Title V Operating Permit

Concurrent Application for a Title V Air Operation Permit Renewal and an Air Construction Permit No. 0990621-005-AC received February 09, 2010

SECTION II. FACILITY-WIDE CONDITIONS.**SUBSECTION A. FACILITY-WIDE CONDITIONS**

The following conditions apply facility-wide:

- II.A.1.** APPENDIX TV-6, TITLE V CONDITIONS, is a part of this permit.
- II.A.2.** Appendix I, Insignificant Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6) F.A.C.]
- II.A.3.** General Pollutant Emission Limiting Standards: Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.; and, 0990621-002-AC]
- II.A.4** 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.5.** General Pollutant Emission Limiting Standards: Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions: The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.
- “Nothing was deemed necessary and ordered at this time.”**
[Rule 62-296.320(1)(a), F.A.C.; and, renewal Title V permit application received February 9, 2010]
- II.A.6.** Unconfined Emissions of Particulate Matter: The permittee shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions shall include the following (see Condition 57. of APPENDIX TV-6, TITLE V CONDITIONS): :
- 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.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- [Rule 62-296.320(4)(c), F.A.C., Permit No. 0990621-002-AC]

SECTION II. FACILITY-WIDE CONDITIONS.

- II.A.7 Excess Emissions Requirements: Unless specified elsewhere in this permit, excess emissions shall be regulated in accordance with the following: **[Rule 62-210.700, F.A.C.]**
- (1) Excess emissions resulting from startup, shutdown, or malfunction of any emission unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. **[Rule 62-210.700(1), F.A.C.]**
 - (2) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. **[Rule 62-210.700(4), F.A.C.]**
 - (3) Considering operational variations in types of industrial equipment operations affected by this rule, the Department may adjust the maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest. **[Rule 62-210.700(5), F.A.C.]**
 - (4) In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Compliance Authority in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted to the Compliance Authority in a quarterly report, if requested by the Permitting or Compliance Authority. **[Rule 62-210.700(6), F.A.C.]**
- II.A.8. Prevention of Accidental Releases (Section 112(r) of CAA): At such time as the requirements of 40 CFR Part 68 are applicable to this source, the permittee shall **[Section 112(r)(7)(B)(iii) of the CAA, 40 CFR Part 68, Section 252.941(1)(c), F.S.]**
- (1) Submit a Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office RMP Reporting Center.
 - (2) Report to the appropriate representative of the Department of Community Affairs, as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the permittee is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the Clean Air Act (CAA).
 - (3) Submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S. and Rule 9G-21, F.A.C.
- II.A.9. The permittee shall submit all compliance related notifications and reports required of this permit to the Palm Beach County Health Department:

Palm Beach County Health Department
Air & Waste Program
800 Clematis Street, P.O. Box: 29
West Palm Beach, FL 33402-0029
Telephone: 561-873-5978; Fax: 561-873-5295

SECTION II. FACILITY-WIDE CONDITIONS.

- II.A.10.** Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303-8960
Telephone: 404/562-9155; Fax: 404/562-9163

- II.A.11.** 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.12.** Annual Statement of Compliance: The permittee shall provide an annual statement of compliance to the Permitting Authority and EPA on or before March 1st of each year covering the period for the previous calendar year. **[40 CFR 70.6 & Rule 62-213.440, F.A.C.]**
{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3, F.A.C. (see Condition 51. of APPENDIX TV-6, TITLE V CONDITIONS)}
- II.A.13** Certification by Responsible Official (RO): In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan, and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.
[Rule 62-213.420(4), F.A.C.]
- II.A.14.** Annual Operations Report: Before April 1st of each year, the owner or operator shall submit an Annual Operations Report *[DEP Form No. 62-210.900(5)]* to the Palm Beach County Health Department which summarizes operations for the previous calendar year. If the report is submitted, using the Department's electronic annual operating report software (EAOR), there is no requirement to submit a copy to DEP or the Palm Beach County Health Department. **[Rule 62-210.370(3), F.A.C.]**
- II.A.15** Annual Emissions Fee. The permittee must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

SUBSECTION C. COMMON CONDITIONS.

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

EU ID No.	EMISSIONS UNIT DESCRIPTION
001	<p>Three 1303 hp diesel engine/pump combinations, two 839 hp diesel engine/pump combinations, two 685 hp diesel emergency generators, and one 535 hp diesel emergency generator.</p> <p>Each 1303 hp pump engines is rated ~ 10mmbtu per hour and consumes 71 gallons of fuel per hour. Each 839 hp pump engines is rated ~ 6mmbtu/hr and consumes 46 gallons of fuel per hour.</p> <p>Each 685 hp generators is rated ~4mmbu/hr and consume 32 gallons of fuel per hour. Each 535 hp generator is rated at 3.47 mmbtu/hr, and consumes ~25 gallons of fuel per hour.</p> <p>All eight engines are capable of operating on distillate fuel (0.5% S by wt), low sulfur (0.05% S by wt) or ultra-low sulfur distillate fuel oil (0.0015% S by wt).</p> <p>Stack parameters for Pump Engines: Stack height 60 feet, Exit Temperature 500 F, Exit Diameter 1.3 to 1.5 feet, Actual Volumetric Flow Rate 8,060 to 12,517 acfm.</p> <p>Stack Parameters for Generators: Stack height 60 feet, Exit Temperature 900 F, Exit Dia. 0.708 feet, Actual Volumetric Flow Rate 4,419 to 5,568 acfm.</p>

Emissions Unit(s) Details:

The engines at this station are used to power five flood control pumps. The pump station is part of the Everglades Construction Project authorized by the Everglades Forever Act, Section 373.4592, Florida Statutes. The station will be used to pump water from Stormwater Treatment Area One (STA1-E) to the L-40 Canal.

Pump station S-362 consists of three 1,303 bhp and two 839 bhp diesel-fired Fairbanks-Morse (Model 38D 8-1/8) internal combustion engines (used to power 5 flood control pumps), two 685 bhp Cummins (Model KTA19-G3) emergency generators, and one 535 bhp Cummins (Model NTA855-G3) emergency generator. All eight engines can operate on either distillate fuel (0.5% S by wt), low sulfur fuel oil (0.05% S by wt) or ultra -low sulfur fuel (0.0015% S by wt). In addition, Pump Station S-362 contains several insignificant emission units including four 20,000-gallon fuel oil storage tanks, seven day-tanks and miscellaneous surface coating activities.

The diesel engines at this facility are subject to 40 CFR Part 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines."

SUBSECTION C. COMMON CONDITIONS.

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

ESSENTIAL POTENTIAL TO EMIT PARAMETERS

- III.A.1.** Permitted Capacity. The permittee shall not allow, cause, suffer or permit the operation of the unit in excess of the following without prior authorization from the Permitting Authority:
- (1) *Annual Fuel Consumption:* Annual fuel consumption for the pump station including support equipment shall not exceed 1.34 million gallons of distillate fuel per consecutive 12 months, rolling total. **[Permit No. 0990621-002-AC]**
- III.A.2.** Methods of Operation: The permittee shall not allow, cause, suffer or permit any change in the method(s) of operation resulting in increased short-term or long-term emissions, without prior authorization from the Permitting Authority. The authorized methods of operation include the following:
- (1) Fuels: The permittee is authorized to fire low sulfur (0.05% wt.) or ultra low-sulfur (0.0015% wt) distillate oil in the emissions units. The temporary use of distillate fuel with higher sulfur content (up to 0.5 % wt.) will be allowed as specified in Specific Condition A.4. **[Permit No. 0990621-002-AC]**
- III.A.3.** Hours of Operation: The permittee is authorized to operate the emissions unit unrestricted (8760 hours per year) without prior authorization from the Permitting Authority in accordance with Conditions **III.A.1** of this Section. **[Permit No. 0990621-002-AC]**

EMISSION LIMITATIONS AND STANDARDS

- III.A.4.** Fuel Oil Sulfur Content: At no time, other than that specified below, shall the permittee (South Florida Water Management District) 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.) or ultra-low (0.0015% wt.) distillate fuel is deemed available by FDEP. For 12 months following the end of the emergency order, the restoration of low sulfur or ultra-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% wt) 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. **[Permit No. 0990621-002-AC]**

SUBSECTION C. COMMON 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.]**

- (1) *EPA Method 1, Sampling and Velocity Traverses for Stationary Sources* **[Rule 62-297.401(1)(a), F.A.C.];**
- (2) *EPA Method 2, Determination of Stack Gas Velocity and Volumetric Flow Rate* **[Rule 62-297.401(2), F.A.C.];**
- (3) *EPA Method 3, Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight* **[Rule 62-297.401(3), F.A.C.];**
- (4) *EPA Method 3A, Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure)* **[Rule 62-297.401(3)(a), F.A.C.];**
- (5) *EPA Method 4, Determination of Moisture Content in Stack Gases* **[Rule 62-297.401(4), F.A.C.];**
- (6) *EPA Method 7, Determination of Nitrogen Oxide Emissions from Stationary Sources* **[Rule 62-297.401(7), F.A.C.];**
- (7) *EPA Method 7E, Determination of Nitrogen Oxide Emissions from Stationary Sources (Instrumental Analyzer Procedure)* **[Rule 62-297.401(7)(e), F.A.C.];**
- (8) *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. **[Rule 62-297.401, F.A.C.]**

COMPLIANCE ASSURANCE MONITORING

III.A.7. Fuel Oil Sulfur Content: The permittee shall monitor the fuel sulfur content in accordance with the most recently approved fuel monitoring plan (Appendix D). 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 blend using fuel delivery records and mass balance. **[Permit No. 0990621-002-AC]**

III. A.8. 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)(b), 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 fuel oil usage. 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. }

SUBSECTION C. COMMON CONDITIONS.

- III.A.9. Annual Fuel Consumption:** The permittee shall monitor compliance with the annual fuel consumption limit on a monthly basis. If the rolling 12-month total does not exceed 1.073 million gallons, the permittee shall continue monitor fuel consumption on a monthly basis (rolling 12-month total). If the rolling 12-month total exceeds 1.073 million gallons, the permittee shall monitor fuel consumption on a daily basis (rolling 365-day total). When the rolling 365-day total does not exceed 1.073 million gallons for 30 consecutive days, monthly monitoring can be resumed. **[Permit No. 0990621-002-AC]**

{Permitting Note: Because the estimated potential emissions of nitrogen oxides are very close to the PSD threshold, the construction permit established a rolling 365-day total averaging period whenever a rolling 12-month total exceeds 1.073 million gallons. This enhanced monitoring threshold is based on the estimated maximum fuel consumption for a 30-day period under continuous operation of the five pumps engines at full load as well as the three emergency generators. Monthly monitoring may be resumed after 30 consecutive days of daily monitoring demonstrate fuel consumption below the 1.073 million gallon threshold}

- III.A.10. Emission Factor Verification:** Upon permit renewal, the permittee shall verify the validity of the modified AP-42 emission factor for NOx emissions. In lieu of conducting a nitrogen oxide emissions stack test to validate the emission factors, the permittee can provide fuel use records that document that the facility has not operated above 80 percent of the fuel emission limit during the previous five years. If the permittee elects not to use the fuel consumption option, a stack test shall be conducted in accordance with 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. Alternative stack testing methods using a combustion gas analyzer can be used if approved by PBCHD. If alternative stack testing is to be performed, a copy of the proposed testing protocol shall be submitted to PBCHD 30 days prior to the test date. **[Permit No. 0990621-002-AC]**

{Permitting Note: Nitrogen oxide emissions from the engine/pump combinations are based on manufacturer certified emission factors of 0.02 lb/hp-hr. From June 29, 2004 to August 26, 2004, the South Florida Water Management District conducted stack emission testing at several facilities to verify the manufacturer's emission factors for the pump engines. Due to the temporary and infrequent use of the emergency generators, no emission tests were conducted for the emergency generator units.}

REPORTING AND RECORDKEEPING REQUIREMENTS

- III.A.11 Excess Emissions Report:** If excess emissions occur, the Health Department may request a written summary report of the incident. **[Rules 62-4.130 and 62-210.700(6), F.A.C.]**

- III.A.12. Record Keeping Requirements:**

- (a) For monthly fuel consumption monitoring (the rolling 12-month total does not exceed 1.073 million gallons): Within the first 15 days of each month, the permittee shall record in a written log the following information:
- (1) Gallons of diesel fuel consumed for the previous month of operation;
 - (2) Gallons of diesel fuel consumed for the previous consecutive 12 months of operation (including the previous month consumption discussed in (1)); and
 - (3) Hours of operation for each pump engine and emergency generator for the previous month of operation.

[Permit No. 0990621-002-AC]

SUBSECTION C. COMMON CONDITIONS.

- (b) For daily fuel consumption monitoring (the rolling 12-month total does exceed 1.073 million gallons) Once per day, the permittee shall record in a written log the following information:
- (1) Gallons of diesel fuel consumed for the previous 364 days of operation;
 - (2) Gallons of diesel fuel consumed for the that day of operation; and
 - (3) Hours of operation for each pump engine and emergency generator.
- [Permit No. 0990621-002-AC]**
- (c) 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. **[Permit No. 0990621-002-AC]**

- III.A.13.** Reporting Requirements: The following reporting requirements shall only apply in cases where the supply of low-sulfur fuel or ultra-low sulfur fuel is interrupted:

Upon receiving initial notification of the unavailability of low-sulfur (0.05 % wt.) or ultra-low sulfur (0.0015% 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. **[Permit No. 0990621-002-AC]**

- III.A.14.** NESHAP 40 CFR Part 63 Subpart ZZZZ: Because this facility operates stationary reciprocating internal combustion engines, it is subject to regulation under 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. However, since these engines meet the Subpart ZZZZ definition of "existing units", there are no unit specific applicable requirements that must be met pursuant to this rule at this time.

- III.A.15.** The facility is subject to the applicable Requirements of 'National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines' Regulations (40 CFR Part 63 Subpart ZZZZ). These requirements are included in Appendix ZZZZ.

The facility must comply with the applicable emission limitations and operating limitations no later than May 3, 2013 [40 CFR Part 63 Subpart ZZZZ]

- 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.**

SUBSECTION C. COMMON CONDITIONS.

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

EU ID No.	EMISSIONS UNIT DESCRIPTION
002	Four 20,000-gallon above-ground fuel oil storage tanks -- INSIGNIFICANT
003	Seven aboveground storage tanks less than 40 cubic meters in capacity -- INSIGNIFICANT

1.0 OPERATING RESTRICTIONS

1.1 Permitted Capacity. The permittee shall not allow, cause, suffer, or permit the capacity of the emissions units in excess of the stated capacities without prior authorization from the Permitting Authority. [**Permit No. 0990621-001-AC**]

1.2 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:

Fuel Type(s): During normal operations, only low sulfur (0.05% S wt.) or ultra-low (0.0015% 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. [**Permit No. 0990621-002-AC**]

1.3 Hours of Operation: The permittee is authorized to operate the units continuously.

2.0 COMPLIANCE DEMONSTRATIONS AND MONITORING

2.1 Operating Parameters: The permittee shall implement the following monitoring requirements.

(a) Volatile Organic Liquid Types: For each fuel delivery, the permittee shall monitor and record the date, time, quantity, and the sulfur content of the delivered fuel. [**Permit No. 0990621-002-AC, and Rule 62-213.440(1)(b), F.A.C**]

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	Three 1303 hp diesel engine/pump combinations, two 839 hp diesel engine/pump combinations, two 685 hp diesel emergency generators, and one 535 hp diesel emergency generator.

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 62-297.310(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.

SUBSECTION C. 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 0.004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test	Spirometer or calibrated wet test or dry gas test meter Comparison check	2%

SUBSECTION C. COMMON CONDITIONS.

Table 297.310-1 Calibration Schedule			
Item	Minimum Calibration Frequency	Reference Instrument	Tolerance
	series		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.]**

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.

SUBSECTION C. COMMON CONDITIONS.

7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time, and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer, and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing, and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted 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.]**

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

SUBSECTION C. COMMON CONDITIONS.

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.]**

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, guidance memorandums, permit numbers, and ID numbers.

Code of Federal Regulations:

Example: **[40 CFR 60.334]**

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

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

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

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

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

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 =	3-digit number code identifying the facility is located in Polk County
0221 =	4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:

AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by permit tracking database
001 or 002 = 3-digit sequential project number assigned by permit tracking database

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

Where:

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

SECTION IV 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:

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 D129-91, D1552, D2622-94, D4294-90, D5453 or comparable Department approved method. Records shall specify the test method used. **The fuel analysis from fuel supplier along with fuel delivery receipts are kept at the facility. [Permit No. 0990621-002-AC]**

In order to document continuing compliance with fuel sulfur 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. The permittee may use fuel delivery records and mass balance to demonstrate compliance of the blended fuel with the post-shortage sulfur limit.

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(l)(b), F.A.C.]

As per permit modification (No. 0990621-005-AC), the random quarterly fuel sampling is removed from this plan, since the SFWMD has been burning ultra-low sulfur diesel fuel since its availability. The sulfur content of this fuel is 0.0015%, which is significantly below 0.05% -- the allowable sulfur limit in the permit. Since sulfur content and the associated Sulfur Dioxide emissions are greatly reduced, removing fuel-sampling requirement would not lessen the protection of environment.

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

Mr. Radu Alexander Damian. Adams, Director, Field Operations,
 Operations and Maintenance Resources
 Pump Station S-362

Facility ID No.: 0990621

Permit History (for tracking purposes)

E.U.

<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	Five Stationary Internal Combustion Engines and Three Emergency Generators	099-0621-001-AC	03/04/2004	03/05/2005	03/02/06	
		0990621-002-AC	8/15/2005	8/14/2006		
		0990621-003-AV	10/10/05	10/09/05		
		0990621-004-AC	03/31/06	03/30/07		
-002	Volatile Organic liquid Storage Tanks					
-003	Volatile Organic Liquid Storage Tanks- Day Tanks					

(if Applicable) ID Number Changes (for tracking purposes)

From: **None**

**SECTION IV APPENDIX I
List of Insignificant Units or Activities**

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

BRIEF DESCRIPTION OF EMISSIONS UNIT AND/OR ACTIVITY	JUSTIFICATION FOR EXEMPTION
Architectural Surface Coating Operations	Rules 62-210.300(3)(a), F.A.C.
Internal Combustion Engines from Vehicles	Rules 62-210.300(3)(a), F.A.C.
Steam Cleaning Equipment	Rules 62-210.300(3)(a), F.A.C.
Belt & Drum Sanders	Rules 62-210.300(3)(a), F.A.C.
Brazing, Soldering or Welding Equipment	Rules 62-210.300(3)(a), F.A.C.
Emergency Generators	Rules 62-210.300(3)(a), F.A.C.
Heating Units, General Purpose IC Engines and Other Combustion Sources	Rules 62-210.300(3)(a), F.A.C.
Degreasing Units (non-HAP solvent)	Rules 62-210.300(3)(a), F.A.C.
Petroleum Lubricating System	Rules 62-210.300(3)(a), F.A.C.
Fire & Safety Equipment	Rules 62-210.300(3)(a), F.A.C.
Fungicide, Herbicide & Pesticide Applications	Rules 62-210.300(3)(a), F.A.C.
Asbestos Renovation & Demolition Activities	Rules 62-210.300(3)(a), F.A.C.
Non-Halogenated Solvent Storage & Cleaning	Rules 62-210.300(3)(a), and 62-210.300(3)(b), F.A.C.
Vehicle Refueling Operations and Associated Fuel Storage	Rules 62-210.300(3)(a), F.A.C.
Abrasive Blasting Activities	Rules 62-210.300(3)(b), F.A.C.
Distillate Oil Storage and Handling	Rules 62-210.300(3)(b), F.A.C.
Distillate Oil Piping System	Rules 62-210.300(3)(b), F.A.C.
Lawn & Ground Maintenance	Unregulated
Paved & Unpaved Roads	Unregulated

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

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.

SECTION IV. Appendix S

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

Mr. Radu Alexander Damian, Director, Central Field Operations, Operations and Maintenance Resource SFWMD Pump Station S-362
SFWMD Pump Station S-362

DRAFT/PROPOSED Permit No.: 0990621-006-AV
Facility ID No.: 0990621

E.U. ID No. Brief Description

-001 Three 1303 hp diesel engine/pump combinations, two 839 hp diesel engine/pump combinations, two 685 hp diesel emergency generators, and one 535 hp diesel emergency generator.

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standards	lbs./hr	TPY	lbs./hr	TPY		
Visible Emissions	LSDO	8,760	≤20% Opacity (6 min/hr)	-	-	-	-	Rule 62-296.320(4)(b), F.A.C.	II.A.4
NOx	DO/LS DO	8,760	Fuel Consumption ≤ 1.34 Million Gallons/yr			56.72	248.44	0990621-005-AC	III.A.1
Sulfur Content	ULSDO	8,760	0.0015 % by weight	-	-	0.043	0.192	0990621-005-AC	III.A.2
Sulfur Content	LSDO	8,760	0.05 % by weight	-	-	1.47	6.454	0990621-005-AC	III.A.2
Sulfur Content	DO	LSDO if unavailable	0.5 % by weight	-	-	11.35	49.73	0990621-005-AC	III.A.2

Notes: DO – Distillate Oil, LSDO – Low Sulfur Distillate Oil, ULSDO – Ultra-Low Sulfur Distillate Oil, Calculations were based on information provided by application submitted for concurrency of this Title V permit (0990621-005-AC/006-AV).

SECTION IV. Appendix S

Table 2-1, Summary of Compliance Requirements

Mr. Radu Alexander Damian, Director, Central Field Operations, Operations and Maintenance Resource SFWMD Pump Station S-362

DRAFT/PROPOSED Permit No.: 0990621-006-AV
Facility ID No.: 0990621

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 Three 1303 hp diesel engine/pump combinations, two 839 hp diesel engine/pump combinations, two 685 hp diesel emergency generators, and one 535 hp diesel emergency generator.

Pollutant Name or Parameter	Fuels	Compliance Method(s)	Testing Time Frequency	Frequency Base Date ⁽¹⁾	Min. Compliance Test Duration	CMS ⁽²⁾	See permit condition(s)
Visible Emissions	LSDO	EPA Method 9	(3)	(3)	30 minutes	NA	III.A.8
Nitrogen Oxides	LSDO	EPA Methods 1-4, 7A-7E or Combustion Gas Analyzer Fuel consumption records can be used in lieu of testing	(5)	(5)	3 hours for EPA Test Methods 2 hours for Combustion Gas Analyzer	NA	III.A.8
Fuel Oil Sulfur Content	LSDO	ASTM	(3)	(3)	NA	NA	Appendix D

Notes: (1) The Frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
 (2) CMS [=] continuous monitoring system
 (3) Testing is only required if requested.
 (4) Fuel Vendor Certification shall be acceptable.
 (5) In lieu of testing, fuel records indicating fuel consumption over the life of the permit at or below 80% of allowed fuel cap shall be accepted.

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

Chapter 62-4, F.A.C.

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

[Rule 62-4.030, Florida Administrative Code (F.A.C.); and, Section 403.087, Florida Statute (F.S.)]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. **Modification of Permit Conditions.**

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

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

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

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

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

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

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

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

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

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

6. **Suspension and Revocation.**

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

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

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

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

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

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

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

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

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

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

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

8. **Transfer of Permits.**

- (1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee. For air permits, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted.
- (2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.
- (3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.
- (4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.
- (5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.
[Rule 62-4.120, F.A.C.]

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. (**also, see Condition No. 10.**)
[Rule 62-4.130, F.A.C.]

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

11. **Not federally enforceable.** Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.
[Rule 62-4.150, F.A.C.]

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

- (1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- (2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- (3) As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

- (4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- (5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- (7) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- (8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information: (also, see Condition No. 10.)
- (a) A description of and cause of noncompliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- (9) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (14) The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 1. The date, exact place, and time of sampling or measurements;
 2. The person responsible for performing the sampling or measurements;
 3. The dates analyses were performed;
 4. The person responsible for performing the analyses;
 5. The analytical techniques or methods used;
 6. The results of such analyses.
- (15) When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not

submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

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

13. Construction Permits.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chapter 62-204, F.A.C.

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

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

Chapter 62-210, F.A.C.

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

(1) Air Construction Permits.

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

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

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

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

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

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

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

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

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification, or subsequent to the creation of or change to a bubble, and demonstration of compliance with

the conditions of the construction permit for any new or modified facility or emissions unit, any air emissions bubble, or as otherwise provided in Chapter 62-210, F.A.C., or Chapter 62-213, F.A.C., the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit or air general permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-213, F.A.C., and Chapter 62-4, F.A.C.

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

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;
2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.
3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.
 - a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.
 - b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:
 - (i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and
 - (ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and
 - (iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.
 - c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.
 - d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.
4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(8), F.A.C.

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

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

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

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

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

20. **Emissions Unit Reclassification.**

- (a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.
- (b) If the owner or operator of an emissions unit, which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit. [Rule 62-210.300(6), F.A.C.]

21. Transfer of Air Permits.

- (a) An air permit is transferable only after submission of an Application for Transfer of Air Permit (DEP Form 62-210.900(7)) and Department approval in accordance with Rule 62-4.120, F.A.C. For Title V permit transfers only, a complete application for transfer of air permit shall include the requirements of 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Within 30 days after approval of the transfer of permit, the Department shall update the permit by an administrative permit correction pursuant to Rule 62-210.360, F.A.C.
- (b) For an air general permit, the provision of Rules 62-210.300(7)(a) and 62-4.120, F.A.C., do not apply. Thirty (30) days before using an air general permit, the new owner must submit an air general permit notification to the Department in accordance with Rule 62-210.300(4), F.A.C., or Rule 62-213.300(2)(b), F.A.C. [Rule 62-210.300(7), F.A.C.]

22. Public Notice and Comment.

(1) Public Notice of Proposed Agency Action.

- (a) A notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:
1. An air construction permit;
 2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
 3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except Title V air general permits or those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.
- (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 the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
 2. A 30-day period for submittal of public comments; and
 3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.

- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
 2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
 2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.
- (c) The notice shall identify:
1. The facility;
 2. The name and address of the office at which processing of the permit occurs;
 3. The activity or activities involved in the permit action;
 4. The emissions change involved in any permit revision;
 5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;
 6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;
 7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and
 8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

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

23. Administrative Permit Corrections.

- (1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
- (a) Typographical errors noted in the permit;
 - (b) Name, address or phone number change from that in the permit;
 - (c) A change requiring more frequent monitoring or reporting by the permittee;
 - (d) A change in ownership or operational control of a facility, subject to the following provisions:
 - 1. The Department determines that no other change in the permit is necessary;
 - 2. The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
 - 3. The new permittee has notified the Department of the effective date of sale or legal transfer.
 - (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
 - (f) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
 - (g) Any other similar minor administrative change at the source.
- (2) Upon receipt of any such notification, the Department shall within 60 days correct the permit and 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.
 - 2. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
 - 3. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
 - (b) **Continuous Emissions Monitoring System (CEMS).**
 - 1. An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:

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

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

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

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

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

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

(c) Mass Balance Calculations.

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

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

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

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

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

(d) Emission Factors.

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

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

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

c. The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.

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

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

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

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

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

(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 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;

(g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.;

(h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of "major source of air pollution" at Rule 62-210.200, F.A.C.;

(i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1), (2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;

(j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source;

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

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

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

34. Immediate Implementation Pending Revision Process.

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

35. Permit Applications.

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

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

(b) Complete Application.

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

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

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

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

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

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

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

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

information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.
[Rule 62-213.420(3), F.A.C.]

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

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

CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

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

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

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

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

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

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

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

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

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

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

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

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

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

- b. 1,000 pounds per year or more of any hazardous air pollutant;
- c. 2,500 pounds per year or more of total hazardous air pollutants; or
- d. 5.0 tons per year or more of any other regulated pollutant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chapter 62-256, F.A.C.

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

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

Chapter 62-281, F.A.C.

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

(1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;

- (2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
- (3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
- (4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.
[40 CFR 82; and, Chapter 62-281, F.A.C. **(Chapter 62-281, F.A.C., is not federally enforceable)**]

Chapter 62-296, F.A.C.

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

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

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

57. Unconfined Emissions of Particulate Matter.

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

3. Reasonable precautions include the following:

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

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

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

Appendix ZZZZ
Applicable Requirements from 40 CFR Part 63 Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines

63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand. An area source of HAP emissions is a source that is not a major source.

63.6590 What parts of my plant does this subpart cover?

(a) *Affected source.* An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) *Existing stationary RICE.*

For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

63.6595 When do I have to comply with this subpart?

If you have an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013

63.6603 What emission limitations and operating limitations must I meet if I own or operate an existing stationary CI RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in 40 CFR 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

63.6604 What fuel requirements must I meet if I own or operate an existing stationary CI RICE?

If you own or operate an existing nonemergency CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel.

63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations and operating limitations in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing CI stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions **or an existing stationary CI RICE located at an area source of HAP emissions** you are subject to the requirements of this section.

- (a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in 40 CFR 63.6595 and according to the provisions in 40 CFR 63.7(a)(2).
- (b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.
- (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
- (2) The test must not be older than 2 years.
- (3) The test must be reviewed and accepted by the Administrator.
- (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

63.6620 What performance tests and other procedures must I use?

- a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.
- b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart.
- d) You must conduct three separate test runs for each performance test required in this section, as specified in 40 CFR 63.7(e)(3). Each test run must last at least 1 hour.
- (e)(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

$$(1) \quad \frac{C_i - C_o}{C_i} \times 100 = R \quad (\text{Eq. 1})$$

Where:

C_i = concentration of CO or formaldehyde at the control device inlet,
 C_o = concentration of CO or formaldehyde at the control device outlet, and
 R = percent reduction of CO or formaldehyde emissions.

- (2) You must normalize the carbon monoxide (CO) or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO_2). If pollutant concentrations are to be corrected to 15 percent oxygen and CO_2 concentration is measured in lieu of oxygen concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.
- (i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, section 5.2, and the following equation:

$$(1) \quad F_o = \frac{0.209 F_d}{F_c} \quad (\text{Eq. 2})$$

Where:

F_o = Fuel factor based on the ratio of oxygen volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3/J ($\text{dscf}/10^6 \text{ Btu}$).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J ($\text{dscf}/10^6 \text{ Btu}$).

- (ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent oxygen, as follows:

$$(1) \quad X_{\text{co}_2} = \frac{5.9}{F_o} \quad (\text{Eq. 3})$$

Where:

X_{co_2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2 –15 percent O_2 , the defined O_2 correction value, percent

- (f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or

NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

- (1) Identification of the specific parameters you propose to use as operating limitations;
- (2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;
- (3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
- (4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and
- (5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

- (1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (*e.g.*, operator adjustment, automatic controller adjustment, etc.) or unintentionally (*e.g.*, wear and tear, error, etc.) on a routine basis or over time;
- (2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;
- (3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;
- (4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;
- (5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;
- (6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and
- (7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided

63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(g) If you own or operate an existing non-emergency CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (g)(2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska not accessible by the FAHS do not have to meet the requirements of paragraph (g) in this section.

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or (2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals.

(h) If you operate a new or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed

30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary engine that is subject to the work, operation or management practices in items 1, 2, or 4 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil before continuing to use the engine. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

63.6640 How do I demonstrate continuous compliance with the emission limitations and operating limitations?

(a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in 40 CFR 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a new emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the engine according to the conditions described in paragraphs (f)(1) through (4) of this section.

1) For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited.

(2) There is no time limit on the use of emergency stationary RICE in emergency situations.

(3) You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year.

The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

(4) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is

not limited by this paragraph (f)(4), as long as the power provided by the financial arrangement is limited to emergency power.

63.6645 What notifications must I submit and when?

(a) You must submit all of the notifications in 40 CFR 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;

(2) An existing stationary CI RICE located at an area source of HAP emissions.

63.6650 What reports must I submit and when?

You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 CFR 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in 40 CFR 63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in 40 CFR 63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 CFR 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in 40 CFR 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(a) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.6605(b), including actions taken to correct a malfunction.

(3) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(4) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(b) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.

(4) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(5) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

63.6655 What records must I keep?

If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(3), (b)(1) through (b)(3) and (c) of this section.

A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary CI RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency CI RICE.

(3) An existing stationary CI RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) or (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the nonresettable hour meter. The owner or operator must document how many hours are spent for emergency operation; including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.

(1) An existing emergency stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary CI RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines. ???

63.6660 In what form and how long must I keep my records?

Your records must be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). As specified in 40 CFR 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1).

63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in 40 CFR 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

Area source means any stationary source of HAP that is not a major source as defined in part 63.

Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

Black start engine means an engine whose only purpose is to start up a combustion turbine.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101-549, 104 Stat. 2399).

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by 40 CFR 63.6(e)(1)(i).

Diesel engine means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g. biodiesel) that is suitable for use in compression ignition engines

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

Dual-fuel engine means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

Emergency stationary RICE means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used for peak shaving are not considered emergency stationary ICE. Stationary CI ICE used to supply power to an electric grid or that supply nonemergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under 40 CFR 63.6640(f). Emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may also operate an additional 50 hours per year in non-emergency situations. All other emergency stationary RICE must comply with the requirements specified in 40 CFR 63.6640(f).

Engine startup means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

Four-stroke engine means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

Gaseous fuel means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

Gasoline means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

Glycol dehydration unit means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

Hazardous air pollutants (HAP) means any air pollutants listed in or pursuant to section 112(b) of the CAA.

ISO standard day conditions means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

Lean burn engine means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

Limited use stationary RICE means any stationary RICE that operates less than 100 hours per year.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

Liquid fuel means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

Major Source, as used in this subpart, shall have the same meaning as in 40 CFR63.2, except that:

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in 40 CFR63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in 40 CFR63.1271 of subpart HHH of this part, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_x) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_x, CO, and volatile organic compounds (VOC) into CO₂, nitrogen, and water.

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.*, remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst means an add-on catalytic control device that controls CO and VOC by oxidation.

Peaking unit or engine means any standby engine intended for use during periods of high demand that are not emergencies.

Percent load means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the

potential to emit provisions in 40 CFR63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to 40 CFR63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to 40 CFR63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C_3H_8 .

Residential/commercial/institutional emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or residences, commercial establishments such as office buildings, hotels, or stores, or institutional establishments such as medical centers, research centers, and institutions of higher education.

Responsible official means responsible official as defined in 40 CFR 70.2.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO_x (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Site-rated HP means the maximum manufacturer's design capacity at engine site conditions.

Spark ignition means relating to: either a gasoline-fueled engine; or any other type of engine a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary reciprocating internal combustion engine (RICE) means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differs from mobile RICE in that stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

Stationary RICE test cell/stand means an engine test cell/stand, as defined in subpart PPPPP of this part, that tests stationary RICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Subpart means 40 CFR part 63, subpart ZZZZ.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

Table 2b Operating Limitations for Existing Non- Emergency Compression Ignition Stationary RICE >500 HP, As stated in 40 CFR 63.6600, 63.6601, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed lean burn and existing, new and reconstructed compression ignition stationary RICE:	
For each ...	You must meet the following operating limitation ...
1. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.	a. Maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and
	b. Maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. ¹
2. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and not using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst.	Comply with any operating limitations approved by the Administrator.
¹ Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(g) for a different temperature range.	

Table 2d Requirements for Existing Compression Ignition Stationary RICE Located at Area Sources of HAP Emissions		
As stated in 40 CFR 63.6600 and 63.6640, you must comply with the following emission and operating limitations for existing compression ignition stationary RICE:		
For each ...	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must ...
1. Non-Emergency, non-black start CI ≤ 300 HP.	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;	Minimize the engine’s time spent at idle and minimize the engine’s startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
2. Non-Emergency, non-black start CI 300<HP≤500.	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O ₂ ; or	
	b. Reduce CO emissions by 70 percent or more.	
3. Non-Emergency, non-black start CI > 500 HP.	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O ₂ ; or	
	b. Reduce CO emissions CI by 70 percent or more.	
4. Emergency CI and black start CI. ²	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
¹ Sources have the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) in order to extend the specified oil change requirement in Table 2d of this subpart.		
² If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.		

Table 3
Subsequent Performance Tests As stated in 40 CFR 63.6615 and 63.6620, you must comply with the following subsequent performance test requirements:

For each . . .	Complying with the requirement to . . .	You must . . .
4. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are not limited use stationary RICE.	Limit or reduce CO or formaldehyde emissions.	Conduct subsequent performance tests every 8,760 hrs or 3 years, whichever comes first.

<p align="center">Table 4 Requirements for Performance Tests As stated in §40 CFR 63.6610, 63.6611, 63.6612, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE for existing sources:</p>				
For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE.	a. Reduce CO emissions.	i. Measure the O ₂ at the inlet and outlet of the control device; and	(1) Portable CO and O ₂ analyzer.	(a) Using ASTM D6522–00 (2005) ^{a,b} (incorporated by reference, see 40 CFR 63.14). Measurements to determine O ₂ must be made at the same time as the measurements for CO concentration.
		ii. Measure the CO at the inlet and the outlet of the control device.	(1) Portable CO and O ₂ analyzer.	(a) Using ASTM D6522–00 (2005) a,b (incorporated by reference, see 40 CFR 63.14) or Method 10 of 40 CFR appendix A. The CO concentration must be at 15 percent O ₂ , dry basis.
B. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust.	i. Select the sampling port location and the number of traverse points; and	(1) Method 1 or 1A of 40 CFR part 60, appendix A 40 CFR 63.7(d)(1)(i).	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (2005).	(a) Measurements to determine O ₂ concentration must be made at the same time and location as the measurements for formaldehyde concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and	(1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03.	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration.
		iv. Measure formaldehyde at the exhaust of the stationary RICE; or	(1) Method 320 of 40 CFR part 63, appendix A; or ASTM D6348–03 ^c , provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130.	(a) Formaldehyde concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
		v. Measure CO at the exhaust of the stationary RICE.	(1) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (2005) ^a , Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.	(a) CO concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour longer runs.
<p>^a You may also use Methods 3A and 10 as options to ASTM–D6522–00 (2005). You may obtain a copy of ASTM–D6522–00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106. ASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.</p> <p>^b You may also use Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.</p> <p>^c You may obtain a copy of ASTM–D6348–03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.</p>				

<p align="center">Table 5 Initial Compliance With Emission Limitations and Operating Limitations As stated in §40 CFR 63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:</p>		
For each	Complying with the requirement to...	You have demonstrated initial compliance if ...
<p>8. Existing stationary non-emergency RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source.</p> <p>9. Existing stationary non-emergency RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source.</p>	<p>a. Reduce CO or formaldehyde emissions ...</p> <p>a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust.</p>	<p>i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.</p> <p>i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O₂, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.</p>

Table 6 Continuous Compliance With Emission Limitations and Operating Limitations As stated in 40 CFR 63.6640, you must continuously comply with the required by the following: emissions and operating limitations as		
For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
8. Stationary RICE >500 HP located at a major source. 9. Existing stationary CI RICE not subject to any numerical emission limitations.	Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR. a. Work or Management practices	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit a; and ii. Collecting the approved operating parameter (if any) data according to 40 CFR 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. i. Operating and maintaining the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions
10. Existing stationary RICE >500 HP that are not limited use stationary RICE, except 4SRB >500 HP located at major sources. 11. Existing limited use stationary RICE >500 HP that are limited use CI stationary RICE.	a. Reduce CO or formaldehyde emissions; or b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust. a. Reduce CO or formaldehyde emissions; or b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust.	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit. i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit.

^a After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

**Table 7
Requirements for Reports**

As stated in 40 CFR 63.6650, you must comply with the following requirements for reports:

You must submit a(n) . . .	The report must contain. . .	You must submit the report . . .
1. Compliance report	<p>a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or</p> <p>b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in 40 CFR 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), the information in 40 CFR 63.6650(e); or</p> <p>c. If you had a malfunction during the reporting period, the information in 40 CFR 63.6650(c)(4).</p>	<p>i. Semiannually according to the requirements in 40 CFR 63.6650(b)(1)–(5) for engines that are not limited use stationary CI RICE subject to numerical emission limitations; and</p> <p>ii. Annually according to the requirements in 40 CFR 63.6650(b)(6)–(9) for engines that are limited use stationary CI RICE subject to numerical emission limitations.</p> <p>i. Semiannually according to the requirements in 40 CFR 63.6650(b).</p> <p>i. Semiannually according to the requirements in 40 CFR 63.6650(b).</p>
2. Report	<p>a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and</p> <p>b. The operating limits provided in your Federally enforceable permit, and any deviations from these limits; and</p> <p>c. Any problems or errors suspected with the meters.</p>	<p>i. Annually, according to the requirements in 40 CFR 63.6650.</p> <p>i. See item 2.a.i.</p> <p>i. See item 2.a.i.</p>

APPENDIX TV-6
Title V Condition (dated 06/23/06)

Table 8
Applicability of General Provisions to Subpart ZZZZ

As stated in 40 CFR 63.6665, you must comply with the following applicable general provisions.

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.1	General applicability of the General Provisions.	Yes.	
63.2	Definitions	Yes	Additional terms defined in 63.6675.
63.3	Units and abbreviations	Yes.	
63.4	Prohibited activities and circumvention	Yes.	
63.5	Construction and reconstruction	Yes.	
63.6(a)	Applicability	Yes.	
63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources.	Yes.	
63.6(b)(5)	Notification	Yes.	
63.6(b)(6)	[Reserved]		
63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources.	Yes.	
63.6(c)(1)-(2)	Compliance dates for existing sources	Yes.	
63.6(c)(3)-(4)	[Reserved]		
63.6(c)(5)	Compliance dates for existing area sources that become major sources.	Yes.	
63.6(d)	[Reserved]		
63.6(e)	Operation and maintenance	No.	
63.6(f)(1)	Applicability of standards	No.	
63.6(f)(2)	Methods for determining compliance	Yes.	
63.6(f)(3)	Finding of compliance	Yes.	
63.6(g)(1)-(3)	Use of alternate standard	Yes.	
63.6(h)	Opacity and visible emission standards	No ...	Subpart ZZZZ does not contain opacity or visible emission standards.
63.6(i)	Compliance extension procedures and criteria.	Yes.	
63.6(j)	Presidential compliance exemption	Yes.	
63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at 63.6610, 63.6611, and 63.6612.
63.7(a)(3)	CAA section 114 authority	Yes.	
63.7(b)(1)	Notification of performance test	Yes	Except that 63.7(b)(1) only applies as specified in 63.6645.
63.7(b)(2)	Notification of rescheduling	Yes	Except that 63.7(b)(2) only applies as specified in 63.6645.
63.7(c)	Quality assurance/test plan	Yes	Except that 63.7(c) only applies as specified in 63.6645.-
63.7(d)	Testing facilities	Yes.	
63.7(e)(1)	Conditions for conducting performance tests.	No.	Subpart ZZZZ specifies conditions for conducting performance tests at

APPENDIX TV-6
Title V Condition (dated 06/23/06)

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.7(e)(2) 63.7(e)(3) 63.7(e)(4) 63.7(f)	Conduct of performance tests and reduction of data. Test run duration Administrator may require other testing under section 114 of the CAA. Alternative test method provisions	Yes Yes. Yes. Yes.	63.6620. Subpart ZZZZ specifies test methods at 63.6620.
63.7(g)	Performance test data analysis, recordkeeping, and reporting.	Yes.	
63.7(h) 63.8(a)(1) 63.8(a)(2) 63.8(a)(3) 63.8(a)(4) 63.8(b)(1) 63.8(b)(2)–(3) 63.8(c)(1) 63.8(c)(1)(i) 63.8(c)(1)(ii)	Waiver of tests Applicability of monitoring requirements Performance specifications [Reserved] Monitoring for control devices Monitoring Multiple effluents and multiple monitoring systems. Monitoring system operation and maintenance. Routine and predictable SSM SSM not in Startup Shutdown Malfunction Plan.	Yes. Yes ... Yes. No. Yes. Yes. Yes. Yes. Yes.	Subpart ZZZZ contains specific requirements for monitoring at 63.6625.
63.8(c)(1)(iii) 63.8(c)(2)–(3) 63.8(c)(4) 63.8(c)(5) 63.8(c)(6)–(8) 63.8(d) 63.8(e) 63.8(f)(1)–(5) 63.8(f)(6)	Compliance with operation and maintenance requirements. Monitoring system installation Continuous monitoring system (CMS) requirements. COMS minimum procedures CMS requirements CMS quality control CMS performance evaluation Alternative monitoring method Alternative to relative accuracy test	Yes. Yes. Yes No . Yes Yes. Yes Yes . Yes .	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS). Subpart ZZZZ does not require COMS. Except that subpart ZZZZ does not require COMS. Except for 63.8(e)(5)(ii), which applies to COMS. Except that 63.8(e) only applies as specified in 63.6645. Except that 63.8(f)(4) only applies as specified in 63.6645. Except that 63.8(f)(6) only applies as specified in 63.6645.

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Title V Condition (dated 06/23/06)

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.8(g)	Data reduction	Yes ..	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at 63.6635 and 63.6640.
63.9(a)	Applicability and State delegation of notification requirements.	Yes.	
63.9(b)(1)–(5)	Initial notifications	Yes	Except that 63.9(b)(3) is reserved. Except that 63.9(b) only applies as specified in 63.6645.
63.9(c)	Request for compliance extension	Yes	Except that 63.9(c) only applies as specified in 63.6645.
63.9(d)	Notification of special compliance requirements for new sources.	Yes .	Except that 63.9(d) only applies as specified in 63.6645.
63.9(e)	Notification of performance test	Yes .	Except that 63.9(e) only applies as specified in 63.6645.
63.9(f)	Notification of visible emission (VE)/opacity test.	No ..	Subpart ZZZZ does not contain opacity or VE standards.
63.9(g)(1)	Notification of performance evaluation	Yes .	Except that 63.9(g) only applies as specified in 63.6645.
63.9(g)(2)	Notification of use of COMS data	No ..	Subpart ZZZZ does not contain opacity or VE standards.
63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded.	Yes .	If alternative is in use. Except that 63.9(g) only applies as specified in 63.6645.
63.9(h)(1)–(6)	Notification of compliance status	Yes .	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. 63.9(h)(4) is reserved. Except that 63.9(h) only applies as specified in 63.6645.
63.9(i)	Adjustment of submittal deadlines	Yes.	
63.9(j)	Change in previous information	Yes.	
63.10(a)	Administrative provisions for recordkeeping/reporting.	Yes.	
63.10(b)(1)	Record retention	Yes.	
63.10(b)(2)(i)–(v)	Records related to SSM	No.	
63.10(b)(2)(vi)–(xi)	Records	Yes.	
63.10(b)(2)(xii)	Record when under waiver	Yes.	
63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes..	For CO standard if using RATA alternative.
63.10(b)(2)(xiv)	Records of supporting documentation	Yes.	
63.10(b)(3)	Records of applicability determination	Yes.	

APPENDIX TV-6
Title V Condition (dated 06/23/06)

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.10(c) 63.10(d)(1) 63.10(d)(2) 63.10(d)(3) 63.10(d)(4) 63.10(d)(5) 63.10(e)(1) and (2)(i) 63.10(e)(2)(ii) 63.10(e)(3)	Additional records for sources using CEMS. General reporting requirements Report of performance test results Reporting opacity or VE observations Progress reports Startup, shutdown, and malfunction reports Additional CMS Reports COMS-related report Excess emission and parameter	Yes Yes. Yes. No Yes. No. Yes. No .. Yes..	Except that 63.10(c)(2)–(4) and (9) are reserved. Subpart ZZZZ does not contain opacity or VE standards. Subpart ZZZZ does not require COMS. Except that 63.10(e)(3)(i) (C) is reserved.
63.10(e)(4) 63.10(f) 63.11 63.12 63.13 63.14 63.15	Reporting COMS data Waiver for recordkeeping/reporting Flares State authority and delegations Addresses Incorporation by reference Availability of information	No Yes. No. Yes. Yes. Yes. Yes.	Subpart ZZZZ does not require COMS.

STATEMENT OF BASIS**South Florida Water Management District**

Pump Station S-362

Palm Beach County

Title V Air Operation Permit Renewal

DRAFT/PROPOSED Permit Project No.: 0990621-006-AV

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

The purpose of this permit is to renew Title V Operation Permit No. 0990621-003-AV, and to incorporate the conditions of the permit no. 0990621-005-AC.

SFWMD Pump Station S-362 is located one mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida. UTM Coordinates: Zone 17; 565.941 km E; 2946.303 km N; Latitude 26° 37' 32" North and Longitude: 80° 19' 05" West.

The engines at this station are used to power five flood control pumps. The pump station is part of the Everglades Construction Project authorized by the Everglades Forever Act, Section 373.4592, Florida Statutes. The station will be used to pump water from the Miami Canal into the Stormwater Treatment Area (STA) 3/4 for treatment prior to discharge into the Everglades Protection Area.

Pump station S-362 includes three 1303 horsepower (hp) Fairbanks-Morse diesel engine/pump combinations, two 839 hp Fairbanks-Morse diesel engine/pump combinations, two 685 hp Cummins emergency generators and one 535 hp Cummins emergency generator. All eight engines can operate on distillate fuel (0.5% S by wt), low sulfur fuel oil (0.05% S by wt) or ultra-low sulfur fuel (00015% S by wt). In addition, Pump Station S-362 contains several insignificant and/or exempt emission units including four 20,000-gallon fuel oil storage tanks, seven day-tanks (< 40 m³) and miscellaneous surface coating activities.

The Health Department issued an air construction permit, 0990621-002-AC, on August 15, 2005, that included a federally enforceable restriction on the total annual fuel consumption of 1.34 million gallons per year for all the stationary emission sources at Pump Station S-362. Since the nitrogen oxides emissions associated with the combustion of this amount of fuel are below the PSD major source threshold (250 tons per year), this source is classified as a synthetic PSD minor source of air pollution.

Because this facility operates stationary reciprocating internal combustion engines, it is subject to regulation under 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. However, since these engines meet the Subpart ZZZZ definition of "existing units", there are no unit specific applicable requirements that must be met pursuant to this rule at this time.

CAM does not apply. Monitoring activities include monthly fuel usage records and operating restriction on fuel type. Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the Title V Air Operation Permit Renewal application received February 9, 2010, this facility is not a major source of hazardous air pollutants (HAPS).

**TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION**

**South Florida Water Mangement District
Pump Station S-362**

Air Permit File Number 0990621-005-AC

Palm Beach County, Florida

Palm Beach County Health Department
Division of Environmental Public Health
Air & Waste Program

Paul Kalamaras
Engineering Specialist III

April 6, 2010

1.0 APPLICATION INFORMATION

1.1 Applicant

South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Authorized Representative:

Radu Alexander Damian, Dept. Director, Central Field Operations, Operations and Maintenance Resource

1.2 Application Review

02-09-10: Received application for concurrent Title V Air Operating & Air Construction Permit

2.0 FACILITY INFORMATION

2.1 Location

SFWMD Pump Station S-362

Description: Flood Control Pumps Stations

UTM: Coordinates: Zone 17; 565.941 km E; 2946.303 km N

Latitude and Longitude: 26 deg 37' 32" N; 80 deg. 19' 05" W

Address: One mile west of Flying Cow Road, south of Canal C-51, Palm Beach County, Florida.

2.2 Standard Industrial Classification Code (SIC #9511)

<i>Major Group Number</i>	95	Administration of Environmental Quality and Housing Programs
<i>Industry Group Number</i>	951	Administration of Environmental Quality
<i>Industry Number</i>	9511	Air and Water Resource and Solid Waste Management

2.3 Regulatory Classification

Title III: The facility is not a major source of hazardous air pollutants (HAPs)

Title IV: The facility will not operate units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The permittee requests a limit on fuel consumption to establish synthetic PSD minor status in accordance with Rule 62-212.400 F.A.C.

RACT: The diesel engines in this facility are not subject to the Major Source NOx RACT requirements in accordance with guidance issued by the Florida Department of Environmental Protection.

NSPS: The facility is not subject to any requirements of 40 CFR 60.

NESHAP: The facility is subject to the requirements of 40 CFR 61, Subpart M, Asbestos.

3.0 PROJECT DESCRIPTION

Pump station S-362 consists of three 1,303 bhp and two 839 bhp diesel-fired Fairbanks-Morse (Model 38D 8-1/8) internal combustion engines (used to power 5 flood control pumps), two 685 bhp Cummins (Model KTA19-G3) emergency generators, and one 535 bhp Cummins (Model NTA855-G3) emergency generator. which started operating on July 29, 2004 . All eight engines can operate on either distillate fuel (0.5% S by wt), low sulfur fuel oil (0.05% S by wt) or ultra -low sulfur fuel (0.0015% S by wt). In addition, Pump Station S-362 contains several insignificant emission units including four 20,000-gallon fuel oil storage tanks, seven day-tanks and miscellaneous surface coating activities.

The engines at this station are used to power three flood control pumps. The pump station is part of the Everglades Construction Project authorized by the Everglades Forever Act, Section 373.4592, Florida Statutes. The station will be used to pump water from the North New River Canal into the Stormwater Treatment Area (STA) 3/4 for treatment prior to discharge into the Everglades Protection Area.

The South Florida Water Management District (SFWMD) has been using ultra-low sulfur fuel (0.0015% S by wt) for their pump engines and generators since September of 2009. Only ultra-low sulfur fuel will be available from the fuel suppliers and Port Everglades, Florida, therefore the SFWMD requests the removal of the quarterly random fuel sampling for sulfur content analysis. Since sulfur content and the associated Sulfur dioxide emissions are greatly reduced, removing fuel-sampling requirement would not lessen the protection of environment.

Please refer to Appendix D of the permit.

4.0 RULE APPLICABILITY

The proposed project is subject to preconstruction review under the applicable provisions of Chapter 403, Florida Statutes, and Chapters 62-209 through 62-297 of the Florida Administrative Code (F.A.C.). This facility is located in Palm Beach County, an area designated as "maintenance" for the pollutant ozone and attainment for all other criteria pollutants in accordance with Rule 62-275.410 and 62-275.400 respectively. The proposed project is exempt from review under Rule 62-212.400 F.A.C., Prevention of Significant Deterioration (PSD), because this source is considered a minor emitting facility for the purpose of PSD regulations (potential to emit less than 250 tons per year of pollutant). The proposed facility shall comply with all applicable provisions of the Florida Administrative Code and, specifically, the following chapters and rules:

- F.A.C. Chapter 62-4 - Permitting Requirements.
- F.A.C. Chapter 62-204 - Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference
- F.A.C. Chapter 62-210 - Required Permits, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms
- F.A.C. Chapter 62-212 - General Preconstruction Review Requirements, PSD Requirements
- F.A.C. Chapter 62-213 - Operation Permits for Major Sources of Air Pollution
- F.A.C. Rule 62-296 - General Pollutant Emission Limiting Standards.
- F.A.C. Rule 62-297 - Test Methods
- F.A.C. Chapter 62-256 - Open Burning and Frost Protection Fires
- F.A.C. Rule 62-257 - Asbestos Program

And the following National Emission Standards for Hazardous Air Pollutants

- 40 CFR 61, Subpart M. - Asbestos

5.0 SOURCE IMPACT ANALYSIS

5.1 Potential Pollutant Emissions

The Florida Department of Environmental Protection regulates major air pollution sources in accordance with Florida's Prevention of Significant Deterioration (PSD) program, as approved by EPA in Florida's State Implementation Plan and defined in Rule 62-212.400, F.A.C. A PSD review is required only in areas currently in attainment with the National Ambient Air Quality Standards (NAAQS) or areas designated as "unclassifiable" for a given pollutant. A facility is considered "major" with respect to PSD if it emits or has the potential to emit :

>250 tons per year of any regulated pollutant , or

>100 tons per year of any regulated pollutant and belonging to one of 28 PSD Major Facility Categories, or

> 5 tons per year of lead

For new PSD-major facilities, each regulated pollutant is reviewed for PSD applicability based on the PSD Major emission thresholds listed. For modifications to PSD-major facilities, each regulated pollutant is reviewed for PSD applicability based on emission thresholds known as Significant Emission Rates listed in Table 62-212.400(2), F.A.C. Net emission increases exceeding these rates are considered "significant" and the applicant must employ the Best Available Control Technology (BACT) to minimize emissions of each pollutant and evaluate the air quality impacts. Although a facility may be "major with respect to PSD for only one regulated pollutant, it may be required to install BACT controls for several "significant" regulated pollutants.

Unrestricted, pump Station S-362 has a potential to emit with respect to nitrogen oxides (NOx) in excess of the PSD Major threshold of 250 tons per year. The Health Department issued an air construction permit, 0990621-001-AC, on March 4, 2004 that included a federally enforceable restriction on the total annual fuel consumption of 1.34 million gallons per year for all the stationary emission sources at Pump Station S-362. Since the nitrogen oxides emissions associated with the combustion of this amount of fuel are below the PSD major source threshold (250 tons per year), this source is classified as a synthetic PSD minor source of air pollution.

Other pollutants associated with the fuel combustion, including sulfur dioxide, carbon monoxide, particulate matter (TSP and PM10), and volatile organic compounds, will also be indirectly capped at levels of less than 50% of the PSD Major Source thresholds. Synthetically- limited emissions are as follows:

Table 1 - Summary of Potential-to-Emit (PTE) Pump Station S-362

Pollutant	Potential Emissions (TPY)	PSD Major Source Threshold (TPY)	PSD Major Source?	Subject to PSD?
Nitrogen Oxide	248.44	250	No	No
Carbon Monoxide	24.18	250	No	No
Particulate Matter	8.84	250	No	No
PM 10	0.78	250	No	No
Volatile Organic Compounds	6.13	250	No	No
Sulfur Dioxide (0.5% S by weight)	49.73	250	No	No
Sulfur Dioxide (0.05% S by weight)	6.454	250	No	No
Sulfur Dioxide (0.0015% S by weight)	0.192	250	No	No
Benzene	7.160E-02	NA	No	No
Toluene	2.60E-02	NA	No	No
Xylene	1.78E-02	NA	No	No
Formaldehyde	7.30E-03	NA	No	No
Acetaldehyde	2.30E-03	NA	No	No
Acrolein	7.00E-04	NA	No	No
Naphthalene	1.61E-02	NA	No	No
PAH	1.95-E02	NA	No	No
Total HAPs	1.32E-01	NA	No	No

Potential emissions are based on combined fuel consumption limit of 1.34 million gallons per year for three 1,303 bhp and two 839 bhp diesel-fired Fairbanks-Morse (Model 38D 8-1/8) internal combustion engines (used to power 5 flood control pumps), two 685 bhp Cummins (Model KTA19-G3) emergency generators, and one 535 bhp Cummins (Model NTA855-G3) emergency generator, as requested by applicant. Nitrogen Oxides, Carbon Monoxide and Volatile Organic Compounds emissions are based on AP-42 emission factors. Emission calculations were provided by the applicant on 2/29/2010. Additionally, emission calculations for Sulfur Dioxide were based on the availability of fuel oil with a sulfur content of 0.05% and 0.0015% S by weight. Only low-sulfur (0.05% S by wt) and ultra-low sulfur fuel (0.0015% S by wt) were available as of September 2009 for pump station S-362. [Table was updated 2/9/2010]

Because the estimated potential emissions of nitrogen oxides are very close to the PSD threshold, PBCHD had established a rolling 365-day total averaging period whenever a rolling 12-month total exceeds 1.073 million gallons. This enhanced monitoring threshold is based on the estimated maximum fuel consumption for a 30-day period under continuous operation of the three pumps engines at full load as well as the two emergency generators. Monthly monitoring may be resumed after 30 consecutive days of daily monitoring demonstrate fuel consumption below the 1.073 million gallon threshold. Based on the potential emissions of nitrogen oxides, this facility will be classified as a major source of air pollution under the Title V Operating Permit Program. Because the potential emissions of each single HAP is less than 10 tons per year and the combination of all HAPs are less than 25 tons per year, this facility is classified as a minor source under the Title III (Hazardous Air Pollutant) Program.

[Permit No. 0990621-002-AC]

As an added assurance of the protection of these standards, as of September 2009 the SFWMD will only receive low sulfur (0.05% by wt.) or ultra-low sulfur (0.0015% by wt.) fuel for their pump engines and the emergency generators. The mandate for ultra-low sulfur fuel under the Clean Air Act is not in effect until October of 2010 for all non-road diesel engines.

The permittee may continue to combust up to (0.5 % wt.) distillate fuel until such time as the state of emergency designation issued by the Governor is rescinded or when low sulfur (0.05% by wt.) or ultra low-sulfur (0.0015% by wt.) distillate fuel is deemed available by FDEP. For 12 months following the end of the emergency order or the restoration of low sulfur fuel availability, the permittee will be allowed to combust sulfur content (up to 0.05%) distillate fuel that remains in the fuel tanks after as long as blending of low sulfur or ultra-low sulfur distillate is implemented as soon as practicable to meet the low sulfur standard (0.05% by wt.). 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.

6.0 CONCLUSION

Based on the information provided by the applicant, the Health Department has reasonable assurance that the proposed project using low-sulfur fuel and ultra-low sulfur fuel with the request of removing the quarterly fuel sampling will not cause any violation of any air quality standard, PSD increment, or any other technical provision of Chapter 62-209 through 62-297 of the Florida Administrative Code.