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COMMON CONDITIONS

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the EFT facility.

EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: Excess emissions resulting from startup, shutdown or malfunction of any emissions 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 2 hours in any 24-hour period unless specifically authorized by the Department for longer duration. Pursuant to Rule 62-210.700(5), F.A.C., the permit subsection may specify more or less stringent requirements for periods of excess emissions. Rule 62-210-700(Excess Emissions), F.A.C., cannot vary or supersede any federal NSPS or NESHAP provision. [Rule 62-210.700(1), F.A.C.]
4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee 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 in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. VOC or OS Emissions: No person shall 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.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means 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. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

RECORDS AND REPORTS

10. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least 5 years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rule 62-213.440(1)(b)2, F.A.C.]

11. Emissions Computation and Reporting

    a. *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.

    b. *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.

        (1) 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.

            (a) 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.

            (b) 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.

            (c) 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.

        (2) Continuous Emissions Monitoring System (CEMS).

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

                1) 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

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

(b) 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:

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

2) 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.

(c) 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.

(3) Mass Balance Calculations.

(a) 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:

1) 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

2) 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.

(b) 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.

(c) 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.

(4) Emission Factors.

a. 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.

1) 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.

2) 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.

3) 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.

b. 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.

(5) 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.

(6) 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.

(7) 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.

(8) 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.

c. Annual Operating Report for Air Pollutant Emitting Facility

(1) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year for the following facilities:

(a) All Title V sources.

(b) All synthetic non-Title V sources.

(c) All facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) tons per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area.

(d) All facilities for which an annual operating report is required by rule or permit.

(2) Notwithstanding paragraph 62-210.370(3)(a), F.A.C., no annual operating report shall be required for any facility operating under an air general permit.

(3) 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 April 1 of the following year.

(4) Beginning with 2007 annual emissions, emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C., for purposes of the annual operating report.

[Rule 62-210.370, F.A.C.]

CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) REQUIREMENTS

CEMS OPERATION PLAN

1. CEMS Operation Plan: The owner or operator shall create and implement a facility-wide plan for the proper installation, calibration, maintenance and operation of each CEMS required by this permit. The owner or operator shall submit the CEMS Operation Plan to the Bureau of Air Monitoring and Mobile Sources for approval at least 60 days prior to CEMS installation. The CEMS Operation Plan shall become effective 60 days after submittal or upon its approval. If the CEMS Operation Plan is not approved, the owner or operator shall submit a new or revised plan for approval.

   {Permitting Note: The Department maintains both guidelines for developing a CEMS Operation Plan and example language that can be used as the basis for the facility-wide plan required by this permit. Contact the Emissions Monitoring Section of the Bureau of Air Monitoring and Mobile Sources at (850)488-0114.}

INSTALLATION, PERFORMANCE SPECIFICATIONS AND QUALITY ASSURANCE

2. Timelines:

   a. *New and Existing Emission Units.* For new emission units, the owner or operator shall install each CEMS required by this permit prior to initial startup of the unit. The owner or operator shall conduct the appropriate performance specification for each CEMS within 90 operating days of achieving permitted capacity as defined in Rule 62-297.310(2), F.A.C., but no later than 180 calendar days after initial startup.

3. Installation: All CEMS shall be installed such that representative measurements of emissions or process parameters from the facility are obtained. The owner or operator shall locate the CEMS by following the procedures contained in the applicable performance specification of 40 CFR part 60, Appendix B.

4. Span Values and Dual Range Monitors: The owner or operator shall set appropriate span values for the CEMS. The owner or operator shall install dual range monitors if required by and in accordance with the CEMS Operation Plan.

5. Continuous Flow Monitor: For compliance with mass emission rate standards, the owner or operator shall install a continuous flow monitor to determine the stack exhaust flow rate. The flow monitor shall be certified pursuant to 40 CFR part 60, Appendix B, Performance Specification 6.

6. Diluent Monitor: If it is necessary to correct the CEMS output to the oxygen concentrations specified in this permit's emission standards, the owner or operator shall either install an oxygen monitor or install a CO_2 monitor and use an appropriate F-Factor computational approach.

7. Moisture Correction: If necessary, the owner or operator shall determine the moisture content of the exhaust gas and develop an algorithm to enable correction of the monitoring results to a dry basis (0% moisture).

   {Permitting Note: The CEMS Operation Plan will contain additional CEMS-specific details and procedures for installation.}

8. Performance Specifications: The owner or operator shall evaluate the acceptability of each CEMS by conducting the appropriate performance specification, as follows. CEMS determined to be unacceptable shall not be considered installed for purposes of meeting the timelines of this permit.

   a. *CO Monitors.* For CO monitors, the owner or operator shall conduct Performance Specification 4 or 4A of 40 CFR part 60, Appendix B

   b. *NO_X and SO_2 Monitors.* For NO_X and SO_2 monitors, the owner or operator shall conduct Performance Specification 2 of 40 CFR part 60, Appendix B.

9. Quality Assurance: The owner or operator shall follow the quality assurance procedures of 40 CFR part 60, Appendix F.

   a. *CO Monitors.* The required relative accuracy test audit (RATA) tests shall be performed using EPA Method 10 in Appendix A of 40 CFR part 60 and shall be based on a continuous sampling train.

b. *NO_X Monitors*. The required RATA tests shall be performed using EPA Method 7E in Appendix A of 40 CFR part 60. NO_X shall be expressed "as NO_2."

c. *SO_2 Monitors*. The required RATA tests shall be performed using EPA Method 6C in Appendix A of 40 CFR part 60.

10. Substituting RATA Tests for Compliance Tests: Data collected during CEMS quality assurance RATA tests can substitute for annual stack tests, and vice versa, at the option of the owner or operator, provided the owner or operator indicates this intent in the submitted test protocol and follows the procedures outlined in the CEMS Operation Plan.

CALCULATION APPROACH

11. CEMS Used for Compliance: Once adherence to the applicable performance specification for each CEMS is demonstrated, the owner or operator shall use the CEMS to demonstrate compliance with the applicable emission standards as specified by this permit.

12. CEMS Data: Each CEMS shall monitor and record emissions during all periods of operation and whenever emissions are being generated, including during episodes of startups, shutdowns, and malfunctions. All data shall be used, except for invalid measurements taken during monitor system breakdowns, repairs, calibration checks, zero adjustments and span adjustments, and except for allowable data exclusions as per Condition 20 of this appendix.

13. Operating Hours and Operating Days: For purposes of this appendix, the following definitions shall apply. An hour is the 60-minute period beginning at the top of each hour. Any hour during which an emissions unit is in operation for more than 15 minutes is an operating hour for that emission unit. A day is the 24-hour period from midnight to midnight. Unless otherwise specified by this permit, any day with at least one operating hour for an emissions unit is an operating day for that emission unit.

14. Valid Hourly Averages*:* Each CEMS shall be designed and operated to sample, analyze and record data evenly spaced over the hour at a minimum of one measurement per minute. All valid measurements collected during an hour shall be used to calculate a 1-hour block average that begins at the top of each hour.

    a. Hours that are not operating hours are not valid hours.

    b. For each operating hour, the 1-hour block average shall be computed from at least two data points separated by a minimum of 15 minutes. If less than two such data points are available, there is insufficient data, the 1-hour block average is not valid, and the hour is considered as "monitor unavailable."

15. Calculation Approaches: The owner or operator shall implement the calculation approach specified by this permit for each CEMS, as follows:

    a. *Rolling **30**-day average.* Compliance shall be determined after each operating day by calculating the arithmetic average of all the valid hourly averages from that operating day and the prior 30-1 operating days.

MONITOR AVAILABILITY

16. Monitor Availability: The quarterly excess emissions report shall identify monitor availability for each quarter in which the unit operated. Monitor availability for the CEMS shall be 95% or greater in any calendar quarter in which the unit operated for more than 760 hours. In the event the applicable availability is not achieved, the permittee shall provide the Department with a report identifying the problems in achieving the required availability and a plan of corrective actions that will be taken to achieve 95% availability. The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit.

EXCESS EMISSIONS

17. Definitions:

    a. *Startup* is defined as the commencement of operation of any emissions unit which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical or pollution control device imbalances, which result in excess emissions.

    b. *Shutdown* means the cessation of the operation of an emissions unit for any purpose.

    c. *Malfunction* means any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner.

18. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

19. Data Exclusion Procedures for SIP Compliance: As per the procedures in this condition, limited amounts of CEMS emissions data may be excluded from the corresponding compliance demonstration, provided that best operational practices to minimize emissions are adhered to and the duration of data excluded is minimized. The data exclusion procedures of this condition apply only to SIP-based emission limits.

    a. *Excess Emissions.* Data in excess of the applicable emission standard may be excluded from compliance calculations if the data are collected during periods of permitted excess emissions (for example, during startup, shutdown or malfunction). The maximum duration of excluded data is 2 hours in any 24-hour period, unless some other duration is specified by this permit.

    b. *Limited Data Exclusion.* If the compliance calculation using all valid CEMS emission data, as defined in Condition 12 of this appendix, indicates that the emission unit is in compliance, then no CEMS data shall be excluded from the compliance demonstration.

    c. *Event Driven Exclusion.* The underlying event (for example, the startup, shutdown or malfunction event) must precede the data exclusion. If there is no underlying event, then no data may be excluded. Only data collected during the event may be excluded.

    d. *Reporting Excluded Data.* The data exclusion procedures of this condition are not necessarily the same procedures used for excess emissions as defined by federal rules. Quarterly or semi-annual reports required by this permit shall indicate not only the duration of data excluded from SIP compliance calculations but also the number of excess emissions as defined by federal rules.

20. Notification Requirements: The owner or operator shall notify the Compliance Authority within one working day of discovering any emissions that demonstrate noncompliance for a given averaging period. Within one working day of occurrence, the owner or operator shall notify the Compliance Authority of any malfunction resulting in the exclusion of CEMS data. For malfunctions, notification is sufficient for the owner or operator to exclude CEMS data.

ANNUAL EMISSIONS

21. CEMS Used for Calculating Annual Emissions: All valid data, as defined in Condition 12 of this appendix, shall be used when calculating annual emissions.

    a. Annual emissions shall include data collected during startup, shutdown and malfunction periods.

    b. Annual emissions shall include data collected during periods when the emission unit is not operating but emissions are being generated (for example, when firing fuel to warm up a process for some period of time prior to the emission unit's startup).

    c. Annual emissions shall not include data from periods of time where the monitor was functioning properly but was unable to collect data while conducting a mandated quality assurance/quality control

activity such as calibration error tests, RATA, calibration gas audit or RAA. These periods of time shall be considered missing data for purposes of calculating annual emissions.

d. Annual emissions shall not include data from periods of time when emissions are in excess of the calibrated span of the CEMS. These periods of time shall be considered missing data for purposes of calculating annual emissions.

22. Accounting for Missing Data: All valid measurements collected during each hour shall be used to calculate a 1-hour block average. For each hour, the 1-hour block average shall be computed from at least two data points separated by a minimum of 15 minutes. If less than two such data points are available, the owner or operator shall account for emissions during that hour using site-specific data to generate a reasonable estimate of the 1-hour block average.

23. Emissions Calculation: Hourly emissions shall be calculated for each hour as the product of the 1-hour block average and the duration of pollutant emissions during that hour. Annual emissions shall be calculated as the sum of all hourly emissions occurring during the year.

CITATION FORMATS

The following illustrate the formats used in the permit to identify applicable requirements from permits and regulations.

Old Permit Numbers

Example: Permit No. AC50-123456 or Permit No. AO50-123456

Where: "AC" identifies the permit as an Air Construction Permit
"AO" identifies the permit as an Air Operation Permit
"123456" identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located

"2222" represents the specific facility ID number for that county

"001"identifies the specific permit project number

"AC" identifies the permit as an air construction permit

"AF" identifies the permit as a minor source federally enforceable state operation permit

"AO" identifies the permit as a minor source air operation permit

"AV" identifies the permit as a major Title V air operation permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the preconstruction review requirements of the Prevention of Significant Deterioration of Air Quality

"FL" means that the permit was issued by the State of Florida

"317" identifies the specific permit project number

Florida Administrative Code (F.A.C.)

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CRF 60.7]

Means: Title 40, Part 60, Section 7

GLOSSARY OF COMMON TERMS

° F: degrees Fahrenheit

acfm: actual cubic feet per minute

ARMS: Air Resource Management System (Department's database)

BACT: best available control technology

Btu: British thermal units

CAM: compliance assurance monitoring

CEMS: continuous emissions monitoring system

cfm: cubic feet per minute

CFR: Code of Federal Regulations

CO: carbon monoxide

CITATION FORMATS AND GLOSSARY OF COMMON TERMS

COMS: continuous opacity monitoring system

DEP: Department of Environmental Protection

Department: Department of Environmental Protection

dscfm: dry standard cubic feet per minute

EPA: Environmental Protection Agency

ESP: electrostatic precipitator (control system for reducing particulate matter)

EU: emissions unit

F.A.C.: Florida Administrative Code

F.D.: forced draft

F.S.: Florida Statutes

FGR: flue gas recirculation

Fl: fluoride

ft^2: square feet

ft^3: cubic feet

gpm: gallons per minute

gr: grains

HAP: hazardous air pollutant

Hg: mercury

I.D.: induced draft

ID: identification

kPa: kilopascals

lb: pound

MACT: maximum achievable technology

MMBtu: million British thermal units

MSDS: material safety data sheets

MW: megawatt

NESHAP: National Emissions Standards for Hazardous Air Pollutants

NO_X: nitrogen oxides

NSPS: New Source Performance Standards

O&M: operation and maintenance

O_2: oxygen

Pb: lead

PM: particulate matter

PM_{10}: particulate matter with a mean aerodynamic diameter of 10 microns or less

PSD: prevention of signifi9cant deterioration

psi: pounds per square inch

PTE: potential to emit

RACT: reasonably available control technology

RATA: relative accuracy test audit

SAM: sulfuric acid mist

scf: standard cubic feet

scfm: standard cubic feet per minute

SIC: standard industrial classification code

SNCR: selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)

SO_2: sulfur dioxide

TPH: tons per hour

TPY: tons per year

UTM: Universal Transverse Mercator coordinate system

VE: visible emissions

VOC: volatile organic compounds

Unless otherwise specified in the permit, the following testing requirements apply to all emissions units at the ETF facility.

COMPLIANCE TESTING REQUIREMENTS

1. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. 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. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. [Rule 62-297.310(2), F.A.C.]

2. Applicable Test Procedures - 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.

   c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

   [Rule 62-297.310(4), F.A.C.]

3. Determination of Process Variables

   a. *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.

   b. *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), F.A.C.]

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

   a. *General Compliance Testing*.

1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
2. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to sub-subparagraph 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
   (a) Did not operate; or
   (b) In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours,
3. During each federal fiscal year (October 1 – September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for visible emissions, if there is an applicable standard.
4. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

b. *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 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 Department.

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

RECORDS AND REPORTS

5. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. 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 shall provide the following information.
   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 date, starting time and end time of the observation.
   g. The test procedures used.
   h. The names of individuals who furnished the process variable data, conducted the test, and prepared the report.

i. 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.

j. A certification that to the knowledge of the owner or his authorized agent, all data submitted are true and correct. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

STANDARD OPERATING PROCEDURES FOR FUGITIVE DUST CONTROL DURING CONSTRUCTION ACTIVITIES

The construction at the EFT facility will involve activities that can create fugitive emissions. Certain practices, common in the lead and construction/demolition industries, can help mitigate these emissions. The intent of this plan is to spell out exactly what these practices are, how and when they will be used at EFT during the construction process, and who is responsible for insuring they are followed.

The Standard Operating Procedures (SOP) for the Control of Fugitive Dust Emissions (dated December 2006) under which the EFT facility is currently operating is provided at the end of this appendix. These procedures will by and large be followed during construction activities taking place at the EFT facility. Specifically, the wet dust suppression by sprinkling with water the roadways, parking lots and grounds and the vacuum sweeping of the roadways and parking lots will continue. These activities will be terminated as different portions of the facilities' footprint and emission units are covered over by the facility enclosure which will be under negative pressure. The ventilation from the facility enclosure will be ventilated to the Torit filter (EU ID 015) to control fugitive emissions from process upsets and other sources.

The EFT facility has been in operation for over 40 years on this site. Any structures that have been exposed to the lead recycling operation will have some lead deposited on surfaces (no matter how effective the on-going housekeeping program may be). These structures also include flooring (cement & asphalt) in the operations areas as well as paved areas within the fence line. When any of these materials are demolished and removed, fugitive lead emissions could potentially be released into the air. This plan addresses "best practices" designed to prevent fugitive air emissions from occurring.

The plan is broken down into "pre-demolition" tasks, tasks to control emissions during the activity, and finally, how these tasks will be coordinated. Overall compliance of this plan will be the responsibility of the Environmental Health & Safety Manager at EFT. These responsibilities will include the following:

- Insure that all EFT personnel and contractors are familiar with the contents of this plan and how it applies to them.
- Meet with contractor's on a set frequency when work is scheduled to be performed to coordinate pre-demolition tasks, emission control tasks, and so on.
- Insure that all EFT personnel and contractors comply with the requirements of this plan.
- Thoroughly document activities that could impact fugitive emissions, the controls that were utilized to minimize these emissions, and what weather conditions were present at those times.

PRE-DEMOLITION TASKS:

The following tasks must be performed prior to demolition:

The residual lead deposited on the surfaces of building structures, equipment, and flooring must be thoroughly cleaned prior to demolition. Depending on the location, this can involve pressure washing the structures prior to the demolition to remove the lead. In outside areas where pressure washing may not be feasible, use of the Tennant sweeper to clean the asphalt or cement thoroughly must be used.

These tasks need to be coordinated between EFT personnel and the contracting crews since most of this "pre-demolition" work will be performed by EFT personnel. Personnel performing the pressure washing of structures must insure that the cleaning is thorough. All horizontal surfaces where dust can accumulate must be cleaned first and then the vertical surfaces cleaned. The cleaning must start from the top of the structure working down towards the bottom for maximum cleaning effectiveness.

Flooring inside the building must be pressure washed prior to saw cutting/removal. Liquids will be contained inside the building and captured in floor sumps. Cement/asphalt outside of the buildings must be thoroughly swept with the Tennant sweeper.

All these activities will minimize the amount of lead dust/oxide that may be retained on the structure or flooring. It also insures that the lead dust/oxide removed during the cleaning process is captured either in the floor sumps or by the Tennant sweeper.

DEMOLITION/LOADING ACTIVITIES

The following tasks must be completed during the demolition and loading activities:

Once the pre-demolition cleaning tasks have been completed, the actual demolition can begin. Demolition can include removal of siding, roofing, steel structural supports, processing equipment and cement & asphalt surfaces. All these materials could potentially still retain some slight amount of lead on them so the control of dust during the removal and loading process is critical.

The EHS Manager is responsible for insuring that all demolition activities are done in conjunction with this procedure. The coordination of water control applications would normally be carried out by contractor personnel but overall compliance still remains with the EHS Manager.

An application of fine water spray must be applied to the structure/material during the removal and loading process. Drainage flow of the waste water stream must be either into the building including floor sumps or into the floor sumps located outdoors. When possible, flow into the building is the preferred method. The application of water should be sufficient to control the dusting while still minimizing the quantity of liquids generated. Effective control does not necessarily require large amounts of water – the key is applying the spray to specific locations.

Vehicles and equipment used for demolition and removal inside the buildings where lead dusts/oxides were present must have its tires pressure washed prior to exiting the building to insure that there would be no drag out of the dusts or oxides from the building.

Water controls must be used for all saw cutting activities. That operation is very dusty and the application of water will minimize the dusting. Water application must be used while breaking up cement/asphalt and while loading it into roll-offs, end dumps, etc. to minimize the dusting that is common when handling those types of materials.

Weather conditions must be evaluated prior to any demolition type work. Activities on very windy days must be minimized or possibly eliminated depending on the type of work and the structure to be removed. This decision will be made by the EHS Manager and communicated to the relevant contractors promptly.

EMISSION UNIT ENCLOSURES AND CONSTRUCTION ENCLOSURES

Before the blast furnace (EU ID 001), process fugitive emissions from the refining kettles and tapping and charging of the furnaces (EU ID 011), the battery breaking area (EU ID 021), the feed dryer (EU ID 022) and the reverb furnace (EU ID 023) emission units become operational, they must be within a enclosure under negative that is ventilated to the Torit filter of EU ID 015. Wherever possible, prior to demolition and loading activities an enclosure must be erected around the affected area to control fugitive dust emissions caused by these activities.

STANDARD OPERATING PROCEDURES FOR THE CONTROL OF FUGITIVE EMISSIONS

ENVIROFOCUS TECHNOLOGIES, LLC
1901 NORTH 66th STREET
TAMPA, FL 33619

REVISED DECEMBER 2006

STANDARD OPERATING PROCEDURES FOR FUGITIVE DUST CONTROL DURING CONSTRUCTION ACTIVITIES

INTRODUCTION

EnviroFocus Technologies, LLC (EFT), formerly Gulf Coast Recycling, Inc. (GCR), is a secondary lead smelter. The facility processes spent lead acid batteries. Battery components are separated and the lead-bearing materials are smelted in a blast furnace rendering a product known as blast lead. The blast lead is further refined to produce specific grades of lead for the manufacture of new batteries, ammunition, and other uses.

The facility has a Battery Breaking Operation, a Blast Furnace Operation, a Refining Operation, and a Materials Storage and Handling Area for lead-bearing materials.

EFT is committed to the operation of its facility in a manner that will comply with applicable federal, state, and county environmental regulations and in harmony with the surrounding community. GCR has operated at its present location for more than forty (40) years, and EFT expects to continue operation well into this century. Regulatory compliance is a corporate commitment. This commitment is vigorously reinforced throughout the company, from the top down.

PURPOSE

The purpose of this plan is to maintain effective fugitive controls to meet the requirements of the U.S. Environmental Protection Agency (EPA), the Florida Department of Environmental Protection (FDEP), and the Environmental Protection Commission of Hillsborough County (EPC).

The EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Lead Smelting (40 CFR 63 Subpart X) apply to this facility. This rule requires the owner to prepare and operate in accordance with a standard operating procedures (SOP) manual that describes the measures used to control fugitive emissions at the facility. The NESHAP requirements are also referred to as EPA Maximum Achievable Control Technology (MACT) standards for secondary lead smelters.

FDEP rule 62-296.601 requires lead-processing operations located within lead non-attainment or maintenance areas to employ reasonably available control technology (RACT) to control potential fugitive emissions at the facility. The RACT rule addresses measures that apply to areas and activities that are not addressed by the MACT rule or are more stringent than the MACT requirements. These measures are also covered in this SOP. Additionally, GCR entered into a Consent Order (CO), case No. 95-0728SKWO57, with the EPC which has specific requirements which are also incorporated into this SOP manual.

The EPC is the administrator of the aforementioned EPA and FDEP regulations and is authorized to issue facility construction and operation permits. All of the NESHAP, MACT, RACT, and CO requirements were incorporated as specific conditions into GCR's Title V Permit issued by the County and all future renewals. This SOP manual will also be incorporated, by reference, as a specific permit condition.

Potential sources of fugitive emissions at the facility include:

(1) Plant Roadways and Parking Areas

(2) Battery Breaking

(3) Blast Furnace Area

(4) Refining and Casting Area

(5) Materials Storage and Handling Area (Group Pile)

(6) Unpaved Outside Areas

OPERATING PROCEDURES

The following procedures will be used at EFT, at a minimum, for the control of fugitive emissions:

Plant Roadways and Parking Areas

Vehicular traffic areas are all paved and are periodically wetted down by an eleven (11) zone automatic sprinkler system. Each zone is setup with a timer and control valve that cycles the zone on several times a day. The timers are electronic programmable timers in lockable cases. Sprinkler operation will be noted on the Sprinkler Operation Log form on a daily basis. A copy of the form is included as Attachment 1. The sprinkler zones, approximate number of sprinkler heads, and on and off times are as follows:

Zone	Location	# Sprinklers	On/Off Time
1	North Parking Lot Fence	11	3 Min./12 Min.
2	Maintenance Shop and Fuel	3	3 Min./12 Min.
3	Pig Warehouse and N.E. Comer of Furnace	3	3 Min./12 Min.
4	Furnace Baghouses	4	3 Min./12 Min.
5	S.E. Wall Section	9	3 Min./12 Min.
6	S.W. Wall Section	15	3 Min./12 Min.
7	Wastewater Treatment Plant	4	3 Min./12 Min.
8	West Pavement Perimeter	7	3 Min./12 Min.
9	Northwest Pavement Perimeter	4	3 Min./12 Min.
10	Refining Area & Refining Warehouse	4	3 Min./12 Min.
11	Hygiene Building & Covered Parking	6	3 Min./12 Min.

The sprinklers cycle according to the following table. After the first fifteen minutes at least two zones will be on at all times.

ZONE 1--3 minutes			
ZONE 2--3 minutes			
ZONE 3--3 minutes			
ZONE 4--3 minutes			
ZONE 45--3 minutes			
ZONE 6--3 minutes	ZONE 1--3 minutes		
ZONE 7--3 minutes	ZONE 2--3 minutes		
ZONE 8--3 minutes	ZONE 3--3 minutes		
ZONE 9--3 minutes	ZONE 4--3 minutes		
ZONE 10--3 minutes	ZONE 5--3 minutes		
ZONE 11--3 minutes	ZONE 6--3 minutes	ZONE 1--3 minutes	
	ZONE 7--3 minutes	ZONE 2--3 minutes	
	ZONE 8--3 minutes	ZONE 3--3 minutes	
	ZONE 9--3 minutes	ZONE 4--3 minutes	
	ZONE 10--3 minutes	ZONE 5--3 minutes	
	ZONE 11--3 minutes	ZONE 6--3 minutes	ZONE 1--3 minutes
		ZONE 7--3 minutes	ZONE 2--3 minutes

		ZONE 8--3 minutes	ZONE 3--3 minutes
		ZONE 9--3 minutes	ZONE 4--3 minutes
		ZONE 10--3 minutes	ZONE 5--3 minutes
		ZONE 11--3 minutes	ZONE 6--3 minutes

Traffic paths shall be vacuumed three (3) times each day with a Tennant, or equivalent, vacuum sweeper, except when rain occurs or when areas are sufficiently wetted by the pavement sprinkler system. The employee parking lots will be vacuumed a minimum of three (3) times each week, unless prohibited by prolonged periods of rainfall. Records of the areas swept shall be included in documentation of sweeper operation. Sweeper operation will be noted on the Sweeper Operation Log form. Copies of the form are included as Attachment 2.

Battery Breaking Area

Partial walls surround this area on three (3) sides. The walls extend down from the roofline to approximately ten (10) feet from the top of the curbing that is around the entire floor area. Approximately three quarters of the east wall (the fourth wall) is directly adjacent to the west wall of the Materials Storage and Handling Area that provides a wall from the roof to the floor. Any wash-down water or process water from the operation gravity flows to a collection sump on the north side of the building. Water collected in the sump is pumped to the on-site wastewater treatment plant for treatment. The battery breaking area is washed down at least two times each day. The directed wash-down is noted on the daily operation log form and signed by the operator. A copy of the form is included as Attachment 3. Equipment leaving the roofed area are pressure washed or washed.

Blast Furnace Area

The Blast Furnace Area is partially enclosed with walls on the south, east and west sides that extend down from the roof to approximately fourteen (14') feet from the floor. The furnace is bordered on the south by the baghouses that are walled in and is bordered on the west (approximately 30 feet away) by the Materials Storage and Handling Area building. The furnace work area is washed/hosed down at least two times each day. Each wash-down will be noted on a shift operation form and signed by the operator. A copy of the form is included as Attachment 4. The wash-down water in the furnace area gravity flows to one of two floor sumps. The sumps are located on the east and west sides of the Blast Furnace Area. Water collected in these sumps will be pumped to the wastewater treatment plant for treatment. Equipment leaving the roofed area are pressure washed or washed.

Enclosures and hoods that are vented to a baghouse control potential process fugitive emissions in the blast furnace operation. The blast furnace slag tapping enclosure, the lead tapping hood and the blast furnace charging enclosure are vented to the furnace hygiene baghouse. Dust from the baghouses is conveyed via covered screws to a tank where it is weighed, slurried with water, and pumped to a reactor in the battery breaking area for desulfurization. The openings or faces of these hoods and enclosures meet the MACT face velocity requirements when access doors are in their normal operating position.

Refining and Casting Area

The Refining and Casting Area is also partially enclosed. The work area is washed/hosed down at least two (2) times each day. Each wash-down is noted on the daily operation form and signed by the operator. A copy of the form is included as Attachment 5. Wash-down water in the refining area is collected in a floor sump and pumped to the wastewater treatment plant for treatment. Equipment leaving the roofed area are pressure washed or washed.

Potential process fugitive emissions in the Refining and Casting Area are controlled by hoods over each of the four refining kettles and by enclosures for the dross receptacles. The hoods and enclosures are vented to a baghouse. The kettle hoods meet the MACT face velocity requirements when the access doors are in their normal operating position.

Molten lead is pumped from the kettles to one of two casting machines. A pre-set amount of lead is delivered to the pig molds through a star ladle at the front end of the casting machines. The star ladles are kept hot by a gas flame. A hood is provided over each star ladle to capture potential emissions. The face of the hood meets the MACT face velocity requirement.

Materials Storage and Handling Area (Group Pile)

The Materials Storage and Handling Area has walls from the roof to the floor on a four sides. There is an approximately 24' x 14' equipment access opening on the west side of the area. There is an approximately 12' x 13' loading/unloading ramp access opening on the north side of the area. Accumulated water in this area gravity flows to one of two floor sumps. There is a collection sump on the east wall near the southeast corner of the area and one sump on the north side of the area. Water collected in the sumps is pumped to the wastewater treatment plant for treatment. The pathways within this area will be wetted down as needed to prevent the generation of dust. The materials stored in this area are washed and wetted prior to storage and will remain moist even after long-term storage. Additional wetting of the stored material will be provided, if necessary, to prevent the generation of dust; however, it is not anticipated that additional wetting will be necessary.

The main entrance/exit to the Materials Storage and Handling Area is under a contiguous roof that provides covered access for equipment moving between the materials storage and handling, blast furnace, and refining areas. Forklifts and front-end loaders leaving the roofed area are pressure washed or washed. The form used to document the washing of the equipment is included as Attachment 6.

Unpaved Outside Areas

The unpaved areas of the facility are grassed and will be maintained as such. There will be no routine traffic in these areas. Equipment traffic in the grassed areas will be limited to access for maintenance and up keep or to affect repairs to equipment (i.e. pumps, motors) that are located off or at the edge of the paved areas.

STANDARD OPERATING PROCEDURES FOR FUGITIVE DUST CONTROL DURING OPERATIONAL ACTIVITIES

INTRODUCTION

EnviroFocus Technologies, LLC (EFT), formerly Gulf Coast Recycling, Inc. (GRC), is a secondary lead smelter. The facility applied for a PSD construction permit on August 7, 2008 to expand the capacity of the plant. As part of the PSD permit application process, EFT is required to enclosing all process operations, such as battery breaking, material drying, material handling, smelting, refining, and casting and to direct the ventilation from these areas through air pollution control devices. Additionally, EFT is required to control fugitive emissions from paved and unpaved surfaces at the site. These procedures describe these sources of fugitive emissions and the controls that shall be employed upon completion of the expansion project.

OPERATING PROCEDURES

Plant Roadways and Parking Areas

Vehicular traffic areas will be paved and periodically wetted down by an eight (8) zone automatic sprinkler system (see drawing and end of appendix). The system will be controlled by a time that cycles the zones on several times a day. The timer will be an electronic programmable timer in a lockable case. Sprinkler operation will be noted on a Sprinkler Operation Log form on a daily basis. The sprinkler timer will operate on the following schedule, except when rain occurs:

Day Time (9AM to 7PM)

May through September

Each zone shall run 3.75 minutes per cycle and run two 30-minute cycles per hour (continuous)

November through April

Each zone shall run 3.75 minutes per cycle for one 30-minute cycle per hour

Night Time (7PM to 9AM)

May through September

Each zone shall run 3.75 minutes per cycle for one 30-minute cycle per hour

November through April

Each zone shall run 3.75 minutes per cycle for one 30-minute cycle every other hour

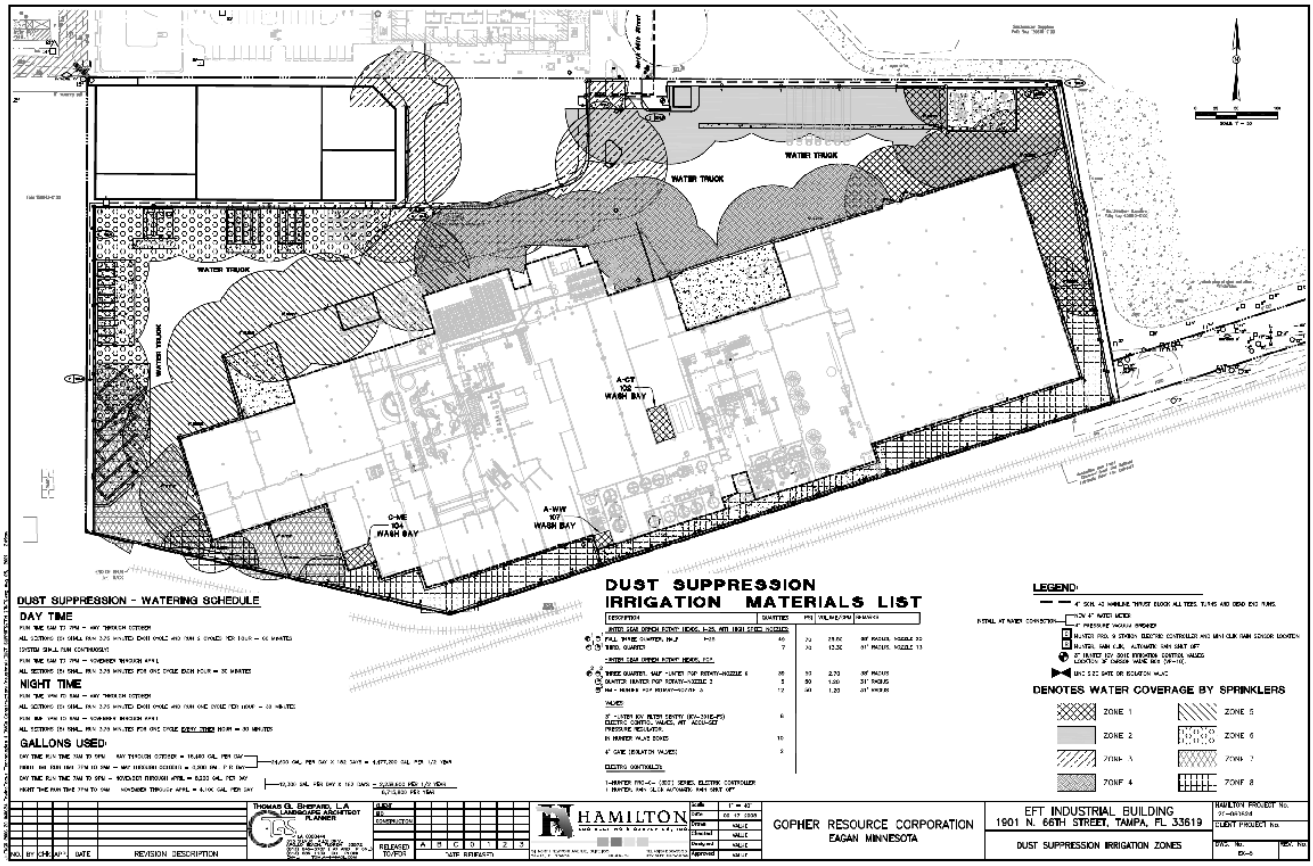
In addition to wetting, traffic paths shall be shall be vacuumed three (3) times each day with a Tennant, or equivalent, vacuum sweeper, except when rain occurs or when areas are sufficiently wetted by the pavement sprinkler system. Employee parking lots will be vacuumed a minimum of three (3) times each week, unless prohibited by prolonged periods of rainfall. Records of the areas swept shall be included in documentation of sweeper operation. Sweeper operation will be noted on a Sweeper Operation Log form.

Finally, vehicle wash stations will be installed in the process area enclosure at locations adjacent to building openings through which vehicles may exit the process area (see attached drawing). Dust and accumulated materials will be removed from the wheels and underside of all vehicles at the vehicle wash stations to prevent the transfer of lead contaminated material to another area of the smelter or to the paved surfaces outside the enclosure. Each wash down will be noted on a Vehicle Wash Log form.

Unpaved Outside Areas

The unpaved areas of the facility will be grassed and will be maintained as such. There will be no routine traffic in these areas. Equipment traffic in the grassed areas will be limited to access for maintenance and up keep or to affect repairs to equipment (i.e. pumps, motors) that are located off or at the edge of paved areas.

Location of Sprinkler Zones



GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

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.

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 403.087(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.

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 Florida Statutes 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 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.

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.

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.

   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 403.73 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.

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 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.

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

13. This permit also constitutes:

    a. Determination of Best Available Control Technology (X);
    b. Determination of Prevention of Significant Deterioration (X);
    c. Compliance with National Emission Standards for Hazardous Air Pollutants (X); and
    d. Compliance with New Source Performance Standards (X).

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.

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.

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NSPS - SUBPART A, IDENTIFICATION OF GENERAL PROVISIONS

The provisions of this Subpart may be provided in full upon request. Emissions units subject to a New Source Performance Standard of 40 CFR 60 are also subject to the applicable requirements of Subpart A, the General Provisions, including:

§ 60.1 Applicability.

§ 60.2 Definitions.

§ 60.3 Units and abbreviations.

§ 60.4 Address.

§ 60.5 Determination of construction or modification.

§ 60.6 Review of plans.

§ 60.7 Notification and Record Keeping.

§ 60.8 Performance Tests.

§ 60.9 Availability of information.

§ 60.10 State Authority.

§ 60.11 Compliance with Standards and Maintenance Requirements.

§ 60.12 Circumvention.

§ 60.13 Monitoring Requirements.

§ 60.14 Modification.

§ 60.15 Reconstruction.

§ 60.16 Priority List.

§ 60.17 Incorporations by Reference.

§ 60.18 General Control Device Requirements.

§ 60.19 General Notification and Reporting Requirements.

Individual subparts may exempt specific equipment or processes from some or all of these requirements. The general provisions may be provided in full upon request.

NESHAP - SUBPART A, IDENTIFICATION OF GENERAL PROVISIONS

The provisions of this Subpart may be provided in full upon request. Emissions units subject to a National Emission Standards for Hazardous Air Pollutants of 40 CFR 63 are also subject to the applicable requirements of Subpart A, the General Provisions, including:

§ 63.1 Applicability.

§ 63.2 Definitions.

§ 63.3 Units and abbreviations.

§ 63.4 Prohibited Activities and Circumvention.

§ 63.5 Preconstruction Review and Notification Requirements.

§ 63.6 Compliance with Standards and Maintenance Requirements.

§ 63.7 Performance Testing Requirements.

§ 63.8 Monitoring Requirements.

§ 63.9 Notification Requirements.

§ 63.10 Recordkeeping and Reporting Requirements.

§ 63.11 Control Device Requirements.

§ 63.12 State Authority and Delegations.

§ 63.13 Addresses of State Air Pollution Control Agencies and EPA Regional Offices.

§ 63.14 Incorporation by Reference.

§ 63.15 Availability of Information and Confidentiality.

Individual subparts may exempt specific equipment or processes from some or all of these requirements. The general provisions may be provided in full upon request.

NSPS, SUBPART IIII - STATIONARY COMPRESSION IGNITION INTERNAL COMBUSTION ENGINES

A nominal 500 kW emergency generator (EU ID 026) is proposed for the EFT facility and is subject to the applicable requirements of 40 CFR 60, Subpart IIII--Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The provisions of this Subpart may be provided in full upon request and are also available at the following link:

Link to NSPS 40 CFR 60, Subpart IIII

The blast furnace (EU ID 001) and reverb furnace (EU ID 023) located at the EFT facility are subject to all applicable provisions of 40 CFR 60, Subpart L -- Standards of Performance for Secondary Lead Smelters. The provisions of this Subpart are given below in their entirety:

§ 60.120 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities in secondary lead smelters: Pot furnaces of more than 250 kg (550 lb) charging capacity, blast (cupola) furnaces, and reverberatory furnaces.

(b) Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

[42 FR 37937, July 25, 1977]

§ 60.121 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) *Reverberatory furnace* includes the following types of reverberatory furnaces: stationary, rotating, rocking, and tilting.

(b) *Secondary lead smelter* means any facility producing lead from a lead bearing scrap material by smelting to the metallic form.

(c) *Lead* means elemental lead or alloys in which the predominant component is lead.

(d) *Blast furnace* means any furnace used to recover metal from slag.

[39 FR 9317, Mar. 8, 1974; 39 FR 13776, Apr. 17, 1974, as amended at 65 FR 61756, Oct. 17, 2000]

§ 60.122 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from a blast (cupola) or reverberatory furnace any gases which:

(1) Contain particulate matter in excess of 50 mg/dscm (0.022 gr/dscf).

(2) Exhibit 20 percent opacity or greater.

(b) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any pot furnace any gases which exhibit 10 percent opacity or greater.

[39 FR 9317, Mar. 8, 1974, as amended at 40 FR 46259, Oct. 6, 1975]

§ 60.123 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.122 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration during representative periods of furnace operation, including charging and tapping. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

NESHAP SUBPART ZZZZ - STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES

A nominal 500 kW emergency generator (EU ID 026) is proposed for the EFT facility is a reciprocating internal combustion engine (RICE) and is subject to the requirements of 40 CFR 63, Subpart ZZZZ--National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The complete provisions of Subpart ZZZZ may be provided in full upon request and are also available beginning at Section 63.6580 at:

Link to NESHAP 40 CFR 63, Subpart ZZZZ

The blast furnace (EU ID 001) , facility grounds and roads (EU ID 009), process fugitive emissions from the refining kettles and tapping and charging of the furnaces (EU ID 011), the kettle combustors (EU ID 013), building ventilation (EU ID 015), the battery breaking area (EU ID 021), the feed dryer (EU ID 022) and the reverb furnace (EU ID 023) located at the EFT facility are subject to all applicable provisions of 40 CFR 63, Subpart X - National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting.

Link to NESHAP 40 CFR 63, Subpart X

Title 40: Protection of Environment

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Source: 77 FR 580, Jan. 5, 2012, unless otherwise noted.

§ 63.541 Applicability.

(a) You are subject to this subpart if you own or operate any of the following affected sources at a secondary lead smelter: Blast, reverberatory, rotary, and electric furnaces; refining kettles; agglomerating furnaces; dryers; process fugitive emissions sources; buildings containing lead bearing materials; and fugitive dust sources. The provisions of this subpart do not apply to primary lead processors, lead refiners, or lead remelters.

(b) Table 1 to this subpart specifies the provisions of subpart A of this part that apply to owners and operators of secondary lead smelters subject to this subpart.

(c) If you are subject to the provisions of this subpart, you are also subject to title V permitting requirements under 40 CFR parts 70 or 71, as applicable.

(d) Emissions standards in this subpart apply at all times.

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§ 63.542 Definitions.

Terms used in this subpart are defined in the Clean Air Act, in subpart A of this part, or in this section as follows:

Affected source means any of the following sources at a secondary lead smelter: Blast, reverberatory, rotary, and electric furnaces; refining kettles; agglomerating furnaces; dryers; process fugitive emissions sources; buildings containing lead bearing materials; and fugitive dust sources.

Affirmative defense means, in the context of an enforcement proceeding, a response or defense put forward by a defendant, regarding which the defendant has the burden of proof, and the merits of which are independently and objectively evaluated in a judicial or administrative proceeding.

Agglomerating furnace means a furnace used to melt into a solid mass flue dust that is collected from a baghouse.

Bag leak detection system means an instrument that is capable of monitoring particulate matter (dust) loadings in the exhaust of a baghouse in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, transmittance or other effect to monitor relative particulate matter loadings.

Battery breaking area means the plant location at which lead-acid batteries are broken, crushed, or disassembled and separated into components.

Blast furnace means a smelting furnace consisting of a vertical cylinder atop a crucible, into which lead-bearing charge materials are introduced at the top of the furnace and combustion air is introduced through tuyeres at the bottom of the cylinder, and that uses coke as a fuel source and that is operated at such a temperature in the combustion zone (greater than 980 Celsius) that lead compounds are chemically reduced to elemental lead metal.

Blast furnace charging location means the physical opening through which raw materials are introduced into a blast furnace.

Collocated blast furnace and reverberatory furnace means operation at the same location of a blast furnace and a reverberatory furnace where the vent streams of the furnaces are mixed before cooling, with the volumetric flow rate discharged from the blast furnace being equal to or less than that discharged from the reverberatory furnace.

Dryer means a chamber that is heated and that is used to remove moisture from lead-bearing materials before they are charged to a smelting furnace.

Dryer transition equipment means the junction between a dryer and the charge hopper or conveyor, or the junction between the dryer and the smelting furnace feed chute or hopper located at the ends of the dryer.

Electric furnace means a smelting furnace consisting of a vessel into which reverberatory furnace slag is introduced and that uses electrical energy to heat the reverberatory furnace slag to such a temperature (greater than 980 Celsius) that lead compounds are reduced to elemental lead metal.

Fugitive dust source means a stationary source of hazardous air pollutant emissions at a secondary lead smelter that is not associated with a specific process or process fugitive vent or stack. Fugitive dust sources include, but are not limited to, roadways, storage piles, lead bearing material handling transfer points, lead bearing material transport areas, lead bearing material storage areas, other lead bearing material process areas, and buildings.

Furnace and refining/casting area means any area of a secondary lead smelter in which:

(1) Smelting furnaces are located;

(2) Refining operations occur; or

(3) Casting operations occur.

Lead alloy means an alloy in which the predominant component is lead.

Lead bearing material means material with a lead content equal to or greater than 5 mg/l as measured by EPA Method 1311 (Under Method 1311, only materials with at least 100 ppm lead will be considered to be lead bearing).

Leeward wall means the furthest exterior wall of a total enclosure that is opposite the windward wall.

Maintenance activity means any of the following routine maintenance and repair activities that could generate fugitive lead dust:

(1) Replacement or repair of refractory, or any internal or external part of equipment used to process, handle or control lead-containing materials.

(2) Replacement of any duct section used to convey lead-containing exhaust.

(3) Metal cutting or welding that penetrates the metal structure of any equipment, and its associated components, used to process lead-containing material such that lead dust within the internal structure or its components can become fugitive lead dust.

(4) Resurfacing, repair or removal of ground, pavement, concrete, or asphalt.

Materials storage and handling area means any area of a secondary lead smelter in which lead-bearing materials (including, but not limited to, broken battery components, reverberatory furnace slag, flue dust, and dross) are stored

or handled between process steps including, but not limited to, areas in which materials are stored in open piles, bins, or tubs, and areas in which material is prepared for charging to a smelting furnace.

Natural draft opening means any permanent opening in an enclosure that remains open during operation of the facility and is not connected to a duct in which a fan is installed.

New source means any affected source at a secondary lead smelting facility the construction or reconstruction of which is commenced after May 19, 2011. A building that is constructed for the purpose of controlling fugitive emissions from an existing source is not considered to be a new source.

Partial enclosure means a structure comprised of walls or partitions on at least three sides or three-quarters of the perimeter surrounding stored materials or process equipment to prevent the entrainment of particulate matter into the air.

Pavement cleaning means the use of vacuum equipment, water sprays, or a combination thereof to remove dust or other accumulated material from the paved areas of a secondary lead smelter.

Plant roadway means any area of a secondary lead smelter outside of a total enclosure that is subject to vehicle traffic, including traffic by forklifts, front-end loaders, or vehicles carrying whole batteries or cast lead ingots. Excluded from this definition are employee and visitor parking areas, provided they are not subject to traffic by vehicles carrying lead-bearing materials.

Pressurized dryer breaching seal means a seal system connecting the dryer transition pieces which is maintained at a higher pressure than the inside of the dryer.

Process fugitive emissions source means a source of hazardous air pollutant emissions at a secondary lead smelter that is associated with lead smelting or refining, but is not the primary exhaust stream from a smelting furnace, and is not a fugitive dust source. Process fugitive emissions sources include, but are not limited to, smelting furnace charging points, smelting furnace lead and slag taps, refining kettles, agglomerating furnaces, and drying kiln transition pieces.

Process vent means furnace vents, dryer vents, agglomeration furnace vents, vents from battery breakers, vents from buildings containing lead bearing material, and any ventilation system controlling lead emissions.

Refining kettle means an open-top vessel that is constructed of cast iron or steel and is indirectly heated from below and contains molten lead for the purpose of refining and alloying the lead. Included are pot furnaces, receiving kettles, and holding kettles.

Reverberatory furnace means a refractory-lined furnace that uses one or more flames to heat the walls and roof of the furnace and lead-bearing scrap to such a temperature (greater than 980 Celsius) that lead compounds are chemically reduced to elemental lead metal.

Rotary furnace (also known as a rotary reverberatory furnace) means a furnace consisting of a refractory-lined chamber that rotates about a horizontal axis and that uses one or more flames to heat the walls of the furnace and lead-bearing scrap to such a temperature (greater than 980 Celsius) that lead compounds are chemically reduced to elemental lead metal.

Secondary lead smelter means any facility at which lead-bearing scrap material, primarily, but not limited to, lead-acid batteries, is recycled into elemental lead or lead alloys by smelting.

Shutdown means the period when no lead bearing materials are being fed to the furnace and smelting operations have ceased during which the furnace is cooled from steady-state operating temperature to ambient temperature.

Smelting means the chemical reduction of lead compounds to elemental lead or lead alloys through processing in high-temperature (greater than 980 Celsius) furnaces including, but not limited to, blast furnaces, reverberatory furnaces, rotary furnaces, and electric furnaces.

Startup means the period when no led bearing materials have been fed to the furnace and smelting operations have not yet commenced during which the furnace is heated from ambient temperature to steady-state operating temperature.

Total enclosure means a containment building that is completely enclosed with a floor, walls, and a roof to prevent exposure to the elements and to assure containment of lead bearing material with limited openings to allow access

and egress for people and vehicles. The total enclosure must provide an effective barrier against fugitive dust emissions such that the direction of air flow through any openings is inward and the enclosure is maintained under constant negative pressure.

Vehicle wash means a device for removing dust and other accumulated material from the wheels, body, and underside of a vehicle to prevent the inadvertent transfer of lead contaminated material to another area of a secondary lead smelter or to public roadways.

Wet suppression means the use of water, water combined with a chemical surfactant, or a chemical binding agent to prevent the entrainment of dust into the air from fugitive dust sources.

Windward wall means the exterior wall of a total enclosure that is most impacted by the wind in its most prevailing direction determined by a wind rose using available data from the closest representative meteorological station.

§ 63.543 What are my standards for process vents?

(a) For existing sources, you must maintain the concentration of lead compounds in any process vent gas at or below 1.0 milligrams of lead per dry standard cubic meter (0.00043 grains of lead per dry standard cubic foot). You must maintain the flow-weighted average concentration of lead compounds in vent gases from a secondary lead smelting facility at or below 0.20 milligrams of lead per dry standard cubic meter (0.000087 grains of lead per dry standard cubic foot).

(1) You must demonstrate compliance with the flow weighted average emissions limit on a 12-month rolling average basis, calculated monthly using the most recent test data available.

(2) Until 12 monthly weighted average emissions rates have been accumulated, calculate only the monthly average weighted emissions rate.

(3) You must use Equation 1 of this section to calculate the flow-weighted average concentration of lead compounds from process vents:

Where:

CFWA = Flow-weighted average concentration of all process vents.

n = Number of process vents.

Fi = Flow rate from process vent i in dry standard cubic feet per minute, as measured during the most recent compliance test.

Ci = Concentration of lead in process vent i, as measured during the most recent compliance test.

(4) Each month, you must use the concentration of lead and flow rate obtained during the most recent compliance test performed prior to or during that month to perform the calculation using Equation 1 of this section.

(5) If a continuous emissions monitoring system (CEMS) is used to measure the concentration of lead in a vent, the monthly average lead concentration and monthly average flow rate must be used rather than the most recent compliance test data.

(b) For new sources that begin construction or reconstruction after May 19, 2011 you must maintain the concentration of lead compounds in any process vent gas at or below 0.20 milligrams of lead per dry standard cubic meter (0.000087 grains of lead per dry standard cubic foot).

(c) You must meet the applicable emissions limits for total hydrocarbons and dioxins and furans from furnace sources specified in Table 2 of this subpart. There are no standards for dioxins and furans during periods of startup and shutdown.

(d) If you combine furnace emissions from multiple types of furnaces and these furnaces do not meet the definition of collocated blast and reverberatory furnaces, you must calculate your emissions limit for the combined furnace stream using Equation 2 of this section.

Where:

CEL = Flow-weighted average emissions limit (concentration) of combined furnace vents.

n = Number of furnace vents.

Fi = Flow rate from furnace vent i in dry standard cubic feet per minute.

CEli = Emissions limit (concentration) of pollutant in furnace vent i as specified in Table 2 of this subpart.

(e) If you combine furnace emissions with the furnace charging process fugitive emissions and discharge them to the atmosphere through a common emissions point, you must demonstrate compliance with the applicable total hydrocarbons concentration limit specified in paragraph (c) of this section at a location downstream from the point at which the two emissions streams are combined.

(f) If you do not combine the furnace charging process fugitive emissions with the furnace process emissions, and discharge such emissions to the atmosphere through separate emissions points, you must maintain the total hydrocarbons concentration in the exhaust gas at or below 20 parts per million by volume, expressed as propane and corrected to 4 percent carbon dioxide.

(g) Following the initial performance or compliance test to demonstrate compliance with the lead emissions limits specified in paragraph (a) or (b) of this section, you must conduct performance tests according to the schedule in paragraph (g)(1) or (2) of this section.

(1) Conduct an annual performance test for lead compounds from each process vent (no later than 12 calendar months following the previous compliance test), unless you install and operate a CEMS meeting the requirements of § 63.8.

(2) If an annual compliance test demonstrates that a process vent emitted lead compounds at 0.10 milligram of lead per dry standard cubic meter or less during the time of the annual compliance test, you may submit a written request to the Administrator applying for an extension of up to 24 calendar months from the previous compliance test to conduct the next compliance test for lead compounds.

(h) Following the initial performance or compliance test to demonstrate compliance with the total hydrocarbons emissions limits in paragraphs (c) and (f) of this section, you must conduct an annual performance test for total hydrocarbons emissions from each process vent that has established limits for total hydrocarbons (no later than 12 calendar months following the previous compliance test), unless you install and operate a CEMS meeting the requirements of § 63.8. If an annual compliance test demonstrates that a process vent emitted total hydrocarbons at less than 50 percent of the allowable limit during the time of the annual compliance test, you may submit a written request to the Administrator applying for an extension of up to 24 calendar months from the previous compliance test to conduct the next compliance test for total hydrocarbons.

(i) Following the initial performance or compliance test to demonstrate compliance with the dioxins and furans emissions limits specified in paragraph (c) of this section, you must conduct a performance test for dioxins and furans emissions from each process vent that has established limits for dioxins and furans at least once every 6 years following the previous compliance test.

(j) You must conduct the performance tests specified in paragraphs (g) through (i) of this section under maximum representative operating conditions for the process. During the performance test, you may operate the control device at maximum or minimum representative operating conditions for monitored control device parameters, whichever results in lower emission reduction. Upon request, you must make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(k) 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. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that 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.

(l) If you own or operate a unit subject to emission limits in Table 2 of this subpart, you must minimize the unit's startup and shutdown periods following the manufacturer's recommended procedures, if available. You must develop and follow standard operating procedures designed to minimize emissions of total hydrocarbon for each startup or shutdown scenario anticipated. You must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted startups and shutdowns according to the manufacturer's recommended procedures, if available, and the standard operating procedures designed to minimize emissions of total hydrocarbons.

(m) In addition to complying with the applicable emissions limits for dioxins and furans listed in Table 2 to this subpart, you must operate a process to separate plastic battery casing materials from all automotive batteries prior to introducing feed into a furnace.

§ 63.544 What are my total enclosure standards?

(a) You must operate the process fugitive emissions sources and fugitive dust sources listed in paragraphs (a)(1) through (9) of this section in a total enclosure that is maintained at negative pressure at all times and vented to a control device designed to capture lead particulate. The total enclosure must meet the requirements specified in paragraph (c) of this section.

(1) Smelting furnaces.

(2) Smelting furnace charging areas.

(3) Lead taps, slag taps, and molds during tapping.

(4) Battery breakers.

(5) Refining kettles, casting areas.

(6) Dryers.

(7) Agglomerating furnaces and agglomerating furnace product taps.

(8) Material handling areas for any lead bearing materials except those listed in paragraph (b) of this section.

(9) Areas where dust from fabric filters, sweepings or used fabric filters are processed.

(b) Total enclosures are not required in the following areas: lead ingot product handling areas, stormwater and wastewater treatment areas, intact battery storage areas, areas where lead bearing material is stored in closed containers or enclosed mechanical conveyors, and areas where clean battery casing material is handled.

(c) You must construct and operate total enclosures for the sources listed in paragraph (a) of this section as specified in paragraphs (c)(1) and (2) of this section. The total enclosure must be free of significant cracks, gaps, corrosion or other deterioration that could cause lead bearing material to be released from the primary barrier. Measures must be in place to prevent the tracking of lead bearing material out of the unit by personnel or by equipment used in handling the material. An area must be designated to decontaminate equipment and any rinsate must be collected and properly managed.

(1) You must ventilate the total enclosure continuously to ensure negative pressure values of at least 0.013 mm of mercury (0.007 inches of water).

(2) You must maintain an inward flow of air through all natural draft openings.

(d) You must inspect enclosures and facility structures that contain any lead-bearing materials at least once per month. You must repair any gaps, breaks, separations, leak points or other possible routes for emissions of lead to the atmosphere within one week of identification unless you obtain approval for an extension from the Administrator before the repair period is exceeded.

§ 63.545 What are my standards for fugitive dust sources?

(a) You must prepare, and at all times operate according to, a standard operating procedures manual that describes in detail the measures that will be put in place and implemented to control the fugitive dust emissions from the sources listed in paragraphs (a)(1) through (7) of this section.

(1) Plant roadways.

(2) Plant buildings.

(3) Accidental releases.

(4) Battery storage area.

(5) Equipment maintenance.

(6) Material storage areas.

(7) Material handling areas.

(b) You must submit the standard operating procedures manual to the Administrator or delegated authority for review and approval when initially developed and any time changes are made.

(c) The controls specified in the standard operating procedures manual must at a minimum include the requirements specified in paragraphs (c)(1) through (7) of this section.

(1) Cleaning. Where a cleaning practice is specified, you must clean by wet wash or a vacuum equipped with a filter rated by the manufacturer to achieve 99.97 percent capture efficiency for 0.3 micron particles in a manner that does not generate fugitive lead dust.

(2) Plant roadways and paved areas. You must pave all areas subject to vehicle traffic and you must clean the pavement twice per day, except on days when natural precipitation makes cleaning unnecessary or when sand or a similar material has been spread on plant roadways to provide traction on ice or snow. Limited access and limited use roadways such as unpaved roads to remote locations on the property may be exempt from this requirement if they are used infrequently (no more than one round trip per day).

(3) Accidental releases. You must initiate cleaning of all affected areas within one hour after detection of any accidental release of lead dust that exceeds 10 pounds (the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) reportable quantity for lead at 40 CFR 302.4).

(4) Battery storage areas. You must inspect any batteries that are not stored in a total enclosure once each week and move any broken batteries to an enclosure within 72 hours of identification. You must clean residue from broken batteries within 72 hours of identification.

(5) Materials storage and handling areas. You must wash each vehicle at each exit of the material storage and handling areas. The vehicle wash must include washing of tires, undercarriage and exterior surface of the vehicle followed by vehicle inspection.

(6) Equipment maintenance. You must perform all maintenance activities that could generate lead dust in a manner that minimizes emissions of fugitive dust. This must include one or more of the following:

(i) Performing maintenance inside a total permanent enclosure maintained at negative pressure.

(ii) Performing maintenance inside a temporary enclosure and use a vacuum system either equipped with a filter rated by the manufacturer to achieve a capture efficiency of 99.97 percent for 0.3 micron particles or routed to an existing control device permitted for this activity.

(iii) Performing maintenance inside a partial enclosure and use of wet suppression sufficient to prevent dust formation.

(iv) Decontamination of equipment prior to removal from an enclosure.

(v) Immediate repair of ductwork or structure leaks without an enclosure if the time to construct a temporary enclosure would exceed the time to make a temporary or permanent repair, or if construction of an enclosure would cause a higher level of emissions than if an enclosure were not constructed.

(vi) Activities required for inspection of fabric filters and maintenance of filters that are in need of removal and replacement are not required to be conducted inside of total enclosures. Used fabric filters must be placed in sealed plastic bags or containers prior to removal from a baghouse.

(7) Material transport. You must collect and transport all lead bearing dust (i.e. lead bearing material which is a dust) within closed conveyor systems or in sealed, leak-proof containers unless the collection and transport activities are contained within a total enclosure. All other lead bearing material must be contained and covered for transport outside of a total enclosure in a manner that prevents spillage or dust formation. Intact batteries and lead ingot product are exempt from the requirement to be covered for transport.

(d) Your standard operating procedures manual must specify that records be maintained of all pavement cleaning, vehicle washing, and battery storage inspection activities performed to control fugitive dust emissions.

(e) You must pave all grounds on the facility or plant groundcover sufficient to prevent wind-blown dust. You may use dust suppressants on unpaved areas that will not support a groundcover (e.g., roadway shoulders, steep slopes, limited access and limited use roadways).

(f) As provided in § 63.6(g), as an alternative to the requirements specified in this section, you can demonstrate to the Administrator (or delegated State, local, or Tribal authority) that an alternative measure(s) is equivalent or better than a practice(s) described in this section.

§ 63.546 Compliance dates.

(a) For affected sources that commenced construction or reconstruction on or before May 19, 2011, you must demonstrate compliance with the requirements of this subpart no later than January 6, 2014.

(b) For affected sources that commenced construction or reconstruction after May 19, 2011, you must demonstrate compliance with the requirements of this subpart by January 5, 2012 or upon startup of operations, whichever is later.

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§ 63.547 Test methods.

(a) You must use the test methods from appendix A of part 60 as listed in paragraphs (a)(1) through (5) of this section to determine compliance with the emissions standards for lead compounds specified in § 63.543(a) and (b).

(1) EPA Method 1 at 40 CFR part 60, appendix A-1 to select the sampling port location and the number of traverse points.

(2) EPA Method 2 at 40 CFR part 60, appendix A-1 or EPA Method 5D at 40 CFR part 60, appendix A-3, section 8.3 for positive pressure fabric filters, to measure volumetric flow rate.

(3) EPA Method 3, 3A, or 3B at 40 CFR part 60, appendix A-2 to determine the dry molecular weight of the stack gas.

(4) EPA Method 4 at 40 CFR part 60, appendix A-3 to determine moisture content of the stack gas.

(5) EPA Method 12 or Method 29 at 40 CFR part 60, appendix A-8 to determine compliance with the lead compound emissions standards. The minimum sample volume must be 2.0 dry standard cubic meters (70 dry standard cubic feet) for each run. You must perform three test runs and you must determine compliance using the average of the three runs.

(b) You must use the following test methods in appendix A of part 60 listed in paragraphs (b)(1) through (4) of this section, as specified, to determine compliance with the emissions standards for total hydrocarbons specified in § 63.543(c) through (f).

(1) EPA Method 1 at 40 CFR part 60, appendix A-1 to select the sampling port location and number of traverse points.

(2) The Single Point Integrated Sampling and Analytical Procedure of Method 3B to measure the carbon dioxide content of the stack gases when using either EPA Method 3A or 3B at 40 CFR part 60, appendix A-2.

(3) EPA Method 4 at 40 CFR part 60, appendix A-3 to measure moisture content of the stack gases.

(4) EPA Method 25A at 40 CFR part 60, appendix A-7 to measure total hydrocarbons emissions. The minimum sampling time must be 1 hour for each run. You must perform a minimum of three test runs. You must calculate a 1-hour average total hydrocarbons concentration for each run and use the average of the three 1-hour averages to determine compliance.

(c) You must correct the measured total hydrocarbons concentrations to 4 percent carbon dioxide as specified in paragraphs (c)(1) through (3) of this section.

(1) If the measured percent carbon dioxide is greater than 0.4 percent in each compliance test, you must determine the correction factor using Equation 2 of this section.

Where:

F = Correction factor (no units).

CO2 = Percent carbon dioxide measured using EPA Method 3A or 3B at 40 CFR part 60, appendix A-2, where the measured carbon dioxide is greater than 0.4 percent.

(2) If the measured percent carbon dioxide is equal to or less than 0.4 percent, you must use a correction factor (F) of 10.

(3) You must determine the corrected total hydrocarbons concentration by multiplying the measured total hydrocarbons concentration by the correction factor (F) determined for each compliance test.

(d) You must use the following test methods in appendix A of part 60 listed in paragraphs (d)(1) through (5) of this section, as specified, to determine compliance with the emissions standards for dioxins and furans specified in § 63.543(c).

(1) EPA Method 1 at 40 CFR part 60, appendix A-1 to select the sampling port location and the number of traverse points.

(2) EPA Method 2 at 40 CFR part 60, appendix A-1 or EPA Method 5D at 40 CFR part 60, appendix A-3, section 8.3 for positive pressure fabric filters to measure volumetric flow rate.

(3) EPA Method 3A or 3B at 40 CFR part 60, appendix A-2 to determine the oxygen and carbon dioxide concentrations of the stack gas.

(4) EPA Method 4 at 40 CFR part 60, appendix A-3 to determine moisture content of the stack gas.

(5) EPA Method 23 at 40 CFR part 60, appendix A-7 to determine the dioxins and furans concentration.

(e) You must determine the dioxins and furans toxic equivalency by following the procedures in paragraphs (e)(1) through (3) of this section.

(1) Measure the concentration of each dioxins and furans congener shown in Table 3 of this subpart using EPA Method 23 at 40 CFR part 60, appendix A-7. You must correct the concentration of dioxins and furans in terms of toxic equivalency to 7 percent O2 using Equation 3 of this section.

Where:

Cadj = Dioxins and furans concentration adjusted to 7 percent oxygen.

Cmeas = Dioxins and furans concentration measured in nanograms per dry standard cubic meter.

(20.9-7) = 20.9 percent oxygen—7 percent oxygen (defined oxygen correction basis).

20.9 = Oxygen concentration in air, percent.

%O2 = Oxygen concentration measured on a dry basis, percent.

(2) For each dioxins and furans congener measured as specified in paragraph (e)(1) of this section, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 3 to this subpart.

(3) Sum the values calculated as specified in paragraph (e)(2) of this section to obtain the total concentration of dioxins and furans emitted in terms of toxic equivalency.

§ 63.548 Monitoring requirements.

(a) You must prepare, and at all times operate according to, a standard operating procedures manual that describes in detail procedures for inspection, maintenance, and bag leak detection and corrective action plans for all baghouses (fabric filters or cartridge filters) that are used to control process vents, process fugitive, or fugitive dust emissions from any source subject to the lead emissions standards in §§ 63.543, 63.544, and 63.545, including those used to control emissions from building ventilation.

(b) You must submit the standard operating procedures manual for baghouses required by paragraph (a) of this section to the Administrator or delegated authority for review and approval.

(c) The procedures that you specify in the standard operating procedures manual for inspections and routine maintenance must, at a minimum, include the requirements of paragraphs (c)(1) through (9) of this section.

(1) Daily monitoring of pressure drop across each baghouse cell.

(2) Weekly confirmation that dust is being removed from hoppers through visual inspection, or equivalent means of ensuring the proper functioning of removal mechanisms.

(3) Daily check of compressed air supply for pulse-jet baghouses.

(4) An appropriate methodology for monitoring cleaning cycles to ensure proper operation.

(5) Monthly check of bag cleaning mechanisms for proper functioning through visual inspection or equivalent means.

(6) Monthly check of bag tension on reverse air and shaker-type baghouses. Such checks are not required for shaker-type baghouses using self-tensioning (spring loaded) devices.

(7) Quarterly confirmation of the physical integrity of the baghouse through visual inspection of the baghouse interior for air leaks.

(8) Quarterly inspection of fans for wear, material buildup, and corrosion through visual inspection, vibration detectors, or equivalent means.

(9) Except as provided in paragraphs (g) and (h) of this section, continuous operation of a bag leak detection system, unless a system meeting the requirements of paragraph (m) of this section for a continuous emissions monitoring system is installed for monitoring the concentration of lead.

(d) The procedures you specify in the standard operating procedures manual for baghouse maintenance must include, at a minimum, a preventative maintenance schedule that is consistent with the baghouse manufacturer's instructions for routine and long-term maintenance.

(e) The bag leak detection system required by paragraph (c)(9) of this section, must meet the specification and requirements of paragraphs (e)(1) through (8) of this section.

(1) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 1.0 milligram per actual cubic meter (0.00044 grains per actual cubic foot) or less.

(2) The bag leak detection system sensor must provide output of relative particulate matter loadings.

(3) The bag leak detection system must be equipped with an alarm system that will alarm when an increase in relative particulate loadings is detected over a preset level.

(4) You must install and operate the bag leak detection system in a manner consistent with the guidance provided in "Office of Air quality Planning and Standards (OAQPS) Fabric Filter Bag Leak Detection Guidance" EPA-454/R-98-015, September 1997 (incorporated by reference, see § 63.14) and the manufacturer's written specifications and recommendations for installation, operation, and adjustment of the system.

(5) The initial adjustment of the system must, at a minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device, and establishing the alarm set points and the alarm delay time.

(6) Following initial adjustment, you must not adjust the sensitivity or range, averaging period, alarm set points, or alarm delay time, except as detailed in the approved standard operating procedures manual required under paragraph (a) of this section. You cannot increase the sensitivity by more than 100 percent or decrease the sensitivity by more than 50 percent over a 365 day period unless such adjustment follows a complete baghouse inspection that demonstrates that the baghouse is in good operating condition.

(7) For negative pressure, induced air baghouses, and positive pressure baghouses that are discharged to the atmosphere through a stack, you must install the bag leak detector downstream of the baghouse and upstream of any wet acid gas scrubber.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(f) You must include in the standard operating procedures manual required by paragraph (a) of this section a corrective action plan that specifies the procedures to be followed in the case of a bag leak detection system alarm. The corrective action plan must include, at a minimum, the procedures that you will use to determine and record the time and cause of the alarm as well as the corrective actions taken to minimize emissions as specified in paragraphs (f)(1) and (f)(2) of this section.

(1) The procedures used to determine the cause of the alarm must be initiated within 30 minutes of the alarm.

(2) The cause of the alarm must be alleviated by taking the necessary corrective action(s) that may include, but not be limited to, those listed in paragraphs (f)(2)(i) through (vi) of this section.

(i) Inspecting the baghouse for air leaks, torn or broken filter elements, or any other malfunction that may cause an increase in emissions.

(ii) Sealing off defective bags or filter media.

(iii) Replacing defective bags or filter media, or otherwise repairing the control device.

(iv) Sealing off a defective baghouse compartment.

(v) Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.

(vi) Shutting down the process producing the particulate emissions.

(g) Baghouses equipped with high efficiency particulate air (or HEPA) filters as a secondary filter used to control emissions from any source subject to the lead emission standards in § 65.543(a) or (b), are exempt from the requirement to be equipped with a bag leak detection system. You must monitor and record the pressure drop across each HEPA filter system daily. If the pressure drop is outside the limit(s) specified by the filter manufacturer, you must take appropriate corrective measures, which may include but not be limited to those given in paragraphs (g)(1) through (4) of this section.

(1) Inspecting the filter and filter housing for air leaks and torn or broken filters.

(2) Replacing defective filter media, or otherwise repairing the control device.

(3) Sealing off a defective control device by routing air to other control devices

(4) Shutting down the process producing the particulate emissions.

(h) Baghouses followed by a wet electrostatic precipitator used as a secondary control device for any source subject to the lead emission standards in § 63.543(a) or (b), are exempt from the requirement to be equipped with a bag leak detection system.

(i) If you use a wet scrubber to control particulate matter and metal hazardous air pollutant emissions from a process vent to demonstrate continuous compliance with the emissions standards, you must monitor and record the pressure drop and water flow rate of the wet scrubber during the initial performance or compliance test conducted to demonstrate compliance with the lead emissions limit under § 63.543(a) or (b). Thereafter, you must monitor and record the pressure drop and water flow rate values at least once every hour and you must maintain the pressure drop and water flow rate at levels no lower than 30 percent below the pressure drop and water flow rate measured during the initial performance or compliance test.

(j) You must comply with the requirements specified in paragraphs (j)(1) through (4) of this section to demonstrate continuous compliance with the total hydrocarbons and dioxins and furans emissions standards. During periods of startup and shutdown, the requirements of paragraph (j)(4) of this section do not apply. Instead, you must demonstrate compliance with the standard for total hydrocarbon by meeting the requirements of § 63.543(l).

(1) Continuous temperature monitoring. You must install, calibrate, maintain, and continuously operate a device to monitor and record the temperature of the afterburner or furnace exhaust streams consistent with the requirements for continuous monitoring systems in § 63.8.

(2) Prior to or in conjunction with the initial performance or compliance test to determine compliance with § 63.543(c), you must conduct a performance evaluation for the temperature monitoring device according to § 63.8(e). The definitions, installation specifications, test procedures, and data reduction procedures for determining calibration drift, relative accuracy, and reporting described in Performance Specification 2, 40 CFR part 60, appendix B, sections 2, 3, 5, 7, 8, 9, and 10 must be used to conduct the evaluation. The temperature monitoring device must meet the following performance and equipment specifications:

(i) The recorder response range must include zero and 1.5 times the average temperature identified in paragraph (j)(3) of this section.

(ii) The monitoring system calibration drift must not exceed 2 percent of 1.5 times the average temperature identified in paragraph (j)(3) of this section.

(iii) The monitoring system relative accuracy must not exceed 20 percent.

(iv) The reference method must be a National Institute of Standards and Technology calibrated reference thermocouple-potentiometer system or an alternate reference, subject to the approval of the Administrator.

(3) You must monitor and record the temperature of the afterburner or the furnace exhaust streams every 15 minutes during the initial performance or compliance test for total hydrocarbons and dioxins and furans and determine an arithmetic average for the recorded temperature measurements.

(4) To demonstrate continuous compliance with the standards for total hydrocarbons and dioxins and furans, you must maintain an afterburner or exhaust temperature such that the average temperature in any 3-hour period does not fall more than 28 °Celsius (50 °Fahrenheit) below the average established in paragraph (j)(3) of this section.

(k) You must install, operate, and maintain a digital differential pressure monitoring system to continuously monitor each total enclosure as described in paragraphs (k)(1) through (5) of this section.

(1) You must install and maintain a minimum of one building digital differential pressure monitoring system at each of the following three walls in each total enclosure that has a total ground surface area of 10,000 square feet or more:

(i) The leeward wall.

(ii) The windward wall.

(iii) An exterior wall that connects the leeward and windward wall at a location defined by the intersection of a perpendicular line between a point on the connecting wall and a point on its furthest opposite exterior wall, and intersecting within plus or minus ten meters of the midpoint of a straight line between the two other monitors specified. The midpoint monitor must not be located on the same wall as either of the other two monitors.

(2) You must install and maintain a minimum of one building digital differential pressure monitoring system at the leeward wall of each total enclosure that has a total ground surface area of less than 10,000 square feet.

(3) The digital differential pressure monitoring systems must be certified by the manufacturer to be capable of measuring and displaying negative pressure in the range of 0.01 to 0.2 millimeters mercury (0.005 to 0.11 inches of water) with a minimum accuracy of plus or minus 0.001 millimeters of mercury (0.0005 inches of water).

(4) You must equip each digital differential pressure monitoring system with a continuous recorder.

(5) You must calibrate each digital differential pressure monitoring system in accordance with manufacturer's specifications at least once every 12 calendar months or more frequently if recommended by the manufacturer.

(l) Except as provided in paragraphs (l)(2) or (3) of this section, all new or reconstructed sources subject to the requirements under § 63.543 must install, calibrate, maintain, and operate a CEMS for measuring lead emissions. In addition to the General Provisions requirements for CEMS in § 63.8(c) that are referenced in Table 1 to this subpart, you must comply with the requirements for CEMS specified in paragraph (m) of this section.

(1) Sources subject to the emissions limits for lead compounds under § 63.543(b) must install a CEMS for measuring lead emissions within 180 days of promulgation by the EPA of performance specifications for lead CEMS.

(2) Prior to 180 days after the EPA promulgates performance specifications for CEMS used to measure lead concentrations, you must use the procedure described in § 63.543(g)(1) to determine compliance.

(3) Vents from control devices that serve only to control emissions from buildings containing lead bearing materials are exempt from the requirement to install a CEMS for measuring lead emissions.

(m) If a CEMS is used to measure lead emissions, you must install a continuous emissions monitoring system with a sensor in a location that provides representative measurement of the exhaust gas flow rate at the sampling location of the CEMS used to measure lead emissions, taking into account the manufacturer's recommendations. The flow rate sensor is that portion of the system that senses the volumetric flow rate and generates an output proportional to that flow rate.

(1) The continuous emissions monitoring system must be designed to measure the exhaust gas flow rate over a range that extends from a value of at least 20 percent less than the lowest expected exhaust flow rate to a value of at least 20 percent greater than the highest expected exhaust gas flow rate.

(2) The continuous emissions monitoring system must be equipped with a data acquisition and recording system that is capable of recording values over the entire range specified in paragraph (m)(1) of this section.

(3) You must perform an initial relative accuracy test of the continuous emissions monitoring system in accordance with the applicable Performance Specification in appendix B to part 60 of this chapter.

(4) You must operate the continuous emissions monitoring system and record data during all periods of operation of the affected facility including periods of startup, shutdown, and malfunction, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality

assurance or quality control activities including, as applicable, calibration checks and required zero and span adjustments.

(5) If you have a CEMS to measure lead emissions, you must calculate the average lead concentration and flow rate monthly to determine compliance with § 63.543(a).

(6) When the continuous emissions monitoring system is unable to provide quality assured data, the following apply:

(i) When data are not available for periods of up to 48 hours, the highest recorded hourly emissions rate from the previous 24 hours must be used.

(ii) When data are not available for 48 or more hours, the maximum daily emissions rate based on the previous 30 days must be used.

§ 63.549 Notification requirements.

(a) You must comply with all of the notification requirements of § 63.9. Electronic notifications are encouraged if suitable for the specific case (e.g., by electronic media such as Excel spreadsheet, on CD or hard copy), and when required by this subpart.

(b) You must submit the fugitive dust control standard operating procedures manual required under § 63.545(a) and the standard operating procedures manual for baghouses required under § 63.548(a) to the Administrator or delegated authority along with a notification that the smelter is seeking review and approval of these plans and procedures. You must submit this notification no later than January 7, 2013. For sources that commenced construction or reconstruction after January 5, 2012, you must submit this notification no later than 180 days before startup of the constructed or reconstructed secondary lead smelter, but no sooner than January 5, 2012. For an affected source that has received a construction permit from the Administrator or delegated authority on or before January 5, 2012, you must submit this notification no later than January 7, 2014.

§ 63.550 Recordkeeping and reporting requirements.

(a) You must comply with all of the recordkeeping and reporting requirements specified in § 63.10 that are referenced in Table 1 to this subpart.

(1) Records must be maintained in a form suitable and readily available for expeditious review, according to § 63.10(b)(1). However, electronic recordkeeping and reporting if suitable for the specific case (e.g., by electronic media such as Excel spreadsheet, on CD or hard copy), and when required by this subpart.

(2) Records must be kept on site for at least 2 years after the date of occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

(b) The standard operating procedures manuals required in §§ 63.545(a) and 63.548(a) must be submitted to the Administrator in electronic format for review and approval of the initial submittal and whenever an update is made to the procedure.

(c) You must maintain for a period of 5 years, records of the information listed in paragraphs (c)(1) through (13) of this section.

(1) Electronic records of the bag leak detection system output.

(2) An identification of the date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the corrective actions taken, and the date and time the cause of the alarm was corrected.

(3) All records of inspections and maintenance activities required under § 63.548(c) as part of the practices described in the standard operating procedures manual for baghouses required under § 63.548(a).

(4) Electronic records of the pressure drop and water flow rate values for wet scrubbers used to control metal hazardous air pollutant emissions from process fugitive sources as required in § 63.548(i).

(5) Electronic records of the output from the continuous temperature monitor required in § 63.548(j)(1), and an identification of periods when the 3-hour average temperature fell below the minimum established under § 63.548(j)(4), and an explanation of the corrective actions taken.

(6) Electronic records of the continuous pressure monitors for total enclosures required in § 63.548(k), and an identification of periods when the pressure was not maintained as required in § 63.544(c)(1).

(7) Records of any time periods power was lost to the continuous pressure monitors for total enclosures required in § 63.548(k) and records of loss of power to the air handling system maintaining negative pressure on total enclosures.

(8) Records of the inspections of facility enclosures required in § 63.544(d).

(9) Records of all cleaning and inspections required as part of the practices described in the standard operating procedures manual required under § 63.545(a) for the control of fugitive dust emissions.

(10) Electronic records of the output of any CEMS installed to monitor lead emissions meeting the requirements of § 63.548(m).

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

(12) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.543(k), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(13) Records of any periods of startup or shutdown of a furnace and actions taken to minimize emissions during that period in accordance with § 63.543(l).

(d) You must comply with all of the reporting requirements specified in § 63.10 of the General Provisions that are referenced in Table 1 to this subpart.

(1) You must submit reports no less frequent than specified under § 63.10(e)(3) of the General Provisions.

(2) Once a source reports a violation of the standard or excess emissions, you must follow the reporting format required under § 63.10(e)(3) until a request to reduce reporting frequency is approved by the Administrator.

(e) In addition to the information required under the applicable sections of § 63.10, you must include in the reports required under paragraph (d) of this section the information specified in paragraphs (e)(1) through (14) of this section.

(1) Records of the concentration of lead in each process vent, and records of the rolling 12-month flow-weighted average concentration of lead compounds in vent gases calculated monthly as required in § 63.543(a), except during the first year when the concentration is calculated using the method described in § 63.543(a)(2).

(2) Records of the concentration of total hydrocarbon and dioxins and furans in each process vent that has established limits for total hydrocarbon and dioxins and furans as required in § 63.543(c).

(3) Records of all periods when monitoring using a CEMS for lead or total hydrocarbon was not in compliance with applicable limits.

(4) Records of all alarms from the bag leak detection system specified in § 63.548.

(5) A description of the procedures taken following each bag leak detection system alarm pursuant to § 63.548(f)(1) and (2).

(6) A summary of the records maintained as part of the practices described in the standard operating procedures manual for baghouses required under § 63.548(a), including an explanation of the periods when the procedures were not followed and the corrective actions taken.

(7) An identification of the periods when the pressure drop and water flow rate of wet scrubbers used to control process fugitive sources dropped below the levels established in § 63.548(i), and an explanation of the corrective actions taken.

(8) Records of the temperature monitor output, in 3-hour block averages, for those periods when the temperature monitored pursuant to § 63.548(j) fell below the level established in § 63.548(j)(4).

(9) Certification that the plastic separation process for battery breakers required in § 63.543(m) was operated at all times the battery breaker was in service.

(10) Records of periods when the pressure was not maintained as required in § 63.544(c) or power was lost to the continuous pressure monitoring system as required in § 63.548(k).

(11) If a malfunction occurred during the reporting period, the report must include the number, duration, and a brief description for each type of malfunction that occurred during the reporting period and caused or may have caused

any applicable emissions limitation to be exceeded. The report must also include a description of actions taken during a malfunction of an affected source to minimize emissions in accordance with § 63.543(k), including actions taken to correct a malfunction.

(12) A summary of the fugitive dust control measures performed during the required reporting period, including an explanation of the periods when the procedures outlined in the standard operating procedures manual pursuant to § 63.545(a) were not followed and the corrective actions taken. The reports must not contain copies of the daily records required to demonstrate compliance with the requirements of the standard operating procedures manuals required under § 63.545(a).

(13) Records of any periods of startup or shutdown of a furnace including an explanation of the periods when the procedures required in § 63.543(l) were not followed and the corrective actions taken.

(14) You must submit records pursuant to paragraphs (e)(14)(i) through (iii) of this section.

(i) As of January 1, 2012 and within 60 days after the date of completing each performance test, as defined in § 63.2 and as required in this subpart, you must submit performance test data, except opacity data, electronically to EPA's Central Data Exchange by using the Electronic Reporting Tool (see http://www.epa.gov/ttn/chief/ert/ert_tool.html/). Only data collected using test methods compatible with the Electronic Reporting Tool are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

(ii) Within 60 days after the date of completing each CEMS performance evaluation test, as defined in § 63.2 and required by this subpart, you must submit the relative accuracy test audit data electronically into EPA's Central Data Exchange by using the Electronic Reporting Tool as mentioned in paragraph (e)(14)(i) of this section. Only data collected using test methods compatible with the Electronic Reporting Tool are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

(iii) All reports required by this subpart not subject to the requirements in paragraph (e)(14)(i) and (ii) of this section must be sent to the Administrator at the appropriate address listed in § 63.13. The Administrator or the delegated authority may request a report in any form suitable for the specific case (e.g., by electronic media such as Excel spreadsheet, on CD or hard copy). The Administrator retains the right to require submittal of reports subject to paragraph (e)(14)(i) and (ii) of this section in paper format.

§ 63.551 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or tribal agency.

(c) The authorities that cannot be delegated to State, local, or tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§ 63.541, 63.543 through 63.544, § 63.545, and § 63.546.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

§ 63.552 Affirmative defense to civil penalties for exceedance of emissions limit during malfunction.

In response to an action to enforce the standards set forth in this subpart, you may assert an affirmative defense to a claim for civil penalties for exceedances of such standards that are caused by malfunction, as defined at § 63.2.

Appropriate penalties may be assessed, however, if you fail to meet your burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

(a) Affirmative defense. To establish the affirmative defense in any action to enforce such a limit, you must timely meet the notification requirements in paragraph (b) of this section, and must prove by a preponderance of evidence that:

(1) The excess emissions:

(i) Were caused by a sudden, infrequent, and unavoidable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner.

(ii) Could not have been prevented through careful planning, proper design or better operation and maintenance practices.

(iii) Did not stem from any activity or event that could have been foreseen and avoided, or planned for.

(iv) Were not part of a recurring pattern indicative of inadequate design, operation, or maintenance.

(2) Repairs were made as expeditiously as possible when the applicable emissions limitations were being exceeded. Off-shift and overtime labor were used, to the extent practicable to make these repairs.

(3) The frequency, amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions.

(4) If the excess emissions resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.

(5) All possible steps were taken to minimize the impact of the excess emissions on ambient air quality, the environment and human health.

(6) All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices.

(7) All of the actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs.

(8) At all times, the affected source was operated in a manner consistent with good practices for minimizing emissions.

(9) A written root cause analysis has been prepared, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the excess emissions resulting from the malfunction event at issue. The analysis shall also specify, using best monitoring methods and engineering judgment, the amount of excess emissions that were the result of the malfunction.

(b) Notification. The owner or operator of the affected source experiencing an exceedance of its emissions limit(s) during a malfunction, shall notify the Administrator by telephone or facsimile transmission as soon as possible, but no later than two business days after the initial occurrence of the malfunction, it wishes to avail itself of an affirmative defense to civil penalties for that malfunction. The owner or operator seeking to assert an affirmative defense, shall also submit a written report to the Administrator within 45 days of the initial occurrence of the exceedance of the standard in this subpart to demonstrate, with all necessary supporting documentation, that it has met the requirements set forth in paragraph (a) of this section. The owner or operator may seek an extension of this deadline for up to 30 additional days by submitting a written request to the Administrator before the expiration of the 45-day period. Until a request for an extension has been approved by the Administrator, the owner or operator is subject to the requirement to submit such report within 45 days of the initial occurrence of the exceedance.

TABLE 1 TO SUBPART X OF PART 63—GENERAL PROVISIONS APPLICABILITY TO SUBPART X

Reference	Applies to subpart X	Comment
63.1	Yes.	
63.2	Yes.	
63.3	Yes.	

63.4	Yes.	
63.5	Yes.	
63.6(a), (b), (c)	Yes.	
63.6(d)	No.	Section reserved.
63.6(e)(1)(i)	No.	See 63.543(k) for general duty requirement.
63.6(e)(1)(ii)	No.	
63.6(e)(1)(iii)	Yes.	
63.6(e)(2)	No.	Section reserved.
63.6(e)(3)	No.	
63.6(f)(1)	No.	
63.6(g)	Yes.	
63.6(h)	No.	No opacity limits in rule.
63.6(i)	Yes.	
63.6(j)	Yes.	
63.7(a)-(d)	Yes.	
63.7(e)(1)	No.	See 63.543(j).
63.7(e)(2)-(e)(4)	Yes.	
63.7(f), (g), (h)	Yes.	
63.8(a)-(b)	Yes.	
63.8(c)(1)(i)	No.	See 63.543(k) for general duty requirement.
63.8(c)(1)(ii)	Yes.	
63.8(c)(1)(iii)	No.	
63.8(c)(2)-(d)(2)	Yes.	
63.8(d)(3)	Yes, except for last sentence.	
63.8(e)-(g)	Yes.	
63.9(a), (b), (c), (e), (g), (h)(1)through (3), (h)(5) and (6), (i) and (j)	Yes.	
63.9(f)	No.	
63.9(h)(4)	No.	Reserved.
63.10 (a)	Yes.	
63.10 (b)(1)	Yes.	
63.10(b)(2)(i)	No.	
63.10(b)(2)(ii)	No.	See 63.550 for recordkeeping of occurrence and duration of malfunctions and recordkeeping of actions taken during malfunction.
63.10(b)(2)(iii)	Yes.	
63.10(b)(2)(iv)-(b)(2)(v)	No.	

63.10(b)(2)(vi)-(b)(2)(xiv)	Yes.	
63.(10)(b)(3)	Yes.	
63.10(c)(1)-(9)	Yes.	
63.10(c)(10)-(11)	No.	See 63.550 for recordkeeping of malfunctions.
63.10(c)(12)-(c)(14)	Yes.	
63.10(c)(15)	No.	
63.10(d)(1)-(4)	Yes.	
63.10(d)(5)	No.	See 63.550(e)(11) for reporting of malfunctions.
63.10(e)-(f)	Yes.	
63.11	No.	Flares will not be used to comply with the emission limits.
63.12 to 63.15	Yes.	

TABLE 2 TO SUBPART X OF PART 63—EMISSIONS LIMITS FOR SECONDARY LEAD SMELTING FURNACES

For vents from these processes . . .	You must meet the following emissions limits . . . [a]	
	Total hydrocarbon ppm by volume expressed as propane corrected to 4 percent carbon dioxide	Dioxin and furan (dioxins and furans) nanograms/dscm expressed as TEQ corrected to 7 percent O_2
Collocated blast and reverberatory furnaces (new and existing)	20 ppmv	0.50 ng/dscm.
Collocated blast and reverberatory furnaces when the reverberatory furnace is not operating for units that comments construction or reconstruction before June 9, 1994	360 ppmv	170 ng/dscm.
Collocated blast and reverberatory furnaces when the reverberatory furnace is not operating for units that commence construction or reconstruction after June 9, 1994	70 ppmv	170 ng/dscm.
Blast furnaces that commence construction or reconstruction before June 9, 1994	360 ppmv	170 ng/dscm.
Blast furnaces that commence construction or reconstruction after June 9, 1994	70 ppmv	170 ng/dscm.
Blast furnaces that commence construction or reconstruction after May 19, 2011	70 ppmv	10 ng/dscm.
Reverberatory and electric furnaces that commence construction or reconstruction before May 19, 2011	12 ppmv	0.20 ng/dscm.
Reverberatory and electric furnaces that commence construction or reconstruction after May 19, 2011	12 ppmv	0.10 ng/dscm.

[a] There are no standards for dioxins and furans during periods of startup and shutdown.

TABLE 3 TO SUBPART X OF PART 63—TOXIC EQUIVALENCY FACTORS

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1

1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1