



September 5, 2019
Kleinfelder Project No.: 20200536.001A

Ms. Terri Stokes
Department of Planning and Zoning
Zoning Division
789 Providence Boulevard
Brooksville, Florida 34601

Via FedEx

**SUBJECT: FLORIDA ROCK INDUSTRIES – BROOKSVILLE FINE GRIND
MASTER OPERATION PLAN APPROVAL (MOPA) APPLICATION**

Dear Ms. Stokes:

The current Hernando County MOPA (15-02) for the Florida Rock Industries, Brooksville Fine Grind site expires in November 2019. The site is currently authorized for mining by Hernando County Master Mining Plan Approval (MAMPA) 98-2, September 27, 1994, MOPA 15-01, and Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP) 231362-006. Pursuant to Hernando County Code of Ordinances Section 19-32, a new application is required every (5) years to maintain the MOPA for a site. The subject application requests authorization to continue the mining operation at Brooksville Fine Grind, which includes three (3) mining areas: Bell, Jones, and Orange Pits.

Five (5) copies of the following are provided in support of the MOPA application for the referenced site:

- Signed and notarized authorized agent affidavit,
- Completed, signed and notarized Hernando County MOPA Application Form, and
- MOPA Support Document and Appendices

A check for the amount of \$13,281.00 will be sent to the Hernando County Department of Planning and Zoning under separate cover. The fee for the MOPA was calculated at a rate of \$50 per acre of area to be included in the mining footprint as summarized in the table below:

Mining Area	Acreage
Bell Pit	21.1
Jones Pit	190.98
Orange Pit	53.54
Total	265.62
Application Fee	\$13,281.00 = 265.62 acres x \$50/acre

Should you require any additional information, please do not hesitate to contact me via email ldaugherty@kleinfelder.com or 352.554.8089.

Sincerely,

KLEINFELDER

A handwritten signature in black ink, appearing to read "L Daugherty". The signature is written in a cursive, flowing style.

Lisa F. Daugherty
Project Manager

Enc: MOPA Application Package

cc: Ms. Traci Johns, Florida Rock Industries
File



**FLORIDA ROCK INDUSTRIES
BROOKSVILLE FINE GRIND
HERNANDO COUNTY, FLORIDA
MINE OPERATION PLAN APPROVAL
2019 APPLICATION
20200536.001A**

September 5, 2019

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ONLY THE CLIENT OR ITS DESIGNATED REPRESENTATIVES MAY USE THIS DOCUMENT AND ONLY FOR THE SPECIFIC PROJECT FOR WHICH THIS REPORT WAS PREPARED.

A Report Prepared for:

Hernando County
Department of Planning and Zoning
Zoning Division
789 Providence Boulevard
Brooksville, Florida 34601

**FLORIDA ROCK INDUSTRIES
BROOKSVILLE FINE GRIND
HERNANDO COUNTY, FLORIDA
MINE OPERATION PLAN APPROVAL
2019 APPLICATION**

Prepared by:



Alexis Seecharan
Ecologist

Reviewed by:



Lisa F. Daugherty
Project Manager

KLEINFELDER
1174 Camp Avenue
Mount Dora, Florida, 32757
Phone: 352.383.1444
Fax: 352.383.3877

September 5, 2019
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Authorized Agent Affidavit

Hernando County MOPA Application Form 2019

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- B Threatened and Endangered Species Survey Results Letter

AUTHORIZED AGENT AFFIDAVIT

I Florida Rock Industries, Inc. hereby grant authorization to Kleinfelder
(Contractor) (Authorized Agent)

to act in my behalf with the Hernando County Building Division while conducting activities related to obtaining permits. These activities specifically include signing all documents requiring signature of "contractor".

Kleinfelder is to be considered an agent of my business and
(Authorized Agent)

therefore the signature of said agent is binding and causes me to assume all responsibilities connected to or associated with the signature as they may relate to my contracting business.

Florida Rock Industries, Inc. relieve the Hernando County Building of,
(Contractor)

and agree to hold the Hernando County Building Division harmless from, any and all responsibility, claims or other actions arising from or related to the Division's acceptance of the above agent's signature for permit-related activities. I further understand that it is my sole responsibility to grant and terminate any such authorization and to ensure that the Division receives timely notice of any such grant or termination.



Signature of Contractor



Signature of Agent

N/A
State Certification or Registration Number

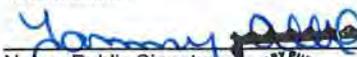
N/A
County Certification Number (if applicable)

****PLEASE NOTE: BOTH SIGNATURES MUST BE NOTARIZED****

Notary for Contractor's Signature:

State of Florida County of Clay

The foregoing was acknowledged before me this 4
day of June, 2019, by
Irac John S, who is personally known
to me, or who produced driver license as
identification.



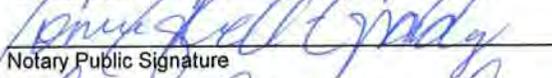
Notary Public Signature

TAMMY ALEXANDER
Notary Public, State of Florida
Commission No. GG307546
Commission Expires 03/04/2023
Tammy Alexander
Print, Type, or Stamp Name of Notary

Notary for Agent's Signature:

State of FLORIDA County of LAKE

The foregoing was acknowledged before me this 1ST
day of July, 2019, by USA
DAVID REEVE who is personally known to me, or
who produced _____ as
identification.



Notary Public Signature
CONNIE CAMPBELL GRADY
Print, Type, or Stamp Name of Notary

CONNIE CAMPBELL-GRADY
 MY COMMISSION # FF922737
 EXPIRES September 30, 2019
 FloridaNotaryService.com
 (407) 398-0133

* The original of this affidavit should be kept in the possession of the above designated "Authorized Agent". This affidavit need only be produced to Hernando County when signing documents in the presence of a permit representative. When you sign a permit application be prepared to produce this affidavit, it will be copied and placed in the appropriate permit application.*

****The Division, at its discretion, may require a contractor or license-holder to personally apply for or obtain a building permit notwithstanding any authorization allowing another person to apply for or obtain any permit on behalf of a contractor, qualifier, or license-holder.**

HERNANDO COUNTY DEVELOPMENT DEPARTMENT
Government Center/Administration Building
20 N. Main Street, Room 162
Brooksville, FL 34601-2807
Master Operation Plan Approval (MOPA) Application

Date June 4, 2019

This application, with all exhibits attached, must be completed and filed with this office and approved as sufficient prior to staff notification as required in Section 19-32 of the Hernando County Ordinance 93-13.

1. Mining company and address: Florida Rock Industries, Inc., Brooksville Fine Grind
PO BOX 427 (14556 Ponce de Leon Blvd)
Brooksville, FL 32001

2. Designated responsible person: Traci Johns
 - a. Address: 10151 Deerwood Park Boulevard, Suite 120 Jacksonville, FL 32256
 - b. Telephone: 904-482-2457 mobile

3. Date of Existing Master Mining Plan Approved: July 26, 1994

4. The following information must be attached:
 - a. A recent aerial photograph of area to be mined- see Figure 2 of 2019 MOPA Report
 - b. Proposed MOPA with information consistent with Section 19-32 - attached
 - c. Environmental assessment consistent with Section 19-32(e) -See Section 3.1 of 2019 MOPA Report
 - d. Copies of all permits issued by other regulatory agencies relating to mining operations - See Attachment A
 - e. Copies of applications and reports provided to state and federal regulatory agencies concerning water quality and quantity and air quality- See Attachment A
 - f. A list of property owners within 150' of areas to be mined under this MOPA - N/A
 - g. Copies of Blaster and User Permits – N/A Reference Section 2.0 of 2019 MOPA Report
 - h. A report on the mining operators exploration and intended use of new technology to reduce adverse human response to mining. Reference Section 2.0 of 2019 MOPA report

5. Reclamation Plan consistent with Section D and the MAMPA. – N/A -Reference Section 4.0 of 2019 MOPA report

6. Submittals for MOPA modifications must indicate if the above information applies to property to be added under the modification application. The following information or documentation must be included for modifications: This submittal is for the renewal of an existing MOPA.
 - a. A legal description of the subject property,
 - b. Copy of deeds or leases, - N/A
 - c. Copy of all zoning or rezoning approvals, including Comprehensive Plan amendments.

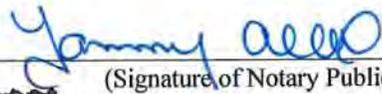
- 7. This application will be reviewed for sufficiency within thirty (30) days and written notification will follow. Any insufficient items will result in notification and the application due date will be extended to afford the opportunity to submit sufficient information.
- 8. This application and all supporting documentation offered for review are true and bona tide copies. All information contained herein is correct to the best of my knowledge.



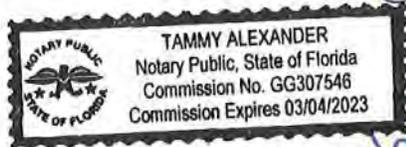
Signature of Applicant

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 4 day of,
June, 20 19, by Traci Johns



(Signature of Notary Public)



Tammy Alexander

(Print, Type, or Stamp Commissioned
Name of Notary Public)

Personally Known _____ OR Produced Identification a

Type of Identification Produced driver license

**FLORIDA ROCK INDUSTRIES
BROOKSVILLE FINE GRIND
HERNANDO COUNTY - DEVELOPMENT DEPARTMENT
MINE OPERATION PLAN APPROVAL
2019 APPLICATION**

1 INTRODUCTION

Brooksville Fine Grind (the Property) has been mined for over 50 years by various entities and is currently occupied by Florida Rock Industries (FRI). The Property provides limestone aggregate products and consists of approximately 3,531.55 acres. The Property is located at 14556 Ponce de Leon Boulevard, north of County Road 476, northeast of US 98, south of the Hernando/Citrus County line, in Brooksville, Hernando County, Florida (**Figure 1**).

The Brooksville Fine Grind mining operation is currently authorized for mining by Hernando County Master Mining Plan Approval (MAMPA) 94-6, Hernando County Mining Operation Plan Approval (MOPA) 15-01, and Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP) 231362-006. Approximately twelve (12) years ago, the mining operation shifted from a predominantly “hardrock” excavation operation to a predominantly “softrock” limestone excavation. Due to this shift in mining the quarry's aggregate crushing and processing plant was dismantled. Currently, "softrock" limestone continues to be mined and is processed to produce a fine-grind limestone material.

The purpose of this document and the supporting materials is to request a five (5) year renewal of the Hernando County MOPA, per Hernando County Code of Ordinances Section 19-32. This document is representative of the changes which have occurred at the Brooksville Fine Grind Plant over the last five (5) years (2009-2014) and the activities proposed to occur over the next five years (2020-2024) (the Project) (**Figure 2**). Softrock mining and processing activities, which are currently within the approved MAMPA, are proposed to continue on the Project between 2020 and 2024.



An authorized agent affidavit from FRI authorizing Kleinfelder to act as their agent for the purpose of the Mining Operation Plan Approval renewal application is attached.

2 2020-2024 PROPOSED MINING ACTIVITIES

The active and future mining areas for the next five (5) years (the Project) are depicted under the 2019 Mine Operations Plan (**Figure 2**) and will include the following three (3) areas:

- 1) The Jones Pit (\pm 190.98 acres), which is situated within the north-central portion of the Property. The Jones pit contains reserves of softrock, which will continue to be mined over the next five (5) years as the reserves persist based on market demand.
- 2) The Orange Grove Pit (\pm 53.54 acres), which is located within the northeast region of the Property. The Orange Grove pit contains additional reserves of softrock, which will be mined once the reserves from the Jones pit have been mined.
- 3) The Bell Pit (\pm 21.10 acres), which is located within the southwest region of the Property. The Bell Pit contains reserves of softrock which may be mined once the existing reserves from the Jones and Orange Grove pits have been exhausted.

The three (3) mining pits referenced above are located within previously active mine areas. Overburden and vegetation was removed from these areas prior to 1993, in association with the previous hardrock mining operation. No disturbance beyond the existing footprint is proposed in association with the continued mining. Mining of these areas will continue vertically in depth and may expand horizontally within the previously disturbed areas. No other mining will occur outside of the areas identified on the 2019 Mine Operations Plan (**Figure 2**), which depicts the areas of mining for years 2020-2024. A mine site plan for the Property is provided as **Figure 3**.

The mining process at the limestone mine typically involves a two-phase approach, the first phase being the hardrock phase and the second phase being the softrock phase. Prior to either mining phase, the overburden must first be removed and stockpiled. Once this task is complete, the mining of the hardrock is initiated. During this mining phase, the hardrock is first extracted via blasting. The hard rock material is blasted into sizes suitable to load and transport to the processing facility. The hard rock material is loaded into haul trucks by heavy machinery. When all of the hardrock has been extracted, the second phase of mining is initiated which involves the mining of softrock. The softrock reserve is located directly beneath the hardrock layer. Like the hardrock, the softrock is also extracted via blasting, and excavation by heavy machinery. The

softrock is loaded into haul trucks by heavy machinery, and then transported to the processing facility.

While the current mining operation is primarily softrock excavation, hardrock veins will continue to be mined out as they are encountered. The extent, both vertically and horizontally, of material removed within these areas over the next five (5) years will be determined by the available supply and market demand. However, all mining will remain within the already disturbed areas of the Jones Pit, Orange Grove Pit and Bell Pit.

Dust suppression by means of a water truck will be utilized as necessary to reduce the potential of fugitive dust. There have been no known complaints regarding noise or vibration associated with the ongoing mining operation. Additionally, Section 19-51 of the Hernando County Code of Ordinances, specifies a 300-foot setback for excavation, stockpiles and blasting when the adjoining property use is agricultural/residential (lots one acre or larger). The nearest off-site structure to any of the proposed mining areas is a single family residence located approximately 561 feet north-northwest of the Jones Pit (**Figure 2**). Additionally, all properties located within 150-feet of Project are associated with the FRI Brooksville Fine Grind Project.

2.1 BLASTING

Blasting is a permitted activity on the Project per the current MAMPA, MOPA, as well as the FDEP via the ERP and air operation permit. On March 29, 2018, the FDEP issued ERP No. 0231365-006 which (1) reauthorizes extraction with blasting below the groundwater table in the Orange Grove Pit, which is referred to as Mining Area One in the ERP. A blasting permit, License/Permit #: 116312-0001-2008, was issued on January 19, 2019 for the Property by the Florida Division of State Fire Marshal. This permit is valid through January 18, 2020 and will be renewed as necessary.

Blasting occurs on average every one (1) to six (6) months. Pursuant to the air operation permit the Project is not a major source of hazardous air pollutants, however appropriate measures, such as dust suppression, are undertaken to mitigate any potential impacts to air quality. Dust suppression equipment is inspected routinely to ensure that is in working order. Additionally, visible emissions and particulate matter monitoring is conducted annually in association with the air operation permit.

3 REGULATORY PERMITS, APPLICATIONS, AND REPORTS

A summary list of permits authorizing the current operation is included in **Appendix A**. Additionally, copies of all State and federal permits issued or renewed during the last five (5) years, as well as current applications and completed reports relating to State or Federal permitting requirements have been provided in **Appendix A**. All documents issued by Hernando County, as well as permits issued by State or federal agencies, prior to 2009, have been submitted with previous MOPA applications and are on file with the County.

3.1 ENVIRONMENTAL ASSESSMENT

The 2020-2014 mining areas are within the Jones, Orange Grove and Bell Pits which are existing mining pits and have been previously disturbed. The mining locations identified within this MOPA have been mined over the past 20+ years and are therefore unlikely to provide suitable habitat for listed species known to inhabit Hernando County. On August 6, 2019, Kleinfelder biologists threatened and endangered (T&E) species survey to determine the potential for the occurrence of any protected flora and fauna within lands immediately adjacent to the anticipated mining areas (**Appendix B**). No threatened or protected species were observed during this survey. Based upon habitat preference, known geographic distribution, and the existing conditions identified within the survey areas, the potential for listed species to occur within the Project has been deemed low. Mining plans will continue to avoid any protected flora and fauna species or wetland impacts.

Invasive plant species were identified during the T&E survey of the Project including cogon grass (*Imperata cylindrica*). According to Section 19-72 (b) of the Hernando County Ordinance provides final reclamation standards for mining areas subject to the 1993 Mining Ordinance. According to Part 1(e) of this section, "if nuisance exotic vegetative species have occurred naturally in the area and the effects are determined by the department to be hazardous to reclamation efforts, the operator must use acceptable control mechanisms to eliminate the nuisance species."

This MOPA application only addresses Anticipated Mining Areas 2020-2024, and does not include the final reclamation of the anticipated mining areas 2020-2024, which is addressed by the MAMPA for the Property. However, the reclamation process utilized by FRI, involves the placement of fill materials from onsite sources on the existing grade in order to achieve the

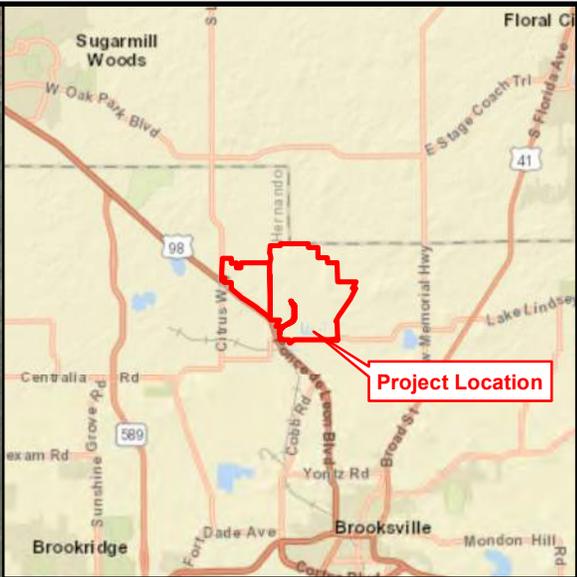
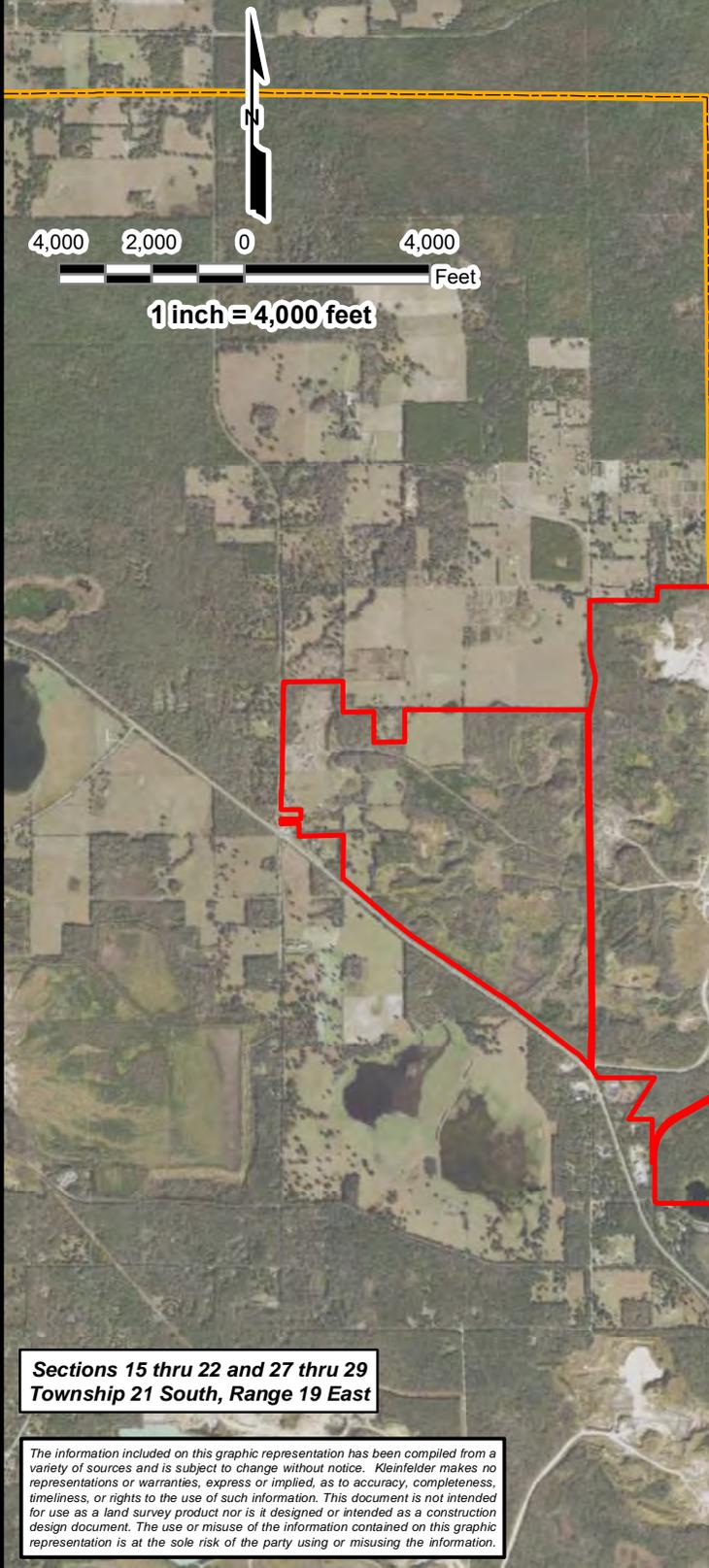
required sloping. In this method, any invasive plant species are essentially buried under the fill material. Upon completion of the sloping, the area is either sodded or planted with grass seed, to help control erosion and sedimentation of the slopes.

4 RECLAMATION ACTIVITIES

No reclamation has been completed during the previous five (5) years (2014 – 2019). The areas that are associated with the ongoing mining area are not subject to reclamation activities and requirements under the regulatory authority of Hernando County (**Figure 4**). Reclamation may be performed in areas that are not subject to mandatory requirements under the jurisdiction of Hernando County or the FDEP Mining and Mitigation Program and reclamation will be performed at the discretion of FRI in accordance with anticipated post-mining utilization of these areas.

FIGURES

Source: World Imagery was obtained from ESRI Basemap. Image origin: State of Florida.
 Date: 2/10/2017.
 World Street Map was obtained from ESRI Basemap.



CITRUS COUNTY
HERNANDO COUNTY

**Sections 15 thru 22 and 27 thru 29
 Township 21 South, Range 19 East**

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Legend
 Property Boundary (3,531.55 Ac.±)

Document Path: G:\Wulcan-FRIL_2019\20200536.001A_VMFC FL-Brooksville FG County Permits\01-0000 MOPA Renewal\19-0806--Brooksville FG MOPA-Location.mxd - Plotted: 8/26/2019, 1:15:14 PM, ASeecharan



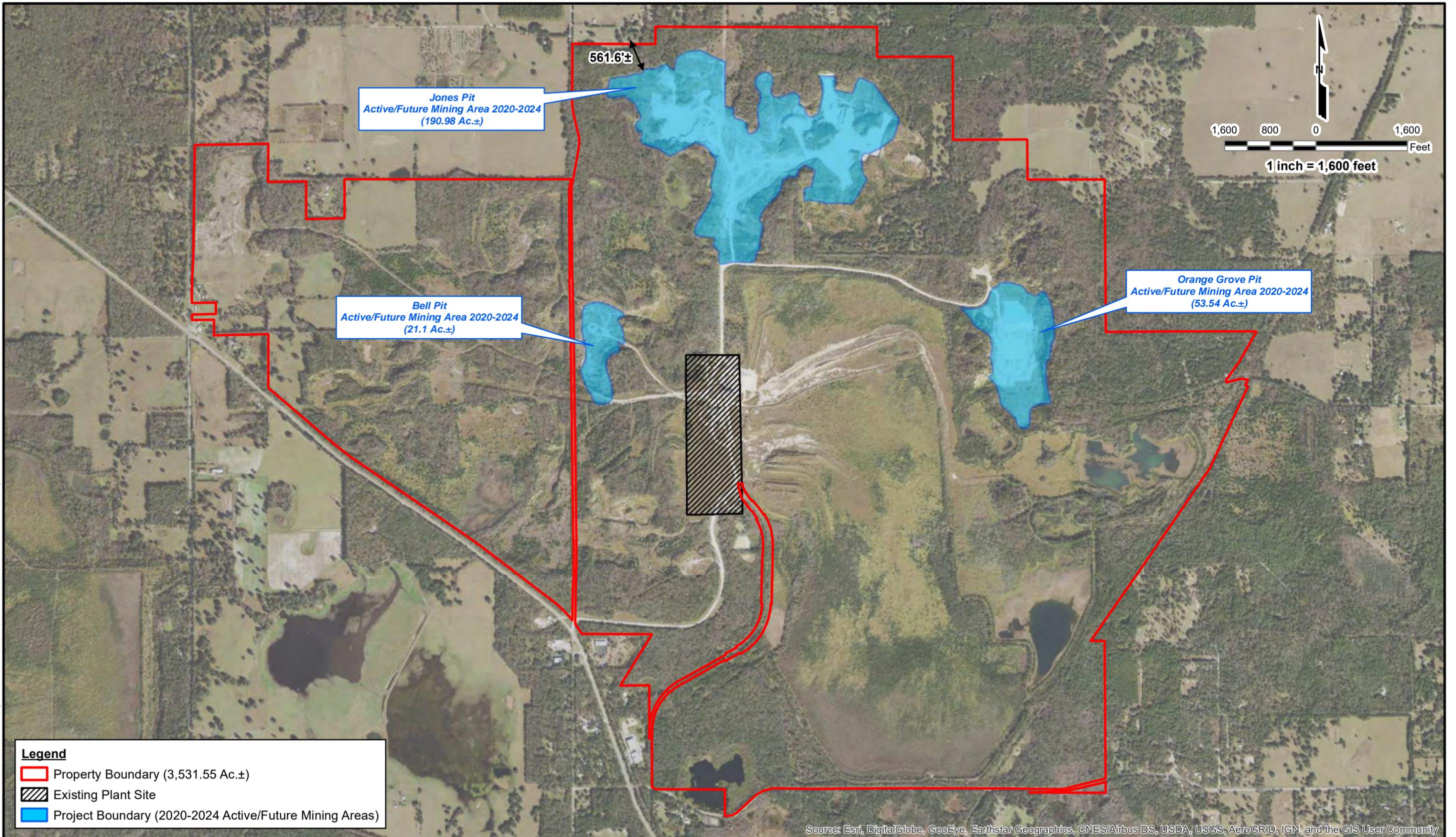
PROJECT NO.	20200536.001A
DRAWN:	8/6/2019
DRAWN BY:	NL
CHECKED BY:	ANS
FILE NAME:	19-0806--Brooksville FG MOPA-Location.mxd

Location Map

**Florida Rock Industries, Inc.
 Brooksville Fine Grind Plant
 Hernando County, Florida
 Mine Operation Plan Approval**

FIGURE
1

Document Path: G:\Vulcan-FRI_2019\20200536_001A_VMC-FL-Brooksville FG MOPA-2019 Mine-Operation.mxd - Plotted: 8/26/2019, 1:12:05 PM, ASecharan



Legend

- Property Boundary (3,531.55 Ac.±)
- Existing Plant Site
- Project Boundary (2020-2024 Active/Future Mining Areas)

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East**

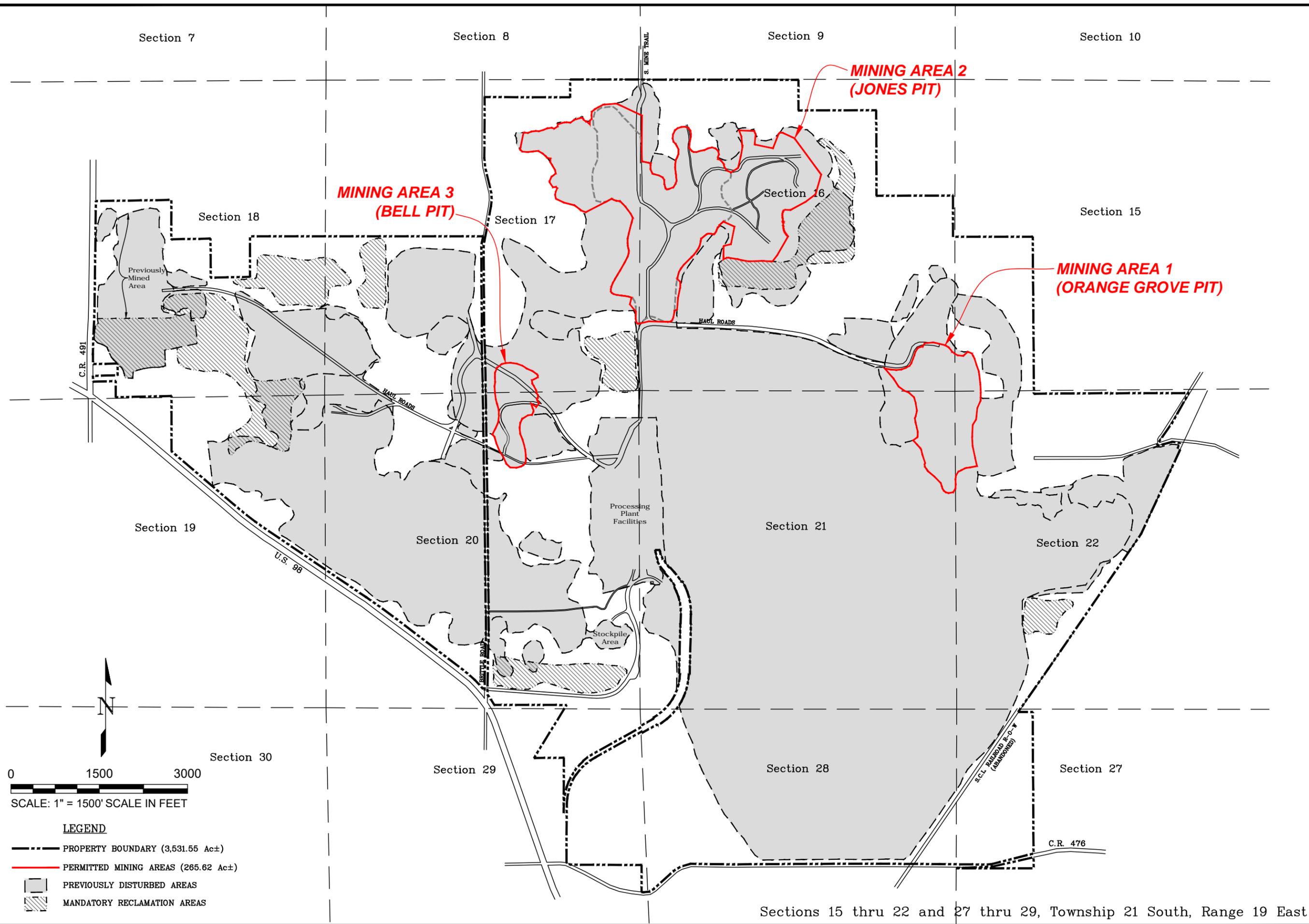
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Source: World Imagery was obtained from ESRI Basemap. Image origin: State of Florida.
Date: 2/10/2017.

PROJECT NO.	20200536.001A
DRAWN:	8/6/2019
DRAWN BY:	NL
CHECKED BY:	ANS
FILE NAME:	19-0806--Brooksville FG MOPA-2019 MineOperation.mxd

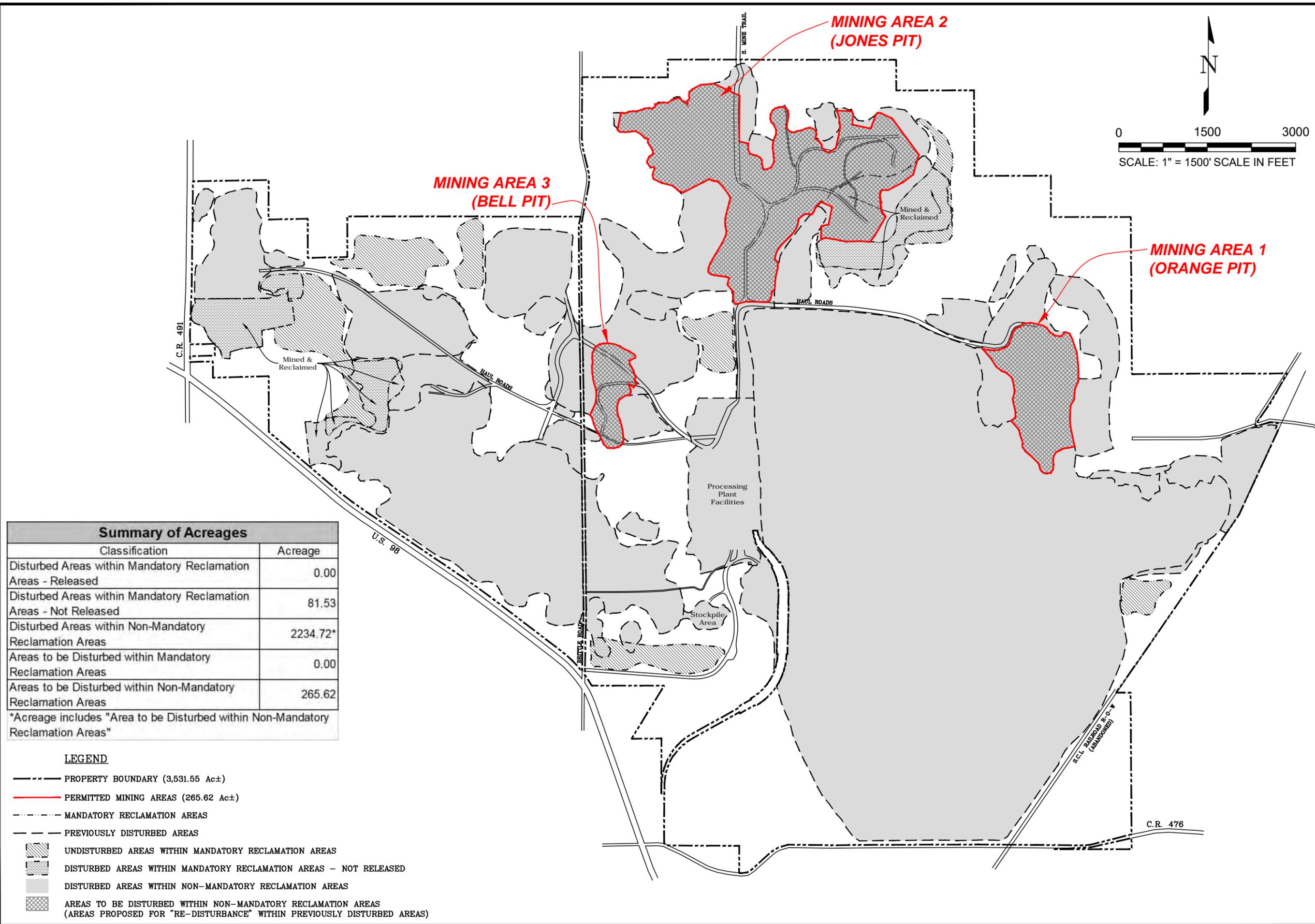
2019 Mine Operation Plan
Florida Rock Industries, Inc. Brooksville Fine Grind Plant Hernando County, Florida Mine Operation Plan Approval

FIGURE
2



Sections 15 thru 22 and 27 thru 29, Township 21 South, Range 19 East

Mine Site Plan		FIGURE 3
PROJECT NO. 20200536.001A	DRAWN BY: NL	Brooksville Fine Grind Hernando County, Florida
DRAWN: 9/5/2019	CHECKED BY: ANS	
DRAWN BY: NL	FILE NAME: Brooksville FG MAMPA-SitePlan.dwg	
CHECKED BY: ANS		
 Bright People. Right Solutions. www.kleinfeilder.com		
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Summary of Acreages	
Classification	Acreage
Disturbed Areas within Mandatory Reclamation Areas - Released	0.00
Disturbed Areas within Mandatory Reclamation Areas - Not Released	81.53
Disturbed Areas within Non-Mandatory Reclamation Areas	2234.72*
Areas to be Disturbed within Mandatory Reclamation Areas	0.00
Areas to be Disturbed within Non-Mandatory Reclamation Areas	265.62

*Acreage includes "Area to be Disturbed within Non-Mandatory Reclamation Areas"

- LEGEND**
- PROPERTY BOUNDARY (3,531.55 Ac±)
 - PERMITTED MINING AREAS (265.62 Ac±)
 - MANDATORY RECLAMATION AREAS
 - PREVIOUSLY DISTURBED AREAS
 - ▨ UNDISTURBED AREAS WITHIN MANDATORY RECLAMATION AREAS
 - ▩ DISTURBED AREAS WITHIN MANDATORY RECLAMATION AREAS - NOT RELEASED
 - ▧ DISTURBED AREAS WITHIN NON-MANDATORY RECLAMATION AREAS
 - ▦ AREAS TO BE DISTURBED WITHIN NON-MANDATORY RECLAMATION AREAS (AREAS PROPOSED FOR "RE-DISTURBANCE" WITHIN PREVIOUSLY DISTURBED AREAS)

PROJECT NO. 20200536.001A
 DRAWN: 9/5/2019
 DRAWN BY: NL
 CHECKED BY: ANS
 FILE NAME: Brooksville FG MAMPA-RecPlan.dwg

FIGURE **4**

Conceptual Reclamation Plan

Brooksville Fine Grind
 Hernando County, Florida

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The information included on this graphic representation has been compiled from a variety of sources and is intended to provide a general overview of the project. It is not intended to be used as a basis for design or construction. The user of this graphic representation is at the sole risk of the party using or misusing the information.

APPENDIX A
REGULATORY PERMITS

Florida Rock Industries Brooksville Fine Grind Permit List

1. Hernando County Master Mining Plan Approval (MAMPA) M-98-2, expires September 27, 2019.
2. Hernando County Mining Operation Plan Approval (MOPA) 15-01, expires January 22, 2020**
3. FDEP - Environmental Resource Permit (ERP) 231362-006, issued March 29, 2019, expires May 2, 2030**
4. FDEP - Environmental Resource Permit (ERP) 231362-005, issued January 16, 2013, expires November 7, 2025
5. FDEP – Storage Tank Registration Placard, Facility ID 8520258, expires June 30, 2020**
6. FDEP – Air Operation Permit No. 0530050-024-AO, issued December 26, 2018, expires December 26, 2023**
7. Florida Department of Financial Services – Division of State Fire Marshall – Construction Mining License/Permit No. 116312-0001-2008, expires January 18, 2020**
8. Southwest Florida Water Management District – General Water Use Permit 20 000199.007, expires July 22, 2019** †

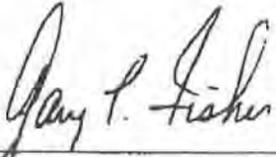
** indicates permits that have been issued between 2014 and 2019. Copies of these permits are provided in support of the MOPA application.

† indicates permits that are currently being renewed. A copy of the permit renewal will be provided to Hernando County once issued by the regulatory agency.

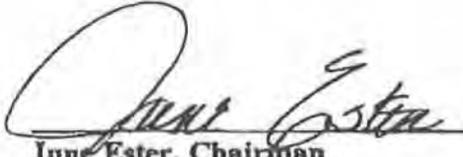
HERNANDO COUNTY DEVELOPMENT DEPARTMENT
Government Center/Administration Building
20 N. Main Street, Room 162
Brooksville, FL 34601-2807

MASTER MINING PLAN APPROVAL (MAMPA)
FOR
FLORIDA ROCK INDUSTRIES, INC.

This Master Mining Plan was approved by the Hernando County Board of
 County Commissioners on September 27, 1994 and will remain valid
 until September 27, 2019.



 Gary L. Fisher,
 Development Department
 (Reviewing Official)



 June Ester, Chairman
 Board of County Commissioners



HERNANDO COUNTY DEVELOPMENT DEPARTMENT
MINING OPERATION PLAN APPROVAL (MOPA)

VULCAN MATERIALS COMPANY

FLORIDA ROCK DIVISION BROOKSVILLE FINE GRIND

VULCAN Materials Company have met the provisions of Section 19-32 of
Chapter 19 and Master Mining Plan M-98-2.

In accordance with the Hernando County Mining Ordinance 93-13, this Mining
Operation Plan Approval number 15-01 has been approved by Hernando County
on January 22, 2015 for a period of five years.



Christopher Linsbeck
Zoning Official



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

March 29, 2018

Cemex Construction Materials Florida, LLC
c/o German Carmona, Director
1501 Belvedere Road
West Palm Beach, FL 33406

**RE: Executive Order Time Extension
Cemex – Brooksville Mine
File No.: MMR_231362-006
Hernando County**

Dear Mr. Carmona:

The Florida Department of Environmental Protection (Department) received, on November 6, 2017, your notice to use the provisions of Section 252.363, Florida Statutes (F.S.) to extend the duration of the above-referenced permit, which authorized activities and works within the geographic area affected by the Governor's declaration of a state of emergency, established by Executive Order (E.O.). A permit time extension was requested in response to E.O. 17-235 (extended by E.O.'s 17-287, 17-330, and terminated in Hernando County by 18-51).

E.O. 17-235, for Hurricane Irma, was signed on September 4, 2017. This E.O. has been extended two times and terminated on February 23, 2018.

Based on this E.O., a continuous state of emergency existed in Hernando County from September 4, 2017 through February 23, 2018. However, in previous modifications MMR_231362-003 (E.O. extension for Hurricane Matthew and Tropical Storm Hermine), MMR_231362-004 (E.O. extension for wildfires), and MMR_231362-005 (E.O. extension for Tropical Storm Emily and Opioid), 389 additional days plus an additional 6 months for each emergency event have been already granted from these E.O.'s that overlap E.O. 17-235.

A continuous state of emergency has existed in Hernando County from August 31, 2016, when Tropical Storm Hermine was first signed, to present date due to the ongoing Opioid epidemic. Additional days and a 6 month period has already been granted to this mine site for the Opioid epidemic in MMR_231415-005. Any future additional tolled days for Opioid shall be requested **within 90 days after the**

termination of that emergency declaration in accordance with 252.363(1)(b), F.S.

For the purposes of this E.O. time extension modification, the tolled days shall end on February 23, 2018, with the termination of Hurricane Irma. From August 31, 2016 to February 23, 2018, a continuous state of emergency has existed in Hernando County for 541 days. A corrected expiration date shall take into account the 541 days plus six 6 month periods for each previously granted emergency event and Irma.

The corrected expiration date of the permit is changed as follows:

Original Expiration Date: **November 7, 2025**

New Expiration Date: **May 2, 2030**

All dates contained in the terms and conditions of the permit pertaining to deadlines, such as for commencing or completing construction, completing any mitigation, and submitting reports for the activity authorized by the permit are modified in recognition of, and relative to, the new expiration date. You are advised that Section 252.363, F.S., requires that, "If the permit or other authorization for a phased construction project is extended, the commencement and completion dates for any required mitigation are extended such that the mitigation activities occur in the same timeframe relative to the phase as originally permitted".

In accordance with Section 252.363, F.S., the permitted activity will continue to be governed by the rules in effect at the time the permit was issued. However, any future request to modify the permit, except where the modification lessens the environmental impact, will be governed by the rules in effect at the time of the modification.

This extension does not:

1. Alter any other terms or condition of the permit.
2. Affect the expiration date of any associated state-owned submerged lands lease or easement that was executed for the activities authorized in the permit. It also does not change any terms or conditions in the lease or easement, such as deadlines for submittal of any required lease fees.
3. Affect the water quality certification determination under Section 401, Public Law 92-500, 33 U.S.C. Section 1341 made as part of the permit.
4. Affect the coastal zone consistency concurrence determination made under Florida's Coastal Zone Management Program in Section 307 of the Coastal Zone Management Act and 15 CFR 930, Subpart D originally contained in the permit.
5. Affect the expiration date of any state, federal, or local permit, license, or authorization related to this permit, specifically including any federal permit under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899.

Cemex Construction Materials Florida, LLC
Brooksville Mine
File No. MMR_231362-006
Page 3 of 3

Sincerely,



for

Orlando E. Rivera, PWS, CERP
Program Administrator
Mining and Mitigation Program

Prepared by Katy Collins

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

DEP, Southwest District, Environmental Resource Permitting – sw_erp@dep.state.fl.us
Greg M. Bridge, Environmental Specialist, CEMEX Construction Materials Florida, LLC – gregm.bridge@cemex.com
Hernando County Office of Planning and Development – Planning@hernandocounty.us
Maria Martella - Holland and Knight, LLP. - Maria.Martella@hklaw.com
Southwest Florida Water Management District, ERP Bureau – Michelle.Hopkins@watermatters.org
USACOE - CESAJ-Mine.Team@usace.army.mil

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

March 29, 2018
Date



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road, MS 715
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

ENVIRONMENTAL RESOURCE PERMIT

PERMITTEE/AUTHORIZED ENTITY:

Florida Rock Industries, Inc.
Post Office Box 4667
Jacksonville, Florida 32201

Permit/Authorization No. 231362-005

Date of Issue: January 16, 2013

Expiration Date of Construction Phase:

January 16, 2033

County: Hernando

Project: Brooksville Quarry

AGENT:

Cheryl DeCrenza
Senior Program Manager/Florida Region
Kleinfelder, Inc.
1174 Camp Avenue
Mount Dora, Florida 32757

This permit is issued under the authority of Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain an Environmental Resource Permit. Pursuant to Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity. This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act. This permit also constitutes certification compliance with water quality standards under Section 404 of the Clean Water Act, 33 U.S.C. 1344.

A copy of this authorization also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency. You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above-named permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached General Conditions and Specific Conditions, which are a binding part of this permit.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and

understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit/certification, as specifically described below.

ACTIVITY DESCRIPTION

The project is an environmental resource permit (ERP)/water quality certification for the expansion of a surface water management system at an existing limestone mine. Extraction at this mine began in the mid 1950's. The permittee currently operates under permits received from the Department and Southwest Florida Water Management District (SWFWMD).

The mine utilizes several storage ponds for the settling of fine limestone tailings materials, which are included in the SWFWMD Management and Storage of Surface Waters Permit No. 402344.03. The ERP application provided to the Department did not include design or operation information for the reservoirs. This Department modification permit does not replace or supersede Permit No. 402344.03.

This modification (1) reauthorizes extraction with blasting below the groundwater table in Mining Area One, (2) horizontally expands Mining Area Two (Jones Pit) by 86.87 acres (from 104.11 to 190.98 acres), with no change to the allowed mining depth of 30 feet National Geodetic Vertical Datum (NGVD), (3) simplifies the reclamation profile for sheer walls created within portions of the mine that are not subject to the mandatory reclamation requirements of Chapter 62C-36, Florida Administrative Code (F.A.C.), (4) revises the Post-Reclamation Land Use Maps to increase the amount of Mixed Rangeland to reflect current conditions at the site.

With these changes, the authorized Mining Areas will be as follows:

<u>Location</u>	<u>Size</u>	<u>Maximum Excavation Depth</u>
Mining Area One (Orange Grove Pit):	53.54 acres	-35 feet NGVD
Mining Area Two (Jones Pit):	190.98 acres	30 feet NGVD
Mining Area Three (Bell Pit):	21.10 acres	30 feet NGVD

All of the three Mining Areas were initially disturbed prior to January 1, 1989, and therefore are not subject to the mandatory reclamation requirements of Chapter 62C-36, F.A.C. The project boundary will remain at 3,531.53 acres, and the total area served by the system will remain at 2,389.7 acres. Approximately 2,234.72 acres have already been disturbed by mining operations, which includes Mining Areas One, Two, and Three. The size of the impervious area is remaining as 7.12 acres. The dredging or filling of wetlands or other surface waters is not authorized.

With this modification, the amount of land covered by temperate hardwoods in the reclaimed mine will be reduced from 2,109.21 acres to 1,658.86 acres. Coverage by mixed rangeland will

increase from zero acres to 363.48 acres. The area remaining in unreclaimed hard rock surface at the bottom of the pits (not subject to mandatory reclamation) will increase from 183.82 acres to 270.69 acres.

There is no off-site discharge of mine process water or storm water. There are no dewatering activities associated with this permit. Stormwater up to the 100-year, 24-hour storm will be contained on site. The estimated life of the mine, including reclamation is 45 years. The expiration date of the construction phase of this permit is 20 years from the date of issuance.

ACTIVITY LOCATION

The mine is located on the north side of US Highway 98, approximately six miles north of Brooksville, in Sections 15 through 22, and Section 27 through 29, Township 21 South, Range 19 East, Hernando County.

GENERAL CONDITIONS

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and a pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the Department as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S.

Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.

5. Department staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the Department as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.
6. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
7. Off site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages.
8. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
9. The following shall be properly abandoned or removed:
 - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
 - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
 - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.
10. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property; and to minimize dewatering of offsite property.
11. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of

the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

12. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by Sections 373.117 or 403.0877, or Chapters 471, 472, 481, or 492, F.S., utilizing the required Statement of Completion and Request for Transfer to Operation Entity Form 62-343.900(7), effective July 4, 1995, and adopted by reference in Rule 62-343.900, F.A.C. Additionally, if deviation from the approved drawings are discovered during the certification process the certification must be accompanied by a copy of the approved permit drawings with deviations noted.
13. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the Department, unless a modification has been applied for and approved pursuant to Rule 62-343.100, F.A.C. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
14. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions in Rule 40D-4.381(1), F.A.C., the Department in accordance with Sections 2.6 through 2.6.3 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in Rule 40D-4.091, F.A.C., determines the system to be in compliance with the permitted plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the Department until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the Department, if different from the permittee. Until the permit is transferred pursuant to Section 2.6.1 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in Rule 40D-4.091, F.A.C., the permittee shall be liable for compliance with the terms of the permit.
15. Should any other regulatory agency require changes to the permitted system, the Department shall be notified in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.

16. This permit does not eliminate the necessity to obtain any required federal, state, local and special Department authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.
17. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or 40D-40, F.A.C.
18. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
19. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 40D-4.042, F.A.C., and Sections 3.4 through 3.4.6 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in Rule 40D-4.091, F.A.C.
20. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
21. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with Department rules, regulations and conditions of the permits.
22. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department and the Florida Department of State, Division of Historical Resources.
23. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

SPECIFIC CONDITIONS

1. **Effective Permits.** This permit supersedes and replaces environmental resource permit and permit modifications, Permit Nos. 0231362-001, 0231362-002, 0231362-003, and 0231362-004, issued by the Department between June 24, 2005, and October 5, 2009. The

terms and conditions of the new permit incorporate appropriate terms and conditions of the existing permit and modifications, and thereby terminate the effectiveness of the previously issued permit and modifications. This permit does not replace or supersede the management and Storage of Surface Waters Permit No. 402344.03 issued by the Southwest Florida Water Management District for the waste clay settling ponds.

2. **Permit Compliance.** The purpose of this permit is to authorize the expansion and continuation of the construction and maintenance of a surface water management system on certain described lands within the jurisdiction of the Department. In exchange for this authorization, the permittee is obligated to perform certain acts that are described herein. A material part of the reasonable assurances the Department is relying upon in issuing this permit is that the permittee will timely and completely implement all of the conditions of this permit. The permittee understands that its failure to completely and timely comply with all of the conditions of this permit may result in a revocation or suspension of the permit and, if appropriate, that the area be restored.
3. **“Good Cause Rule”.** The permittee is hereby advised that rule 62-343.100(1)(c), F.A.C., provides that for good cause and after notice to the permittee, the Department may require the permittee to conform to new or additional conditions to this permit. Circumstances that constitute “good cause” shall include any of the situations listed in the referenced rule.
4. **State Lands.** The permittee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Environmental Protection under Chapter 253, F.S., until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Chapter 18-14, F.A.C., if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.
5. **Listed Species.** Permits shall be obtained from the Florida Fish and Wildlife Conservation Commission, prior to the "taking" of any listed animal species. Listed animal species are those animals listed in rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C. Taking means: taking, attempting to take, pursuing, hunting, molesting, capturing, or killing any listed species, their nests or eggs, by any means, whether or not such actions result in obtaining possession.

Construction

6. **Drawings.** The project shall be conducted in compliance with the permit drawings, plans, figures, and narratives which identify location, schedule, notification, and reclamation and mitigation activities. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

7. **Chemicals.** No chemicals, except water conditioners or pH adjusters which have been approved by the Department as not adversely affecting the quality of the water contained in the mine, shall be added to the process water used for transporting, washing or processing of the resource.
8. **Hazardous Materials Containment.** Items such as diesel fuel, gasoline, motor oil, hydraulic oil, and other pollutants are not to be spilled into any areas where surface or groundwater contamination may occur. A containment area for equipment maintenance and the storage of petroleum and for hazardous substances shall be created on site to retain surface water from entering the mine pit. The containment area shall be built to confine any spilled hazardous material and stormwater to the volumetric requirements of Section 5.2 of the Basis of Review for Environmental Resource Permit Application within the Southwest Florida Water Management District.
9. **Stormwater Discharge.** Activities approved by this permit shall be conducted in a manner that does not cause violations of state water quality standards. No off-site discharge of water from the mining operation is authorized below the design 100-year, 24-hour storm. The construction or expansion of any additional impervious area beyond what is already constructed is not authorized.
10. **Structure Design and Construction.** Excepting the water storage reservoirs covered by SWFWMD Permit No. 402344.01, surface water management structures shall meet the following criteria:
 - a. On-site dams, including stormwater ponds, dredge pond dikes, or tailings disposal area dikes shall not store flowable liquid more than four feet above natural grade.
 - b. All water management structures shall be constructed of clean, muck-free fill, devoid of materials or vegetation that could allow water to be piped through the structure. Earthen material should be placed in lifts no greater in depth than one foot and compacted until the density meets or exceeds a 95 percent Modified Proctor test. A minimum of three feet of freeboard should be provided above the expected high water level within the containment system. Tops of containment berms should provide a five to 10-foot top width and should be sloped downward at one to two percent toward the interior of the containment system. Interior and exterior sides of berms should be sloped no steeper than three horizontal to one vertical.
 - c. Vegetated surface water containment structures shall be mowed annually to control woody vegetation.
 - d. Topsoil storage piles or berms constructed as safety barriers shall not be utilized to store flowable liquid, but may be used to divert stormwater to sumps. Water deeper

than one foot above grade shall be pumped away from these structures as expeditiously as possible.

11. **Off-site Flooding.** The permittee shall take all reasonable steps necessary to eliminate the risk that there will be flooding on lands not controlled by the permittee caused by silting or damming of stream channels, channelization, slumping or debris slides, uncontrolled erosion, or intentional spoiling or diking, or other similar actions within the control of the permittee.
12. **Mining and Depth Limits.** Mining shall be limited to Mining Areas One, Two and Three, as shown on Figure 2, Modified Mine Site Plan.
 - a. In Mining Area One excavation shall consist of 53.54 acres, as shown on Figure 2A, Modification Mining Area 1. The maximum depth of mining shall be (-)35 feet NGVD, which is approximately 52 feet below normal water level.
 - b. Mining Area Two excavation shall consist of 190.98 acres, as shown on Figure 2B, Modification Mining Area 2. The maximum depth of mining shall be 30 feet NGVD (above the water table).
 - c. Mining Area Three excavation shall consist of 21.10 acres, as shown on Figure 2C, Modification Mining Area 3. The maximum depth of mining shall be 30 feet NGVD, (above the water table).
13. **System Changes.** No modifications or additions shall be made to this facility which could alter the stormwater management and storage characteristics of the facility, without prior modification of this permit. The stormwater treatment facility shall at all times be maintained in good working order and operate as efficiently as practicable.
14. **Training.** The permittee shall provide permit compliance training.
 - a. Training shall be provided to the staff of the permittee and contractors who will be supervising construction, modification, alteration, or removal of the surface water management system, or conducting inspections of the surface water management system.
 - b. Training shall be conducted for newly hired staff or contractors within the first three months of their starting date.
 - c. Refresher training shall be conducted annually for all permittee staff and contractors who supervise construction, modification, alteration, or removal of the surface water management system, or permittee staff and contractors responsible for conducting inspections of the surface water management system.

- d. The training shall explain the design, construction methods, operation, maintenance, inspection, and reporting requirements for the surface water management system, and sediment and turbidity control structures. Training shall also explain procedures for the protection of avoided wetlands and other surface waters.
15. **Wetland Jurisdictional Determination.** A formal wetland jurisdictional determination was not made by the Department. Any delineation of the extent of a wetland or other surface waters submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a formal determination under subsection 373.421(2), F.S., provides otherwise.
 16. **Wetland Protection Measures.** The dredging or filling of wetlands or other surface waters is not authorized. The permittee shall implement measures to protect the avoided wetlands and surface waters from turbidity and sediment.
 - a. The permittee shall instruct all personnel associated with the project that earth-disturbing activities, including the stockpiling of material or waste, shall not occur within wetlands or surface waters, nor adjacent to wetlands or surface waters, where turbidity and sediment control devices are not present.
 - b. The permittee shall maintain a minimum 1,000-foot no excavation setback from wetlands or other surface waters. The permittee shall maintain a minimum buffer distance of 25 feet between any earth-disturbing activities, (including land clearing, mining, materials and waste stockpiling), and the limits of any un-permitted (avoided) wetlands. Should any of these avoided wetlands be degraded by mining activities in the adjacent watershed, mitigation shall be required. ■
 - c. All construction personnel shall be shown the location(s) of all wetland areas outside of the construction area to prevent encroachment from heavy equipment into these areas.
 - d. All wetland areas or waterbodies which are adjacent to the specific limits of construction authorized by this permit shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering. All exposed and disturbed land surfaces shall be stabilized with sod, seed or mulch immediately following completion of final grades at the project site to prevent erosion. All side slopes shall be stabilized with sod within 48 hours following completion of the placement and compaction of the fill material. All fill areas, fill slopes, and disturbed upland areas shall be stabilized at all times during and after construction so as to prevent any erosion, sedimentation, siltation, or scouring. A vegetative cover that stabilizes and prevents erosion of the fill material shall be established within 60 days of sodding or seeding. Upon establishment of a substantial vegetative cover, all turbidity barriers/erosion control devices may be removed.

17. **Fill Material.** The placement of fill materials in wetlands or surface waters, including clean sand, rock or shell material is not authorized in this permit. The burying of garbage, trash, tires, hazardous or toxic waste in uplands is not authorized in this permit.
18. **Blasting.** The use of explosives within ground or surface water shall be limited to Mining Area One.
19. **Reclamation Standards.** Portions of the project area are subject to the mandatory reclamation standards of Chapter 62C-36, F.A.C. The areas that are or will be mandatory reclamation areas, as of the date of permit issuance, are shown on Exhibit A, Permitted Mine Site Plan.
20. **Non-mandatory Reclamation.** The portions of the mine that are not subject to the mandatory reclamation standards of Chapter 62C-36, F.A.C., shall be reclaimed in the following manner:
 - a. Contouring activities shall be initiated as soon as practical and be completed no later than one year after the calendar year in which an area becomes available for reclamation and would not interfere with mining operations.
 - b. Uplands shall be sloped and vegetated to control erosion. Mulching, contouring, and other suitable techniques shall be used to enhance stabilization. Should washes or rills develop after revegetation and before final release of the area, the permittee shall repair the eroded areas and stabilize the slopes.
 - d. Reclamation activities through revegetation shall be completed within three years of the final cessation of mining operations at the mine.
21. **Mandatory Reclamation.** The portions of the mine that are subject to the mandatory reclamation standards of Chapter 62C-36, F.A.C., shall be reclaimed in the following manner:
 - a. Contouring activities within the mandatory reclamation areas shall be initiated as soon as practical and be completed no later than one year after the calendar year in which an area becomes available for reclamation and would not interfere with mining operations.
 - b. All upland slopes, lake shorelines and revegetation shall at least meet the standards of Chapter 62C-36, F.A.C.
 - c. Mulching, contouring, and other suitable techniques shall be used to enhance stabilization. Should washes or rills develop after revegetation and before final release of the area, the permittee shall repair the eroded areas and stabilize the slopes.

- d. Reclamation activities through revegetation shall be completed within three years of the final cessation of mining operations at the mine.
22. **Sheer Wall Reclamation.** Where a sheer wall will result, contouring and revegetation shall be established in the following manner:
- a. Where overburden is used to eliminate sheer walls, the placement of overburden against any section of sheer wall shall begin as soon as practical after mining operations are no longer taking place along that section, but no longer than six months after overburden becomes available and mining operations are complete. Contouring of the overburden shall be completed no later than six months after the overburden has been placed.
 - b. Within mandatory reclamation areas, the requirements in Rules 62C-36.008(5)e., (7) and (8), F.A.C., for treating final sheer walls shall be initiated and completed no later than one year after the calendar year in which the length and final location of sheer wall was established and other mining operations have ceased in such area. The Department shall waive this requirement for any reasonable length of time when necessary to prevent unacceptable contamination of the resource being extracted. Sheer walls, transition shelves, and related structures, shall be revegetated to the requirements of Rule 62C-36.008(6), F.A.C.
 - c. Reclamation of the stabilized haul roads is required during reclamation. Design details are provided on Figure 3 (Revised Typical Post Development Sections).
 - d. Each mine pit and water body shall have at least one area that is sloped to provide safe ingress and egress.

Monitoring and Reporting

23. **Submittals.** Unless otherwise specified, all notices, plans, draft easements, reports or other documents or information required to be submitted to the Department in this permit shall be submitted to the Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, MS 715, Tallahassee, Florida 32399-2400, 850.488.8217, facsimile 850.488.1254.
24. **Reporting.** Failure to submit reports in a timely manner constitutes grounds for revocation of the permit. The annual ambient groundwater sampling and water level monitoring reports shall be provided to the Department with the "Annual Status Report Form" [Form No. 62-343.900(4), F.A.C.], and shall include a summary of activities conducted during the previous calendar year.
25. **Historical or Archaeological Sites.**

- a. This permit does not authorize construction in or near archaeological sites 8HE605, 8HE606, 8HE611, and 8HE614, as shown on RAI Figure 10, Archaeological Areas Map.
 - b. If prehistoric or historic artifacts such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section of the Florida Department of State, Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 850.245.6333, or 800.847.7278, facsimile 850.245.6437. Project activities should not resume without verbal and/or written authorization from Division of Historical Resources (DOHR). In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S.
26. **Listed Species Surveys for Long-Duration Permit.** This permit has a duration of greater than five years from the date of issuance in order to allow for the completion of the project. The permittee shall do the following as part of the reasonable assurance that the impacts of the activity, considering its nature, the size of the system, and any required mitigation, can be accurately assessed and offset where appropriate, and the terms of the permit can be met for the duration of the permit. Beginning five years after issuance of this permit, the permittee shall have a biologist survey the project area for listed species. Listed species are those animal species listed in rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C., and those plant species listed in 50 Code of Federal Regulation 17.12, when such plants are found to be located in a wetland or other surface waters. The report shall identify listed species that could occur within the type of habitats in the wetland and identify those species located directly or through indicators. The survey shall be conducted during the time of the year and time of day that listed species that could occur within the habitats, can be observed or detected. The survey methods shall be described including the time of day, dates, weather conditions, transects, traps, and other methods. This report shall be provided with the annual narrative report.
27. **Oil and Hazardous Substance.** Any fuel or petroleum product spills that may occur shall be promptly cleaned up in a safe manner and shall be properly disposed of by a licensed pollutant contractor. Florida law requires reporting of oil and hazardous substance spills. Immediately report such spills to the Department's Division of Law Enforcement, Bureau of Emergency Response at 800.320.0519 (24-hour state warning point) or 813.632.7641 (Tampa District Emergency Response Office from 8 a.m. to 5 p.m.).

28. **Serious Problems.** The permittee shall immediately (within 12 hours) notify the Department by telephone whenever a serious problem occurs at this facility. Serious problems are, but are not limited to, situations that have or have the potential to adversely affect, avoided wetlands or other surface waters, water quality, public health, safety, or welfare, or the property of others. During regular business hours notification shall be made to the Department by telephone. If an emergency occurs outside regular business hours, the permittee shall submit notification by fax. Within seven days of notification, the permittee shall submit a written report explaining the extent of the problem, its cause, and what actions have been or will be taken to correct the problem.
29. **Quality Assurance.** In order to assure minimum field and laboratory quality assurance, methodological and reporting requirements, all field sampling shall follow the applicable collection and quality control protocols and requirements described in Chapter 62-160, F.A.C., and the appropriate Department of Environmental Protection Standard Operation Procedures.
30. **Water Quality Violations.** The following measures shall be taken immediately by the permittee whenever the surface water quality levels at a monitoring station exceed water quality standards established pursuant to Chapter 62-302, F.A.C.
 - a. Cease all work contributing to the water quality violation.
 - b. Modify the work procedures that were responsible for the violation, and repair any non-functioning containment devices.
 - c. Notify the Department of the time the violation is first detected, the extent of the violation, and the corrective measures that have and will be implemented. This notice shall be provided before the end of the next business day.
 - d. Continue monitoring at eight-hour intervals until samples no longer exceed water quality standards.
 - e. If turbidity levels exceed water quality standards, the permittee shall install and maintain additional sediment and turbidity control devices within the water discharge swale. This shall include staked hay bales, staked filter cloth barriers, and other control devices, as necessary, to prevent future violations of state water quality standards.
31. **Stormwater System Inspections.** The stormwater management system authorized by this permit shall be inspected and maintained.
 - a. The crest, exterior side, and interior slopes immediately up gradient from property lines, wetlands, and surface waters, shall be inspected daily and after each rainfall event that is greater than one inch in a 24-hour period until the vegetation has been established. At a minimum, inspections shall occur quarterly. Should washes or rills

develop, the permittee shall repair the eroded areas and stabilize the slopes within 48 hours. Where structures exist interior of the mine and the possibility of cascading failure exists, these structures must also meet the requirements of this paragraph. The elevated pipeline must be inspected daily.

- b. Each inspection shall be documented and kept on file at the facility office. Each inspection report shall contain, as a minimum: date, name of inspector, as-found condition of major system features, and nature and extent of maintenance/repair performed. A summary of the reports shall be provided to the Department with the annual narrative report.
 - c. If the stormwater management system is not functioning as designed and permitted, operational maintenance must be performed immediately to restore the system. If operational maintenance measures are insufficient to enable the system to meet the design standards, the permittee must either replace the system or construct an alternative design. Based on the above, the permittee must submit a permit modification application within 60 days of the date the system was determined to be design deficient.
32. **Agent Change.** The permittee shall notify the Department in writing within 14 days of any change in agents for the project.
33. **Bankruptcy.** The permittee must notify the Department within 30 days of filing in the event the permittee files for bankruptcy prior to the completion of work permitted and required by the permit. The notification shall identify the bankruptcy court, case number, and shall include a copy of the bankruptcy petition.
34. **Karstic Features.** The permittee is responsible for minimizing and/or preventing any violations of state water quality standards for surface-and/or ground-waters. If karstic conduits connected to waters of the state are penetrated and/or encountered during mining operations, the Department will be immediately notified and the permittee will take any and all measures necessary to prevent violations of state water quality standards, especially for turbidity parameters. Such measures may include the temporary and/or permanent cessation of mining operations; the plugging and/or backfilling of the solutional feature with neat bentonite grout or other Department-approved materials; turbidity or water quality monitoring; replacement of affected water wells; physical-, chemical- and/or bioremediation of the contaminant, etc.
36. **Groundwater Quality Monitoring.**
- a. Initial ambient groundwater sampling must be conducted 180 days prior to the proposed penetration of the Upper Floridan Aquifer (UFA) water table by mining in Mining Area One. Thereafter, annual ambient groundwater sampling is required until the mine site has been released from reclamation.

- b. Ambient groundwater sampling must be representative of groundwater quality in the UFA to a minimum mining depth of (-)35 feet NGVD.
 - c. One of the three existing wells (ID Nos. 19, or 7, or 8), shown on Figure 2 (Well Locations in Well Area 1) may be utilized for ambient groundwater sampling. The permittee shall verify that the existing depth or monitoring interval (feet NGVD) of the chosen well meets the criteria noted in part b of this condition. If the depths or monitoring intervals of the three existing wells do not meet the criteria in part b of this condition, the permittee must construct a new monitoring well (MW-1) at the location shown on Figure 1 (Potentiometric Contours and Proposed Monitor Well Location), as per the proposed well design illustrated on Figure 2 (Proposed Monitor Well Construction Schematic). For verification, a letter, signed and sealed by a Florida registered professional, stating that the chosen well (ID Nos. 19 or 7, or 8) met the criteria in part b of this condition, shall be provided in the Initial Groundwater Quality Report to the Department. If no existing well was chosen, the permittee shall provide a copy of the As-Built, MW-1 Well Construction Drawing in the Initial Groundwater Quality Report to the Department, signed and sealed by a Florida registered professional.
 - d. All groundwater sampling/testing must be conducted per the Department's sampling/lab-testing protocols or other lab-certified methodologies approved by the Department. The results of the initial groundwater quality testing shall be summarized in the Initial Groundwater Quality Report, which must be submitted within 90 days of the sampling date to the Department. The results of subsequent groundwater testing shall be summarized in the Annual Groundwater Quality Report, which must be submitted within 90 days of the sampling date to the Department. Each Groundwater Quality Report must include a map designating the location and name of the sampled groundwater well on the mine site.
 - e. All groundwater samples must be tested or analyzed for the following parameters: specific conductivity, temperature, pH, chlorides, sulfate, total dissolved solids, nitrate/nitrite and natural radionuclides (Gross Alpha (includes Radium 226, excludes Radon and Uranium) and Combined Radionuclides (Radium 226 and Radium 228).
 - f. The Annual Groundwater Quality Report shall be submitted in conjunction with the Annual Report.
37. **Other Water Quality Reports.** If any federal, state, or local permit requires water quality monitoring, the permittee shall provide copies of the monitoring reports to the Department. The permittee shall provide to the Department copies of permits which will involve water quality monitoring.

38. **Narrative and Monitoring Reports.** Annual narrative reports, using the Department's Form 62-343.900(4), F.A.C., shall continue to be submitted to the Department by January 31 of each year. The annual report shall identify work (i.e. dredging, filling, monitoring, mitigation, reclamation, management, maintenance, notices, and any condition required by the permit) completed during the previous calendar year. The permittee may change the reporting period, if approval is first obtained from the Department. Each report shall include the following information:
- a. the date permitted activity began;
 - b. a brief description of the extent of the work completed during the previous 12 months;
 - c. copies of the permit drawings showing where work occurred during the previous 12 months;
 - d. a brief description of the work anticipated during the next 12 months;
 - e. copies of the permit drawings showing where work will occur during the next 12 months;
 - f. the Groundwater Quality Report;
 - g. narrative discussion of the maintenance effort;
 - h. any problems encountered with the mine or planting (e.g., insufficient or excess inundation, death of plant material, fires, or other impacts to the areas) and what corrective actions have been or will be taken;
 - i. stormwater system inspection report summary; and
 - j. Listed Species Report.

Release

39. **Surface Waters.** Surface waters within created lakes shall not connect to off-site wetlands or other surface waters below the design 25-year, 24-hour storm. The created lakes will be entirely owned by one person and therefore will not be considered waters of the state. If any portion of the lakes' surface waters becomes subdivided into more than one ownership, the surface waters become waters of the state and will be required to meet all water quality standards for surface waters. Based on the proposed design for the lakes, it is expected that the surface waters within the lakes may have depressed dissolved oxygen levels at depth during the summer months.

40. **Upland Release.** All lands subject to the reclamation requirements of Chapter 62C-36, F.A.C., shall at least meet the following standards:
- a. All lands shall be completed in a neat, clean manner by removing/adequately disposing, as required by law, all visible debris, litter, junk, worn-out or unusable equipment or materials, as well as all footings, poles, pilings, and cables.
 - b. Large rocks and boulders shall be pushed into the lakes or placed in common locations at the mine surface or buried to a minimum depth of four feet.
 - c. All temporary buildings, pipelines, and other man-made structures shall be removed with the exception of those that are of sound construction with potential use compatible with the reclamation goals.
 - d. Erosional areas shall be repaired until a vegetative cover is fully established and the land is released. Mulching, contouring, and other suitable techniques shall be used to enhance stabilization. Should washes or rills develop after revegetation, the permittee shall repair the eroded areas and stabilize the slopes.
 - e. All upland areas subject to the reclamation requirement of Chapter 62-36, F.A.C., shall at least meet the slope and revegetation standards of rule 62C-36.008, F.A.C. Land surfaces shall be vegetated and stabilized to control erosion. Bare areas shall not exceed one-quarter acre. The planting of native trees within the uplands to meet the reclamation performance standards of Chapter 62C-36, F.A.C., will not be inconsistent with this permit.
 - f. Upland slopes, other than sheer walls, shall be no steeper than one-foot vertical for every four-feet horizontal.
41. **Sheer Wall Release.**
- a. Within mandatory reclamation areas, where a sheer wall will result in lieu of a shoreline, or in uplands, the sheer wall shall at least meet the design and revegetation standards of rule 62C-36.008, F.A.C.
 - b. Within nonmandatory reclamation areas, where a sheer wall will result in lieu of a shoreline, or in uplands, the sheer wall shall at least meet the design and revegetation standards of Figure 3 (Revised Typical Post-Development Sections).
42. **Water Quality.** Water within all wetlands and waterbodies shall be of sufficient quality to allow recreation or support fish and other wildlife.

43. **Permit Duration.** The construction phase of this permit will be 20 years from the date of issuance of this permit modification. Prior to the expiration of the permit, if needed, the permittee will need to apply for an extension of the construction phase.
44. **Operation Phase.** This permit is for the construction, alteration, maintenance and operation of a surface water management system for mining operations, and for the removal of all or part of the system as part of mine reclamation. General Condition No. 12 provides requirements for the transfer of the permit to the operation phase.
 - a. Within 30 days after completion of reclamation of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing Form 62-343.900(5), Environmental Resource Permit As-Built Certification by a Registered Professional. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. If the statement of completion is for a portion of a larger system, the statement shall be accompanied with plans clearly showing the portion of the system that is complete.
 - b. When the completed system which will remain after reclamation differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the Department. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.
 - c. The following information, at a minimum, shall be verified on the as-built drawings:
 - 1) dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
 - 2) locations, dimensions, and elevations of all filter, exfiltration, or under drain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
 - 3) dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;

- 4) dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
 - 5) dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
 - 6) existing water elevation(s) and the date determined; and
 - 7) elevation and location of benchmark(s) for the survey.
- d. Submittal of the completed form shall serve to notify the Department that the system is ready for inspection. The permittee shall afford Department personnel the opportunity to schedule and conduct enough on-site inspections to determine whether the permit conditions have been met. After the on-site inspection, the Department shall notify the permittee that:
- 1) The permit conditions have been completed and the surface water management system has been built in accordance with the approved plans; or
 - 2) The permit conditions have not been completed, identifying specifically those elements that do not meet the conditions; or
 - 3) The permit conditions cannot be determined at this time, identifying specifically the information lacking that prevents the determination from being made.
- e. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the approved responsible operation and maintenance entity, if different from the permittee, using Form 62-343.900(7), Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Danielle H. Fondren, PWS
Deputy Director, Division of Water Resource Management
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 300
Tallahassee, FL 32303 850.488.8217

Copies furnished to:

USACOE, Jacksonville Office
DEP, Southwest District, Stormwater Section: ATTN: R. Douglas Hyman, P.E.
DEP, Southwest District Industrial Wastewater Program, ATTN: Mike Lukowich, P.E.
Southwest Fl. Water Mgmt. District, Brooksville Office, ATTN: Douglas Sanders
Southwest Fl. Water Mgmt. District, Brooksville Office, ATTN: David Dewitt, P.G.
Fish and Wildlife Cons. Comm., Office of Policy and Stakeholder Coordination
Hernando County Planning Department: ATTN: Jodi Singer

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit,
including all copies was mailed before the close of business
on January 16, 2013, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date pursuant to 120.52,
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.


Clerk

January 16, 2013
Date

Prepared by: Alan Whitehouse

Attached: 20 pages

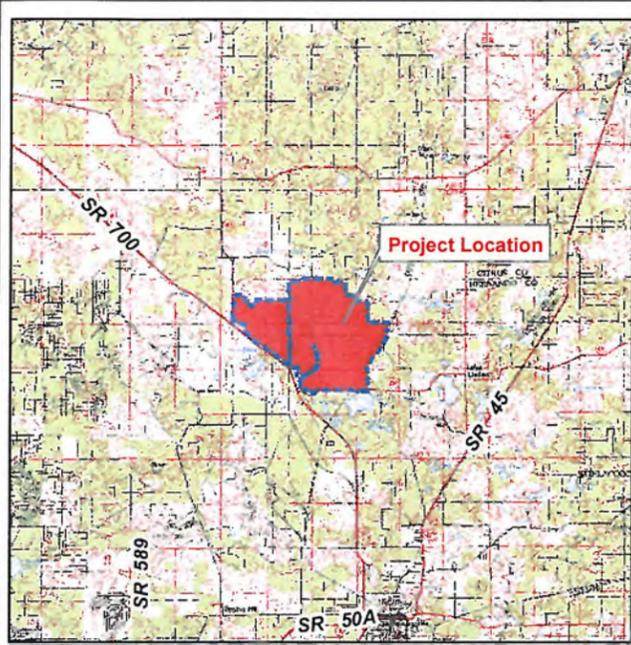
LIST OF ATTACHMENTS

The following figures and exhibits are hereby attached to, and become part of this permit:

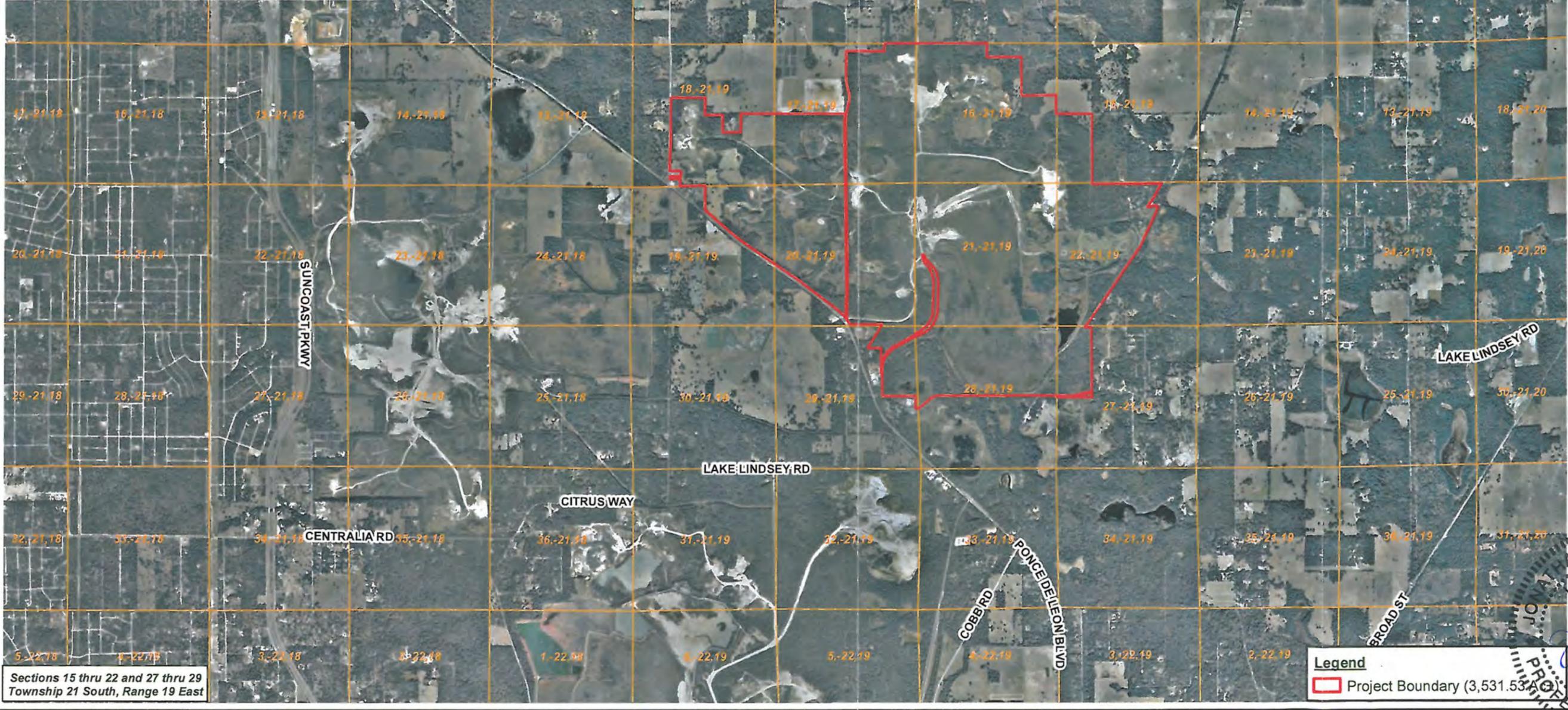
Revised Drawings, as Signed and Sealed on July 19, 2012:

1. Figure 1. Location Map
2. Figure 2. Modified Mine Site Plan

3. Figure 2A. Modification Mining Area 1
4. Figure 2B. Modification Mining Area 2
5. Figure 2C. Modification Mining Area 3
6. Figure 3. Revised Post-Development Cross Sections of Mining Areas 1, 2, and 3.
7. Figure 4. Drainage Basin Map
8. Figure 5. Post-Mining Land Use Map

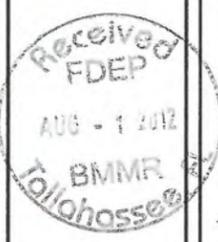
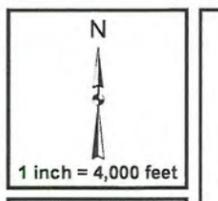


Source: Imagery was obtained from ESRI Basemap. Image origin: ESRI, i-cubed, USDA FSA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGP. Image name: TAMPA2009. Date: 1/15/2009.
 Back Drop to Project boundary represents the 30 x 60 Minute Quadrangle sheet as originally produced by the U.S. Geological Survey. Image was obtained from Florida Department of Environmental Protection - LABINS in the form of a Digital Raster Graphics File. Source Scale: 1 Inch equals 8,333 feet (1:100,000).



Sections 15 thru 22 and 27 thru 29
 Township 21 South, Range 19 East

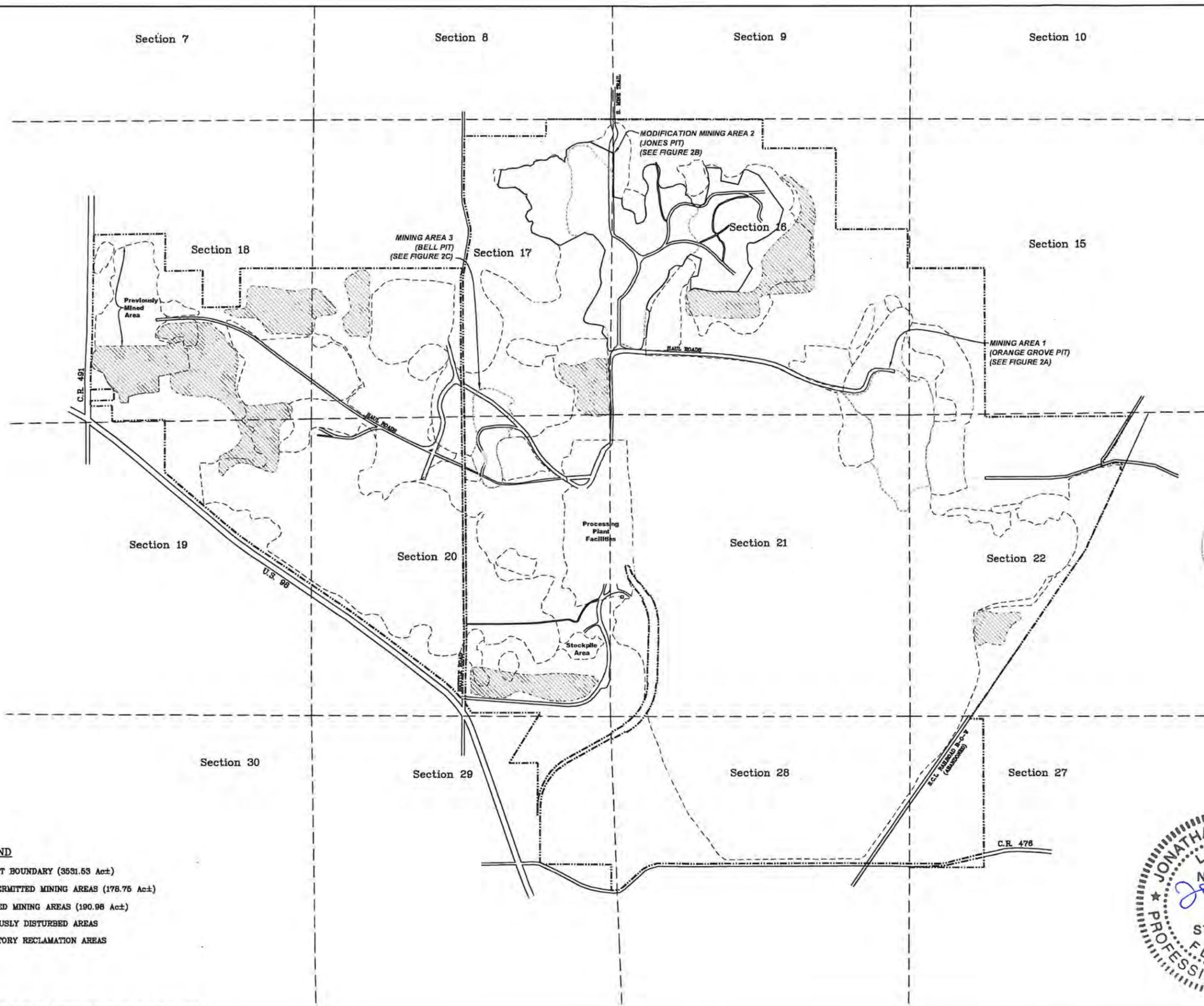
Legend
 Project Boundary (3,531.53 AC)



FLORIDA ROCK INDUSTRIES, INC.
 BROOKSVILLE QUARRY
 HERNANDO COUNTY, FLORIDA
 FIGURE 1
 LOCATION MAP



Project No. 12-0510-ERP Mod-Location Map.mxd, Date: 5/15/12, Created By: NTL



Project#: 482/311
 File#: 12-0425--ERP
 Mod-Modified Mine
 Site Plan.dwg
 Date: 4/28/12
 Drawn: NTL



FLORIDA ROCK INDUSTRIES, INC.
 BROOKSVILLE QUARRY
 HERNANDO COUNTY, FLORIDA
 FIGURE 2
 MODIFIED MINE SITE PLAN



- LEGEND**
- PROJECT BOUNDARY (3531.53 Ac±)
 - ERP PERMITTED MINING AREAS (178.76 Ac±)
 - MODIFIED MINING AREAS (190.98 Ac±)
 - PREVIOUSLY DISTURBED AREAS
 - ▨ MANDATORY RECLAMATION AREAS

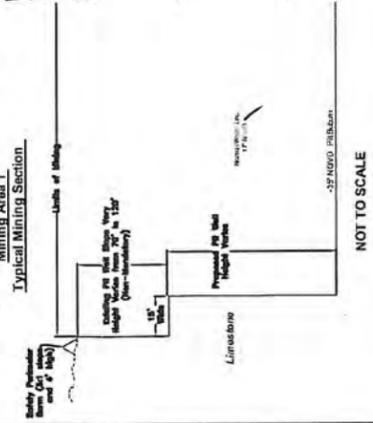
Sections 15 thru 22 and 27 thru 29, Township 21 South, Range 19 East

JONATHAN D. FRAZIER
 LICENSE No 68641
 PROFESSIONAL ENGINEER
 STATE OF FLORIDA



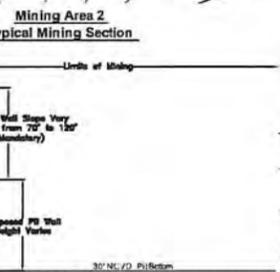
FLORIDA ROCK INDUSTRIES, INC.
 BROOKSVILLE QUARRY
 HERNANDO COUNTY, FLORIDA
 FIGURE 2A
 MODIFICATION MINING AREA 1

Project: 124004
 Plan: 15-0441 - SRP Mod
 Date: 4/28/12
 Drawn: MTL



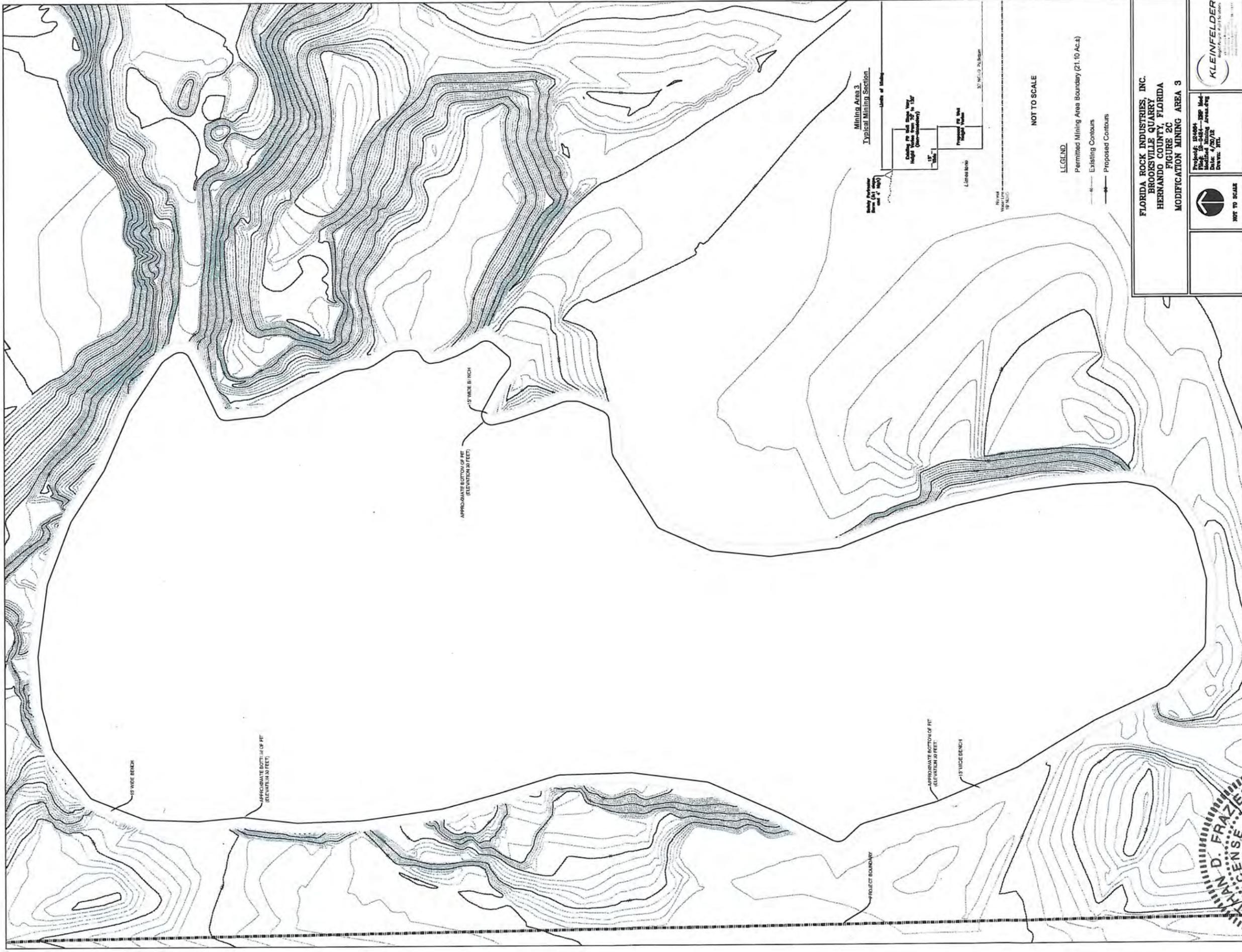
LEGEND
 Permitted Mining Area Boundary (63.54 Ac.±)
 Existing Contours
 Proposed Contours

Received
 FDEP
 AUG - 1 2012
 TAMM
 Tallahassee, FL



- NOT TO SCALE**
- LEGEND**
- Permitted Mining Area Boundary (104.11 Ac.±)
 - - - Proposed Limits of Mining (190.98 Ac.±)
 - Existing Contours
 - Proposed Contours

FLORIDA ROCK INDUSTRIES, INC. BROOKVILLE QUARRY HERNANDO COUNTY, FLORIDA FIGURE 2B MODIFICATION MINING AREA 2		
 NOT TO SCALE	Project: 124884 File: 12-0484-212 Mod- Modified Mining Areas.dwg Date: 4/30/12 Drawn: WFL	 KLEINFELDER <small>Build It Right. Right Location.</small>



Florida Rock Industries, Inc.
 Brooksville Quarry
 Hernando County, Florida
 Figure 2C
 Modification Mining Area 3

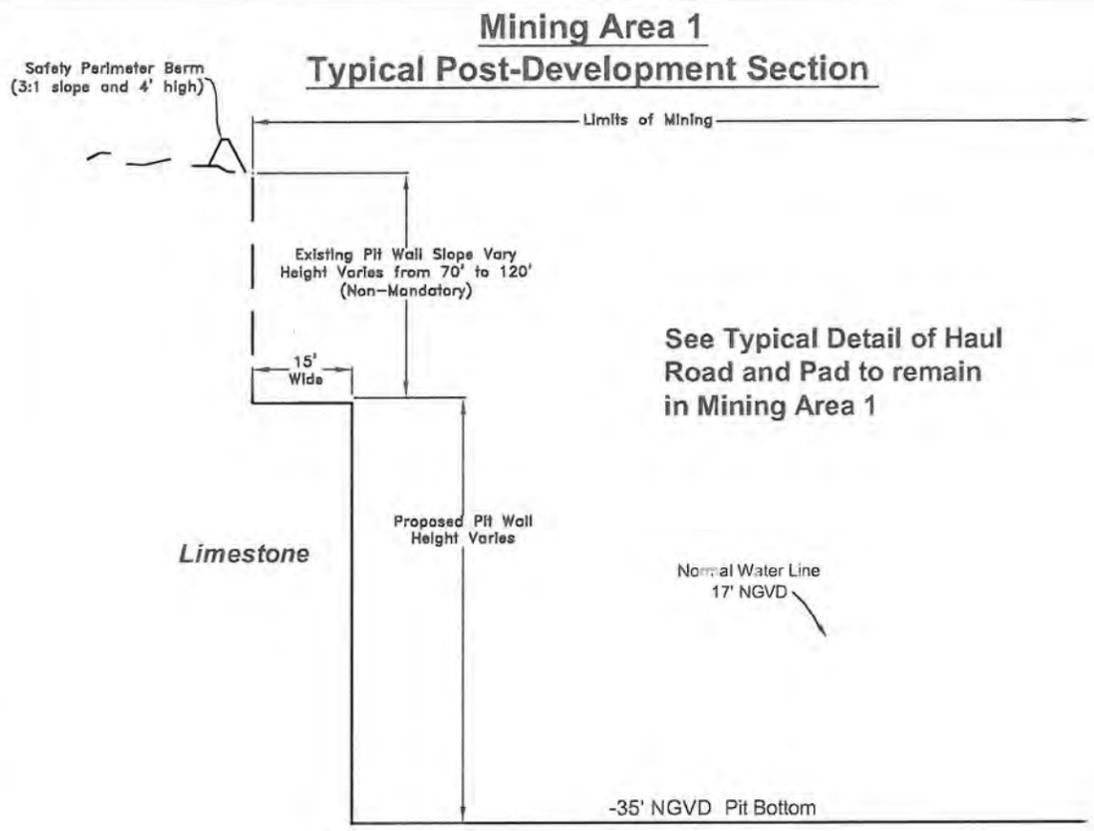
Prepared: 10/2004
 Plotted: 10/2004 - JRP Mod
 Modified: 07/2005
 Drawn: JRL

KLEINFELDER
 A Division of Fluor Corporation
 10000 Westchase Drive, Suite 100
 Houston, Texas 77036
 Phone: 281.460.1000
 Fax: 281.460.1001
 Email: kfi@kleinfelder.com

NOT TO SCALE

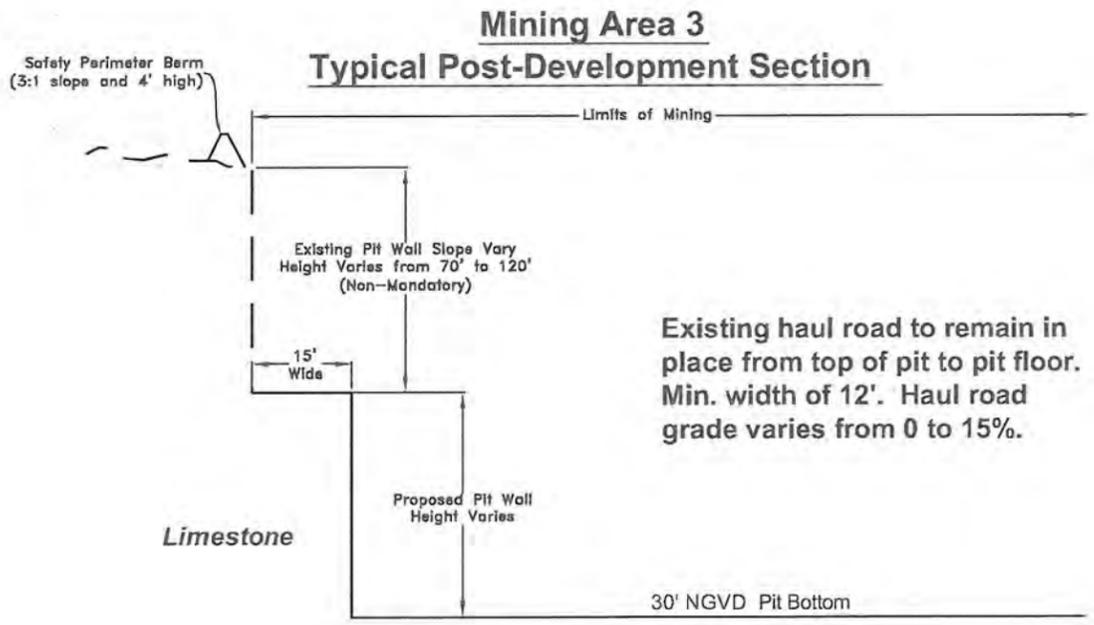
Received
 FDEP
 AUG - 17 2005
 BMMF
 Tallahassee, FL

HAN D. FRAZIER
 LICENSE No. 68961
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER
 NOT PROFESSIONAL



See Typical Detail of Haul Road and Pad to remain in Mining Area 1

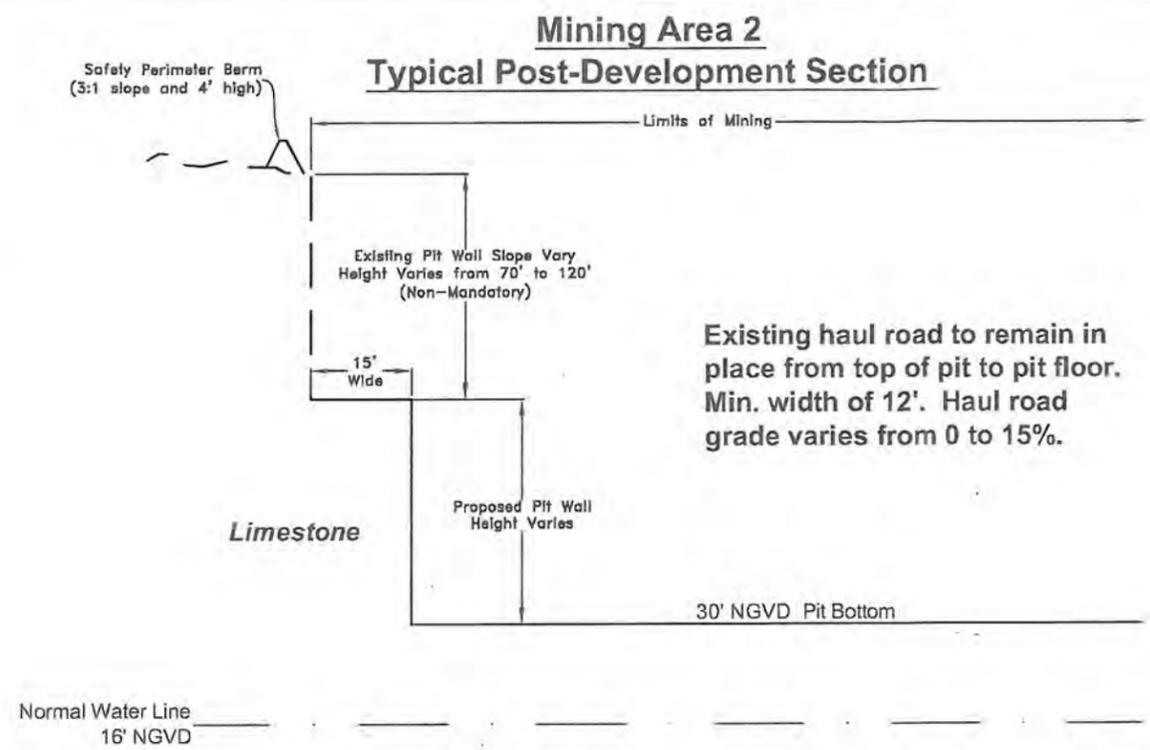
NOT TO SCALE



Existing haul road to remain in place from top of pit to pit floor. Min. width of 12'. Haul road grade varies from 0 to 15%.

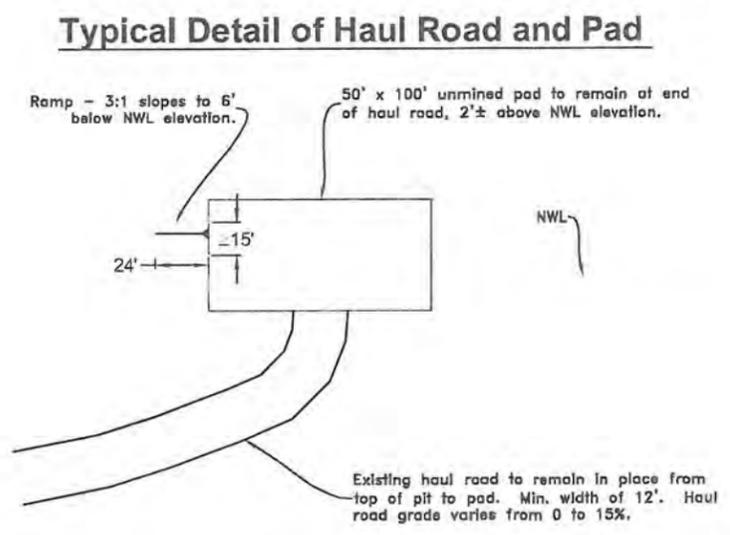
NOT TO SCALE

Normal Water Line 16' NGVD



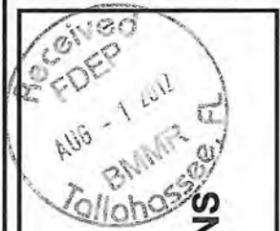
Existing haul road to remain in place from top of pit to pit floor. Min. width of 12'. Haul road grade varies from 0 to 15%.

NOT TO SCALE



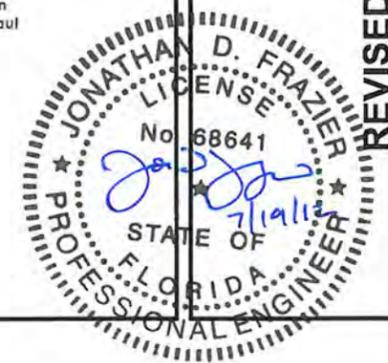
NOTE: Location and orientation of haul road, pad and ramp to be determined during mining.

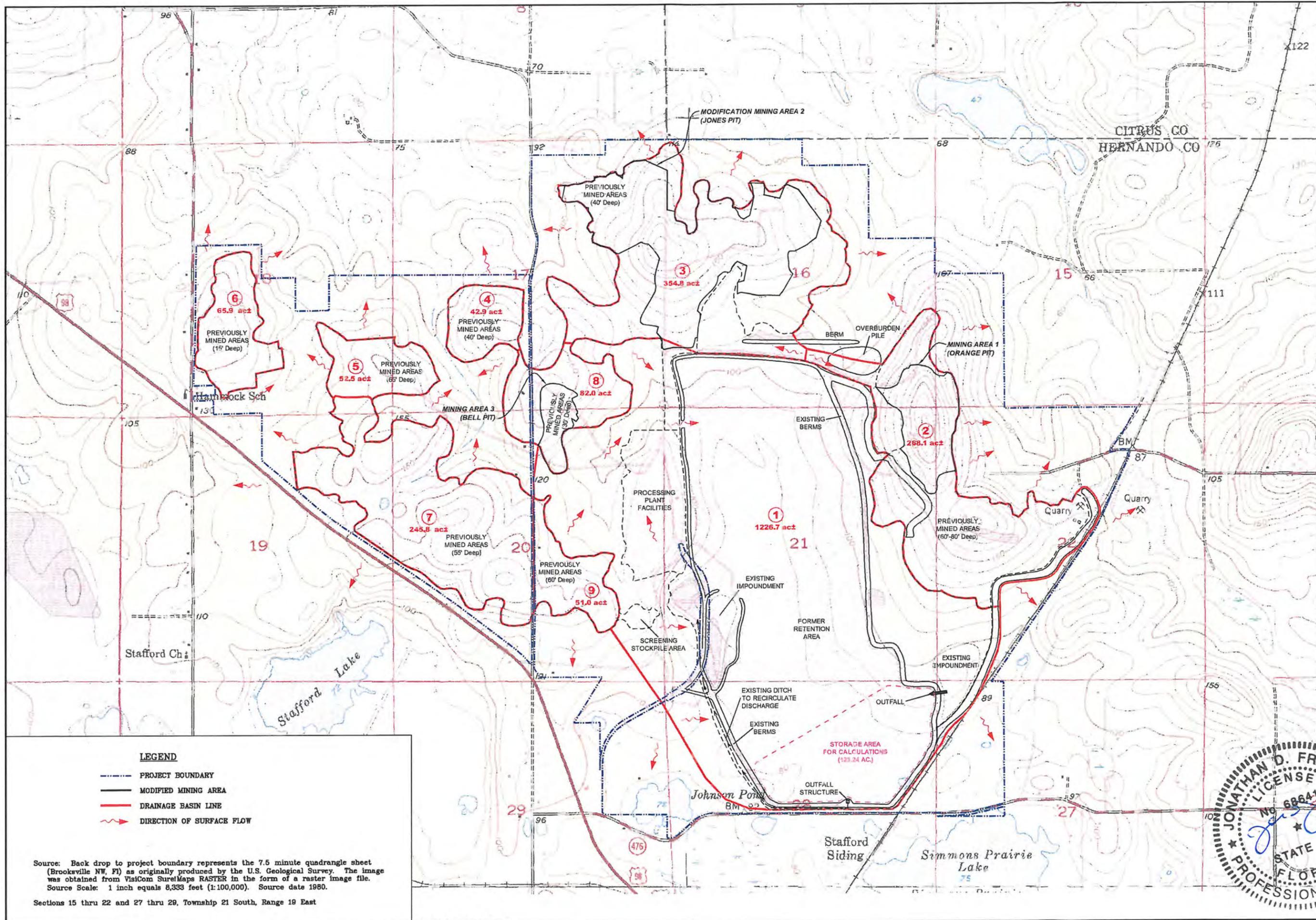
KLEINFELDER
Bright People. Right Solutions.
1174 Camp Avenue
Mount Dora, FL 32757
Tel: 352.383.1444, FL 352.383.3877
www.kleinfelder.com



FLORIDA ROCK INDUSTRIES, INC.
BROOKSVILLE QUARRY
HERNANDO COUNTY, FLORIDA
FIGURE 3

REVISED TYPICAL POST-DEVELOPMENT SECTIONS OF MINING AREAS 1, 2, AND 3





LEGEND

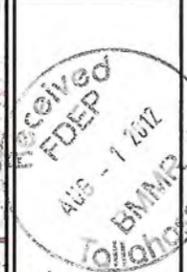
- PROJECT BOUNDARY
- MODIFIED MINING AREA
- DRAINAGE BASIN LINE
- DIRECTION OF SURFACE FLOW

Source: Back drop to project boundary represents the 7.5 minute quadrangle sheet (Brooksville NW, FL) as originally produced by the U.S. Geological Survey. The image was obtained from VisiCom SureMaps RASTER in the form of a raster image file. Source Scale: 1 inch equals 8,333 feet (1:100,000). Source date 1980.

Sections 15 thru 22 and 27 thru 29, Township 21 South, Range 19 East

KLEINFELDER
Bright People. Right Solutions.
1174 Camp Avenue
Orlando, FL 32816
www.kleinfelder.com

Project#: 124964
File#: 12-0516--Drainage Basin Map.dwg
Date: 5/17/2012
Drawn: NTL



FLORIDA ROCK INDUSTRIES, INC.
BROOKSVILLE QUARRY
HERNANDO COUNTY, FLORIDA
FIGURE 4
DRAINAGE BASIN MAP



Legend

- Project Boundary (3,531.53 Ac±)
- Post-Mining Land Use
- Post-Mining Land Use Correction Areas
- Non-Mandatory Reclamation Areas

Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East



FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM, 1999

FLUCFCS CODE	LAND USE	ACREAGE	%
163	Rock Quarries	38.82	1.10
1631	Limerock Quarry	231.87	6.57
165/425	Reclaimed Lands/Temperate Hardwood	27.11	0.77
211	Improved Pasture	140.18	3.97
330	Mixed Rangeland	363.48	10.29
425	Temperate Hardwoods	1658.86	46.97
429	Wax Myrtle/Willow	33.58	0.95
510	Streams and Waterways	1.58	0.04
520	Lakes	33.75	0.96
524	Lakes less than 10 acres which are dominant features	8.60	0.24
610	Wetland Hardwood Forests	4.56	0.13
641	Freshwater Marshes	88.77	2.51
740	Disturbed Land	893.40	25.30
742	Borrow Areas	1.32	0.04
814	Roads and Highways	5.65	0.16
	Total	3531.53	100.00

KLEINFELDER
Bright People. Right Solutions.
1174 Camp Avenue
Mount Dora, FL 32757
Tel: 352.383.1444, FL 352.383.3877
www.kleinfelder.com

N
1 inch = 1,500 feet

Received
FDEP
Aug - 1 2012
BMMR
Tallahassee

FLORIDA ROCK INDUSTRIES, INC.
BROOKSVILLE QUARRY
HERNANDO COUNTY, FLORIDA
FIGURE 5
POST-MINING LAND USE MAP

JOHN D. FRAZEE
LICENSE
No. 68641
STATE OF FLORIDA
PROFESSIONAL ENGINEER

Project: 100000000-ERP Mod-Post-Mining Land Use Map.mxd, Date: 5/22/12, Created By: NTL



**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
STORAGE TANK REGISTRATION PLACARD
2019-2020**

STCM ACCOUNT: 7549
FACILITY ID: 8520258
FACILITY: FL ROCK INDUSTRIES INC
14556 PONCE DE LEON BLVD
BROOKSVILLE FL 34601 8422 HERNANDO COUNTY
FACILITY TYPE: Fuel user/Non-retail

PLACARD NO: 548831
PLACARD ISSUED: 05/15/2019
PLACARD EXPIRES: 06/30/2020

TANK SYSTEMS REGISTERED: 1

ACCOUNT OWNER: FL ROCK INDUSTRIES INC
PO BOX 4667 ATTN: DONNA BAKER
JACKSONVILLE FL 32201 4667

HASH: LR7-L-7R7HRR1T

The Storage Tank Registration placard must be posted at the facility.
It must be placed out of the weather and in plain view of inspectors entering the facility.

Under Section 376.3077, Florida Statutes, it is unlawful to deposit motor fuel into a stationary storage tank system that requires registration unless proof of valid registration is displayed at the facility.

Acceptance of this placard constitutes agreement to operate the registered tanks in compliance with applicable Statutes and Department Rules.

DEPARTMENT OF ENVIRONMENTAL PROTECTION IS ON THE INTERNET

The Web address for DEP is <https://floridadep.gov>

You can access the Storage Tank Website by using <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-compliance>.
Look under the "Storage Tank Compliance Quick Links" section to find the links to storage tank rules, forms, database reports and program information.

CONTACT TANK REGISTRATION BY:

EMAIL - TankRegistration@dep.state.fl.us
PHONE - (850) 245-8839



FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

PERMITTEE

Florida Rock Industries, Inc.
10151 Deerwood Park Blvd, Building 100, Ste 120
Jacksonville, FL 32256

Authorized Representative:
E.D. Curry, Vice President and Controller

Air Permit No. 0530050-024-AO
Air Operation Permit

Brooksville Grinding Plant
Hernando County, Florida

PROJECT

This is the final air operation permit, which authorizes the operation of the Brooksville Grinding Plant, which is a limestone crushing, drying, and processing facility (Standard Industrial Classification No. 1479). This is a permit renewal which includes some rule-base changes and the removal of an emission unit. The facility is located in Hernando County at 14556 Ponce DeLeon Boulevard in Brooksville, Florida. The UTM coordinates are Zone 17, 361.45 km East, and 3169.83 km North.

This final permit is organized into the following sections: Section 1 (General Information); Section 2 (Administrative Requirements and Facility-wide Specific Conditions) Section 3 (Emissions Unit Specific Conditions); and Section 4 (Appendices). Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

Permitting Authority: Applications for air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4 and 62-210 of the Florida Administrative Code (F.A.C.). The Permitting Authority responsible for making a permit determination for this project is the District Office. The Permitting Authority's physical address is: 13051 North Telecom Parkway, Suite 101, Temple Terrace, Florida 33637-0926. The Permitting Authority's mailing address is: 13051 North Telecom Parkway, Suite 101, Temple Terrace, Florida 33637-0926. The Permitting Authority's telephone number is 813-470-5700.

Petitions. A person whose substantial interests are affected by the proposed decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Agency_Clerk@dep.state.fl.us. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency

FINAL AIR OPERATION PERMIT

determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

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

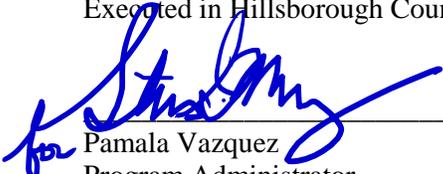
Mediation: Mediation is not available in this proceeding.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

0530050-024-AO Effective Date: December 26, 2018
Renewal Application Due Date: October 27, 2023
Expiration Date: December 26, 2023

Executed in Hillsborough County, Florida.



for Pamala Vazquez
Program Administrator
Permitting & Waste Cleanup Program
Southwest District

FINAL AIR OPERATION PERMIT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Air Permit package was sent by electronic mail, or a link to these documents made available electronically on a publicly accessible server, with received receipt requested before the close of business on the date indicated below to the following persons.

E.D. Curry, Florida Rock Industries, Inc., curryd@ymcmail.com
Veronica N. Sgro, P.E., Koogler and Associates, Inc., vsagro@kooglerassociates.com
Traci Johns, Environmental Specialist, Vulcan Materials Company, johnst@vmcmail.com
Adam Kirchein, Florida DEP Southwest District, adam.kirchein@floridadep.gov
Max Grondahl, Florida DEP Southwest District, max.grondahl@floridadep.gov

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.



Syed Shabbir Azher Rizvi
(Clerk)

December 26, 2018
(Date)

SECTION 1. GENERAL INFORMATION

FACILITY DESCRIPTION

The Brooksville Grinding Plant is a synthetic non-Title V limestone crushing, drying, and processing facility for limestone that is mined above and into the water table. Operations at the facility include screening, crushing, stockpiling, drying, conveying, silo loading, truck loading, and bagging to produce crushed limestone meeting various specifications.

Note: Emission Unit 014 the 1-Ton Bagging Fill Spout has been removed as it has been decommissioned. See Permit Application 0530050-024-AO.

The existing facility consists of the following emissions units (EU).

EU No.	Emission Unit Description
002	Grinding Mill
003	Three (3) Product Storage Silos
004	Crushing System
005	Classifier System
008	Long-Term Portable Crusher
010	Truck Loading
011	30-Ton Silo
012	50 lb. Bagging Machine
013	3-Ton Silo
015	Grinding Mill Building

APPLICABLE REGULATIONS

A summary of applicable regulations is shown in the following table.

Regulation	EU Nos.
<i>Federal Rule Citations</i>	
40 CFR 60, Subpart A, NSPS General Provisions	All
40 CFR 60, 40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants	All
<i>State Rule Citations</i>	
Rule 62-210.300, F.A.C., Permits Required	All
Rule 62-296.320, F.A.C., General Pollutant Emission Limiting Standards	All
Rule 62-297.310, F.A.C., General Emissions Test Requirements	All

EXEMPT EMISSION SOURCES/ACTIVITIES

- A 187 HP Komatsu diesel fired engine associated with EU 008, which is not subject to 40 CFR 60, Subpart III or 40 CFR 63, Subpart ZZZZ. The engine was manufactured in 2006 and is considered a re-locatable, portable, or transportable at the facility. [Rule 62-210.300(3)(a)35., F.A.C.]
- A 200 HP Cummins diesel fired engine for the new Double Impact Crusher, Conveyor Belt "B", and Conveyor Belt "C" associated with EU 004. The engine was manufactured in 1977 and is not considered re-locatable, portable, or transportable at the facility. This engine is subject to 40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, which has been adopted by reference in Rule 62-204.800(11), F.A.C. [Rule 62-210.300(3)(a)35., F.A.C.]

SECTION 1. GENERAL INFORMATION

- When the 3-Ton Silo (E.U. No. 013) is not being operated, it may serve as a dust hopper for the common bin vent filter (260) rated at 550 acfm that vents outside. The dust hopper (silo) is expected to be emptied approximately 3-4 times a year. The emptying of the dust hopper (silo) is accomplished by fastening a product bag to the discharge chute of the dust hopper to receive the dust hopper's contents. The common bin vent filter controls emissions from EUs 012 and 013. [Rule 62-210.300(3)(b)1., F.A.C.]

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility does not operate units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.
- This facility is a synthetic non-Title V source for the pollutant sulfur dioxide (SO₂) and particulate matter with an aerodynamic diameter of 10 micrometers or less (PM₁₀).

PERMIT HISTORY/AFFECTED PERMITS

This permit replaces Operation Permit No. 0530050-023-AO.

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SECTION 2. ADMINISTRATIVE REQUIREMENTS

ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The permitting authority for this project is the Southwest District of the Department of Environmental Protection (Department). The mailing address, phone number and e-mail address is:

Florida Department of Environmental Protection
Southwest District Office
Air and Solid Waste Permitting Program
13051 North Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-0926
Telephone: 813-470-5700
E-mail: SWD_Air_Permitting@dep.state.fl.us

All documents related to applications for permits to operate an emissions unit shall be submitted to the above e-mail address and/or address.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Florida Department of Environmental Protection (Department), Southwest District Office's Compliance Assurance Program. The mailing address, phone number and e-mail address is:

Florida Department of Environmental Protection
Southwest District Office
Compliance Assurance Program
13051 North Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-0926
Telephone: 813-470-5700
E-mail: SWD_Air@dep.state.fl.us

3. Appendices: The following Appendices are attached as a part of this permit: Appendix A (Citation Formats and Glossary of Common Terms); Appendix B (General Conditions); Appendix C (Common Conditions); and Appendix D (Common Testing Requirements); Appendix E (40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants); Appendix F (40 CFR 60, Subpart A - General Provisions); and Appendix G (Flow Diagram).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time.
[Rule 62-4.080, F.A.C.]
6. Modifications: No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification.
[Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

SECTION 2. ADMINISTRATIVE REQUIREMENTS

7. **Renewal.** Prior to 60 days before the expiration date of this permit, the permittee shall apply for a renewal of the permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 60 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department. To properly apply for an operation permit, the applicant shall submit the following:
- the appropriate permit application form (*see current version of Rule 62-210.900, F.A.C. (Forms and Instructions)*), and/or Florida DEP Division of Air Resource Management website at: <https://floridadep.gov/Air>;
 - the appropriate operation permit application fee from Rule 62-4.050(4)(a), F.A.C.;
 - copies of the most recent compliance test reports required by Specific Condition A.12., B.12., C.12., D.12., E.11., F.10., G.11. and H.9. if not previously submitted;
 - copies of the most recent month of records/logs specified in Specific Condition No(s). A.13., B.13., C.13., D.13. E.12., F.11., G.12. and H.10.

[Rules 62-4.090, 62-210.300(2), and 62-210.900, F.A.C.]

8. **Annual Operating Report (AOR):** The information required by the Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be submitted by April 1 of each year, for the previous calendar year, to the Department of Environmental Protection's (DEP) District Office. All synthetic non-Title V sources shall submit a completed DEP Form 62-210.900(5) unless the annual operating report is submitted using the DEP's electronic annual operating report software. Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C.

[Rule 62-210.370(3), F.A.C.]

{Permitting Note: Resources to help you complete your AOR are available on the electronic AOR (EAOR) website at: <http://www.dep.state.fl.us/air/emission/eaor>. If you have questions or need assistance after reviewing the information posted on the EAOR website, please contact the Department by phone at (850) 717-9000 or email at eaor@dep.state.fl.us.}

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. EU No. 008

This section of the permit addresses the following emissions unit.

EU No.	Emission Unit Description
008	<u>Long-Term Portable Crusher</u> - This long-term portable crushing system is also registered under a relocatable air permit with facility ID# 7775580. It has a rated crushing capacity of 265 tons/hr. and is allowed to process a maximum of 613,200 tons of material (wet limestone) per any consecutive 12-month period. An exempt diesel fired engine is used to power the crushing system.

FEDERAL REGULATIONS

- A.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

- A.2. Permitted Capacity: The crushing system is allowed to crush a maximum of 613,200 tons of material (wet limestone) per any consecutive 12-month period.
[Rule 62-210.200(PTE), F.A.C. and Construction Permit No. 0530050-016-AC]
- A.3. Reasonable Precautions: No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions include:
- Prevent emissions from the material handling by a loader shall be achieved by reducing the material freefall as the bucket dumps the material. Drop heights shall be minimized where applicable.
 - Drop heights shall be minimized from conveyors and hoppers.
 - Water shall be applied to the crusher and transfer points, if necessary.
- [Rule 62-296.320(4)(c), F.A.C.; Construction Permit No. 0530050-016-AC]
- A.4. Restricted Operation: The hours of operation of are not limited (8760 hours per year).
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

- A.5. Reasonable Assurance: In order to provide reasonable assurance that the precautions and practices required in Specific Condition No. A.3. are adequate, emissions of unconfined particulate matter should not exceed 10 percent opacity, unless a stricter limitation is applicable. Exceedance of this limit shall not be considered a violation in and of itself, but an indication that additional control precautions and/or practices may be necessary.
[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. EU No. 008

A.6. Emissions Standards: Each emission point shown below shall comply with the following maximum visible emission limitations.

Emission Point No.	Brief Description	Max. VE Limit (% Opacity) ¹	Max. VE Limit (% Opacity) ²	Max. VE Limit (% Opacity) ³
1	Material from outdoor stockpiles transferred by front-end loader(s) to Grizzly Feeder (Hopper)	<20	<20	<20
2	Grizzly Feeder to Crusher	<20	15	12
3	Crusher	<20	15	12
4	Crusher to Discharge Conveyor Belt	<20	15	12
5	Discharge Conveyor Belt to Stockpile	<20	<20	<20
6	Grizzly Feeder to Muck Conveyor Belt	<20	10	7
7	Muck Conveyor Belt to Stockpile	<20	<20	<20

¹ For crushers and affected pieces of equipment that are only subject to Rule 62-296.320(4)(b), F.A.C. and not subject to 40 CFR 60, Subpart OOO. Crushers and other affected pieces of equipment (i.e., screen, conveyor belt, etc.) are not subject to 40 CFR 60, Subpart OOO, if that crusher or piece of equipment was constructed, modified, or reconstructed prior to or on August 31, 1983.

² For crushers and affected pieces of equipment that commenced construction, modification or reconstruction after 8/31/1983, but before 4/22/2008.

³ For crushers and affected pieces of equipment that commenced construction, modification or reconstruction on or after 4/22/2008.

Emission Point Nos. with a maximum opacity limit of <20% do not require regular scheduled VE compliance testing, since the applicable visible emission limitation is a facility-wide limitation and there is no applicable allowable mass emission limitation. Emission Point Nos. 2 and 3 are at the same location and require only one VE test when both activities are occurring.

[Rule 62-296.320(4)(b), F.A.C. and 40 CFR 60.672(b) and (d); Construction Permit No. 0530050-016-AC]

TESTING REQUIREMENTS

A.7. Compliance Tests Prior to Renewal: Except as provided in subparagraph 62-297.310(8)(b)3., F.A.C. (see Appendix D – Common Testing Requirements) compliance tests shall be performed for Visible Emissions prior to obtaining a renewed operation permit to demonstrate compliance with the emission limits in Specific Condition A.6. The permittee shall also comply with the following:

- Test each emission point subject to 40 CFR 60, Subpart OOO for visible emissions within 180 – 105 days before the expiration date of this permit. Also see Specific Condition No. A.6.
- The daily average material crushing rate of the crusher is limited to 110% of the tested rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 60 consecutive days for the purpose of additional compliance testing.
- If an emission point was not operating during the most recent compliance test, the emission point shall be tested within 15 days after resuming operation.

Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. Also see Specific Condition No. A.12.d.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. EU No. 008

[Rules 62-210.300(2)(a) and 62-297.310(3) & (8)(b), F.A.C.; Construction Permit No. 0530050-016-AC]

A.8. **Test Requirements:** The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
[Rule 62-297.310(9), F.A.C.]

A.9. **Test Method:** Required tests shall be performed in accordance with the following reference method:

A.10. Method	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources

The above method is described in Appendix A of 40 CFR 60 and is adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

- A.10. **Visible Emission Testing Requirements:** Visible emission testing shall also comply with the following:
- a. The minimum distance between the observer and the emission source shall be 15 feet.
 - b. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
 - c. The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.
 - d. As an alternative to the Method 9 requirement to conduct visible emission observations of only one emission point at a time, a single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 - 1. No more than three emission points may be read concurrently.
 - 2. All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 - 3. If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

[Rules 62-297.310(4) and 62-297.401, F.A.C.; 40 CFR 60.675 (c) and (e)(2)]

MONITORING REQUIREMENTS

A.11. **Monitoring Requirements:** If any affected piece(s) of equipment of the processing plant (i.e., crusher, screen or conveyor belt) was constructed, modified, or began reconstruction on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility, a monthly inspection must be performed to check that water is flowing to discharge spray nozzles of the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if water is not flowing properly during the inspection.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. EU No. 008

[40 CFR 60.674(b)]

RECORDS AND REPORTS

A.12. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:

- a. company name;
- b. facility ID No. and Emission Unit No. (e.g., 0530050 and E.U. No. 008);
- c. date each affected piece of equipment of the crushing system (processing plant) commenced construction, modification or reconstruction;
- d. actual material crushing rate during the test period (tons/hour); and
- e. a copy of the logs as required by Specific Condition No. A.13. for the month the test was conducted.

[Rule 62-297.310(10), F.A.C.; Construction Permit No. 0530050-016-AC]

A.13. Operational Data: In order to document compliance with Specific Condition No. A.2., the permittee shall record the following:

Daily:

- a. facility name, facility ID No., emission unit ID No., and date (month/day/year)
- b. hours of crushing material;
- c. amount of material crushed in tons;
- d. daily average crushing rate based on b. and c. above in tons/hr.;

Monthly:

- e. facility name, facility ID No., and emission unit ID No. and date (month/day/year);
- f. total material crushed in tons;
- g. most recent consecutive 12-month period total amount of material crushed in tons; and
- h. most recent consecutive 12-month period total hours of operation.

Daily records shall be completed within seven (7) calendar days and monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

[Rule 62-4.070(3), F.A.C.]

A.14. Operation and Maintenance: If any affected piece(s) of equipment of the processing plant was constructed, modified, or began reconstruction on or after April 22, 2008, the owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken. Also see Specific Condition No. A.11.

[40 CFR 60.674(b)]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

B. EU No. 004

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
004	<p><u>Crushing Operations</u> - This emission unit transfers material (wet limestone) from stockpile(s) by front-end loaders to hoppers, crushing systems, and conveyor belts by utilizing three (3) separate operating scenarios to a covered raw material storage area. The three (3) operating scenarios do not operate simultaneously and are described in Specific Condition No. B.6. below.</p> <p>The crushing systems used with three (3) operating scenarios are expected to have a maximum rated crushing capacity of 375 tons/hr. and are allowed to process a maximum combined total of 613,200 tons of material (wet limestone) per any consecutive 12-month period. An exempt diesel fired engine is used to power the crushing system associated with Operating Scenario No. 2 (see below).</p>

FEDERAL REGULATIONS

- B.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

- B.2. Permitted Capacity: The three (3) operating scenarios are allowed to crush a maximum combined total of 613,200 tons of material (wet limestone) per any consecutive 12-month period.
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]
- B.3. Restricted Operation: Only one of three (3) operating scenarios may operate at any one time. The operating scenarios are further described below. The hours of operation of are not limited (8760 hours per year).
[Rule 62-4.070(3) F.A.C.; Construction Permit No. 0530050-016-AC]
- B.4. Reasonable Precautions: No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions include:
- a. Prevent emissions from the material handling by a loader shall be achieved by reducing the material freefall as the bucket dumps the material. Drop heights shall be minimized where applicable.
 - b. Drop heights shall be minimized from conveyors and hoppers.
 - c. Water shall be applied to the crusher and transfer points, if necessary.
- [Rule 62-296.320(4)(c), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

- B.5. Reasonable Assurance: In order to provide reasonable assurance that the precautions and practices required in Specific Condition No. B.4. are adequate, emissions of unconfined particulate matter should not exceed 10 percent opacity, unless a stricter limitation is applicable. Exceedance of this limit shall not be considered a violation in and of itself, but an indication that additional control precautions and/or practices may be necessary.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

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[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

- B.6. **Visible Emissions Standards:** Each emission point shown below shall comply with the following maximum visible emission limitations.

{Permitting Note: Equipment number shown in () after a piece of equipment is the Equipment ID No. assigned by the facility.}

Operating Scenario No. 1 (existing, electric wo/diesel fired generator):

Emission Point No.	Brief Description	Max. VE Limit (% Opacity)¹	Max. VE Limit (% Opacity)²	Max. VE Limit (% Opacity)³
5	Material from outdoor stockpiles transferred by front-end loader(s) to Hopper (101)/Crusher (103)	<20	15	12
6	Hopper (101)/Crusher (103)	<20	15	12
7	Hopper (101)/Crusher (103) to Conveyor Belt (104)	<20	15	12
8	Conveyor Belt (104) to Covered Material Storage Area	<20	<20	<20

Operating Scenario No. 2 (w/exempt diesel fired engine or electric wo/exempt diesel fired engine):

Emission Point No.	Brief Description	Max. VE Limit (% Opacity)¹	Max. VE Limit (% Opacity)²	Max. VE Limit (% Opacity)³
9	Material from outdoor stockpiles transferred by front-end loader(s) to Pan Feeder "A"	<20	<20	<20
10	Pan Feeder "A" to Double Impact Crusher	<20	15	12
11	Double Impact Crusher	<20	15	12
12	Double Impact Crusher to Conveyor Belt "B"	<20	15	12
13	Conveyor Belt "B" to Conveyor Belt "C"	<20	10	7
14	Conveyor Belt "C" to Hopper (101)/Crusher (103) with its internal crushing rollers removed	<20	10	7
15	Hopper (101)/Crusher (103) with its internal crushing rollers removed to Conveyor Belt (104)	<20	10	7
16	Conveyor Belt (104) to Covered Material Storage Area	<20	<20	<20

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Operating Scenario No. 3 (electric wo/exempt diesel fired engine):

Emission Point No.	Brief Description	Max. VE Limit (% Opacity)¹	Max. VE Limit (% Opacity)²	Max. VE Limit (% Opacity)³
17	Material from outdoor stockpiles transferred by front-end loader(s) to Pan Feeder "A"	<20	<20	<20
18	Pan Feeder "A" to Double Impact Crusher	<20	15	12
19	Double Impact Crusher	<20	15	12
20	Double Impact Crusher to Conveyor Belt "B"	<20	15	12
21	Conveyor Belt "B" to Conveyor Belt "C"	<20	10	7
22	Conveyor Belt "C" to New Hopper	<20	10	7
23	New Hopper to Conveyor Belt (104)	<20	10	7
24	Conveyor Belt (104) to Covered Material Storage Area	<20	<20	<20

¹ For crushers and affected pieces of equipment that are only subject to Rule 62-296.320(4)(b), F.A.C. and not subject to 40 CFR 60, Subpart OOO. Crushers and other affected pieces of equipment (i.e., screen, conveyor belt, etc.) are not subject to 40 CFR 60, Subpart OOO, if that crusher or piece of equipment was constructed, modified, or reconstructed prior to or on August 31, 1983.

² For crushers and affected pieces of equipment that commenced construction, modification or reconstruction after 8/31/1983, but before 4/22/2008.

³ For crushers and affected pieces of equipment that commenced construction, modification or reconstruction on or after 4/22/2008.

Emission Point Nos. with a maximum opacity limit of <20% do not require regular scheduled VE compliance testing, since the applicable visible emission limitation is a facility-wide limitation and there is no applicable allowable mass emission limitation. Emission Point Nos. "5 and 6", "10 and 11", and "18 and 19" are at the same location and require only one VE test when both activities are occurring.

[Rule 62-296.320(4)(b), F.A.C. and 40 CFR 60.672(b) and (d); Construction Permit No. 0530050-016-AC]

TESTING REQUIREMENTS

B.7. Compliance Tests Prior to Renewal: Except as provided in subparagraph 62-297.310(8)(b)3., F.A.C. (see Appendix D – Common Testing Requirements) compliance tests shall be performed for Visible Emissions prior to obtaining a renewed operation permit to demonstrate compliance with the emission limits in Specific Condition B.6. The permittee shall also comply with the following:

- a. Test each emission point subject to 40 CFR 60, Subpart OOO for visible emissions within 180 – 105 days before the expiration date of this permit.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

B. EU No. 004

- b. The daily average material crushing rate of the crusher is limited to 110% of the tested rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 60 consecutive days for the purpose of additional compliance testing.
- c. If an emission point was not operating during the most recent compliance test, the emission point shall be tested within 15 days after resuming operation.

Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. Also see Specific Condition No. B.12.

[Rules 62-210.300(2)(a) and 62-297.310(3) & (8)(b), F.A.C.; Construction Permit No. 0530050-016-AC]

B.8. Test Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
[Rule 62-297.310(9), F.A.C.]

B.9. Test Methods: Required tests shall be performed in accordance with the following reference method:

Method	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources

The above method is described in Appendix A of 40 CFR 60 and is adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

- B.10. Visible Emission Testing Requirements: Visible emission testing shall also comply with the following:
- a. The minimum distance between the observer and the emission source shall be 15 feet.
 - b. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
 - c. The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.
 - d. As an alternative to the Method 9 requirement to conduct visible emission observations of only one emission point at a time, a single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 - 1. No more than three emission points may be read concurrently.
 - 2. All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 - 3. If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

[Rules 62-297.310(4) and 62-297.401, F.A.C.; 40 CFR 60.675 (c) and (e)(2)]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

B. EU No. 004

MONITORING REQUIREMENTS

- B.11. Monitoring Requirements: If any affected piece(s) of equipment of the processing plant (i.e., crusher, screen or conveyor belt) was constructed, modified, or began reconstruction on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility, a monthly inspection must be performed to check that water is flowing to discharge spray nozzles of the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if water is not flowing properly during the inspection.
[40 CFR 60.674(b)]

RECORDS AND REPORTS

- B.12. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:
- company name;
 - facility ID No. and Emission Unit No. (e.g., 0530050 and E.U. No. 004) along with identifying which Operating Scenario No. was operating during the test;
 - date each affected piece of equipment of the crushing system (processing plant) commenced construction, modification or reconstruction;
 - actual material crushing rate during the test period (tons/hour); and
 - a copy of the logs as required by Specific Condition No. B.13. for the month the test was conducted.
- [Rule 62-297.310(10), F.A.C.; Construction Permit No. 0530050-016-AC]

- B.13. Operational Data: In order to document compliance with Specific Condition Nos. B.2. and B.6., the permittee shall record the following:

Daily for each Operating Scenario:

- facility name, facility ID No., emission unit ID No., and date (month/day/year);
- The Operating Scenario No.;
- hours of crushing material;
- amount of material crushed in tons;
- daily average crushing rate based on b. and c. above in tons/hr.;

Monthly:

- facility name, facility ID No., and emission unit ID No. and date (month/day/year);
- total material crushed in tons;
- most recent consecutive 12-month period total amount of material crushed in tons; and
- most recent consecutive 12-month period total hours of operation.

Daily records shall be completed within seven (7) calendar days and monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

B. EU No. 004

- B.14. Operation and Maintenance: If any affected piece(s) of equipment of the processing plant was constructed, modified, or began reconstruction on or after April 22, 2008, the owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken. Also see Specific Condition No. B.11.
[40 CFR 60.674(b)]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. EU No. 002

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
002	<p><u>Grinding Mill</u> - The grinding mill is located inside the grinding mill building (Emission Unit No. 015). Crushed wet limestone from the covered raw material stockpile associated with Emission Unit No. 004 or other stockpiles is transferred by front-end loader into a feed hopper (105) at a maximum rate of 85 tons of wet limestone/hr. based on a daily average. The feed hopper transfers the wet limestone to a feeder belt (106), which then transfers the wet limestone to a secondary conveyor belt (107). The second feeder belt passes through the wall of the Grinding Mill Building and transfers the wet limestone into the grinding mill's rotary vane feeder (110), which then deposits the wet limestone into the grinding mill (111). The limestone in the grinding mill is dried and grinded. Hot air for the grinding mill is provided by an air heater (115). The air heater is fired at a maximum design rate of approximately 30 MMBTU/hr. with natural gas or new No. 2 fuel oil with a maximum sulfur content of 0.5% by weight. The dried limestone from the grinding mill is then sent to the main air cyclone/separator (112) to be separated. The dried limestone from the main air cyclone/separator is deposited onto a main screw conveyor (120). Air from the main air cyclone/separator is vented to the Mill Baghouse. Recovered dried limestone particulate matter from the air sent to the Mill Baghouse is sent through a series of small screw conveyors (116 and 119) to the main screw conveyor (120) and the filtered air is vented outside the Grinding Mill Building. The dried limestone on the main screw conveyor (120) is then distributed to Emission Unit No. 005 – Classifier System (202.1) and/or into a bucket elevator (121) associated with Emission Unit No. 003 – Three (3) Product Silos. The main screw conveyor (120) also accepts the reject dried limestone from the Classifier System (202.1) and sends the reject dried limestone to bucket elevator (121). Emissions from the air heater, grinding mill, main air cyclone/separator, and screw conveyor (116) are controlled by the Mill Baghouse dust collector, which has a total cloth filtration area of approximately 11,600 square feet and rated at approximately 46,000 acfm.</p> <p>{See Emission Unit No. 015 – Grinding Mill Building: Fugitive emissions inside the Grinding Mill Building from the grinding mill occur from the secondary conveyor belt (107) transferring wet limestone to the grinding mill's rotary vane feeder (110) and from the grinding mill's reject material pile located below the grinding mill. The fugitive emissions from the grinding mill's reject material pile are expected to be insignificant and not quantifiable.}</p>

FEDERAL REGULATIONS

- C.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

- C.2. Permitted Capacity: The maximum input rate of wet limestone is 85 tons/hr., based on a daily average, and 613,200 tons per any consecutive 12-month period.
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]
- C.3. Authorized Fuel: The air heater for the grinding mill is allowed:
 - a. to be fired with natural gas or new No. 2 fuel with a maximum sulfur content of 0.5% sulfur by weight
 - b. a maximum of 208,600,000 cubic feet of natural gas per any consecutive 12-month period
 - c. a maximum of 1,553,200 gallons of new No. 2 fuel oil per any consecutive 12-month period

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. EU No. 002

{Permitting Note: Since only one type of fuel may be used at any one time, the maximum fuel usage values shown in Specific Condition Nos. C.3.b. and C.3.c. can only occur if only that fuel was used.}

[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

- C.4. Restricted Operation: The hours of operation of are not limited (8760 hours per year).
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

- C.5. Emissions Standards; Mill’s Baghouse’s Particulate Matter & Visible Emission Limitations: Particulate matter and visible emissions from the Mill’s Baghouse shall not exceed the following:
- a. If any of the pieces of equipment controlled by the Mill’s Baghouse were constructed, re-constructed, or modified before April 22, 2008:
 - 1. 0.022 gr/dscf*
{Based on an airflow of 30,000 dscfm, this is equivalent to potential emissions of 5.7 lbs./hr. and 24.8 tons/yr. }
 - 2. 7% opacity*
 - b. If any of the pieces of equipment controlled by the Mill’s Baghouse were constructed, re-constructed, or modified on or after April 22, 2008:
 - 1. 0.014 gr/dscf*
{Based on an airflow of 30,000 dscfm, this is equivalent to potential emissions of 3.6 lbs./hr. and 15.8 tons/yr. }
 - 2. <20% opacity
- * These limitations are considered more stringent than the requirements of Rule 62-296.320(4)(a) and (b), F.A.C.

[Rule 62-296.320, F.A.C. and 40 CFR 60.672 (a), (b), and (d); Construction Permit No. 0530050-016-AC]

- C.6. Emissions Standards: Each emission point shown below shall comply with the following maximum visible emission limitations.

Emission Point No.	Brief Description	Max. VE Limit (% Opacity)¹	Max. VE Limit (% Opacity)²	Max. VE Limit (% Opacity)³
1	Material from outdoor stockpiles transferred by front-end loader(s) to Feed Hopper (105)	<20	<20	<20
2	Feed Hopper (105) to Feeder Belt (106)	<20	10	7
3	Feeder Belt (106) to Secondary Conveyor Belt (107)	<20	10	7

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. EU No. 002

- ¹ For crushers and affected pieces of equipment that are only subject to Rule 62-296.320(4)(b), F.A.C. and not subject to 40 CFR 60, Subpart OOO. Crushers and other affected pieces of equipment (i.e., screen, conveyor belt, etc.) are not subject to 40 CFR 60, Subpart OOO, if that crusher or piece of equipment was constructed, modified, or reconstructed prior to or on August 31, 1983.
- ² For crushers and affected pieces of equipment that commenced construction, modification or reconstruction after 8/31/1983, but before 4/22/2008.
- ³ For crushers and affected pieces of equipment that commenced construction, modification or reconstruction on or after 4/22/2008.

Emission Point Nos. with a maximum opacity limit of <20% do not require regular scheduled VE compliance testing, since the applicable visible emission limitation is a facility-wide limitation and there is no applicable allowable mass emission limitation.

[Rule 62-296.320(4)(b), F.A.C. and 40 CFR 60.672(b) and (c); Construction Permit No. 0530050-016-AC]

TESTING REQUIREMENTS

- C.7. Annual Compliance Tests: During each calendar year (January 1st to December 31st), the emissions unit shall be tested to demonstrate compliance with the emissions standards for Particulate Matter and Visible Emissions in Specific Condition C.5.
- a. If the most recent test was conducted when the air heater was fired with natural gas, then a new test shall be conducted within 30 days of the air heater exceeding the 400th hour when being fired with new No. 2 fuel oil.
 - b. Test each emission point subject to 40 CFR 60, Subpart OOO for visible emissions 180 – 105 days before the expiration date of this permit. Also see Specific Condition No. C.6.
 - c. The daily average input rate of wet limestone is limited to 110% of the tested rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 60 consecutive days for the purpose of additional compliance testing.
 - d. If an emission point was not operating during the most recent compliance test, the emission point shall be tested within 15 days after resuming operation.

Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. Also see Specific Condition Nos. C.12.

[Rule 62-297.310(3) & (8)(a)1, F.A.C.; Construction Permit No. 0530050-016-AC]

- C.8. Test Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
[Rule 62-297.310(9), F.A.C.]

- C.9. Test Methods: Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
5	Determination of Particulate Matter Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources

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C. EU No. 002

The above methods are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

- C.10. Visible Emission Testing Requirements: Visible emission testing shall also comply with the following:
- a. The minimum distance between the observer and the emission source shall be 15 feet.
 - b. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
 - c. The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.
 - d. As an alternative to the Method 9 requirement to conduct visible emission observations of only one emission point at a time, a single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 1. No more than three emission points may be read concurrently.
 2. All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 3. If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

[Rules 62-297.310(4) and 62-297.401, F.A.C.; 40 CFR 60.675 (c) and (e)(2)]

MONITORING REQUIREMENTS

- C.11. Monitoring Requirements: The permittee shall comply with the following:
- a. If any affected piece(s) of equipment of the processing plant (i.e., conveyor belt) was constructed, modified, or began reconstruction on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility, a monthly inspection must be performed to check that water is flowing to discharge spray nozzles of the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if water is not flowing properly during the inspection.
 - b. Per Appendix E, the permittee shall also comply with the monitoring requirements in 40 CFR 60.674(c) and (d).

[40 CFR 60.674(b), (c) and (d)]

RECORDS AND REPORTS

- C.12. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:
- a. company name;

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. EU No. 002

- b. facility ID No. and Emission Unit No. (e.g., 0530050 and E.U. No. 002);
- c. date each affected piece of equipment of the crushing system (processing plant) commenced construction, modification or reconstruction;
- d. type of fuel used to fire the air heater (natural gas or new No. 2 fuel oil);
- e. actual input rate of wet limestone during the test period (tons/hour);
- f. a copy of the logs as required by Specific Condition No. C.13. for the month the test was conducted; and
- g. a copy of the most recent fuel oil analysis of the sulfur content of the fuel oil used to fire the air heater as required by Specific Condition No. C.14., if applicable.

[Rule 62-297.310(10), F.A.C.; Construction Permit No. 0530050-016-AC]

- C.13. Operational Data: In order to document compliance with Specific Condition Nos. C.2. and C.3., the permittee shall record the following:

Daily:

- a. facility name, facility ID No., emission unit ID No., and date (month/day/year)
- b. hours of inputting wet limestone;
- c. amount of wet limestone inputted in tons;
- d. daily average input rate of wet limestone based on b. and c. above in tons/hr.;
- e. type of fuel used to fire the air heater (natural gas or new No. 2 fuel oil);
- f. if the most recent compliance emission test of the Mill's baghouse was conducted when the air heater was fired on natural gas, record the hours the air heater is fired with new No. 2 fuel oil along with cumulatively recording the hours until the 400th hour triggering a new compliance emission test is recorded;

Monthly:

- g. facility name, facility ID No., and emission unit ID No. and date (month/day/year);
- h. total amount of wet limestone inputted in tons;
- i. most recent consecutive 12-month period total amount of wet limestone inputted in tons;
- j. total hours of inputting wet limestone;
- k. most recent consecutive 12-month period total hours of operation;
- l. most recent consecutive 12-month period total usage of natural in cubic feet; and
- m. most recent consecutive 12-month period total usage of new No. 2 fuel oil in gallons.

Daily records shall be completed within seven (7) calendar days and monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

- C.14. Fuel Oil Log: In order to document continuing compliance with the sulfur content limitations, in % by weight, of the fuel oil used in the air heater, the permittee shall keep records on either vendor provided as-shipped analysis or on analysis of as-received samples taken at the plant.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. EU No. 002

- C.15. Operation and Maintenance: The permittee shall comply with the following:
- a. If any affected piece(s) of equipment of the processing plant was constructed, modified, or began reconstruction on or after April 22, 2008, the owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken. Also see Specific Condition No. C.11.
 - b. Per Appendix E, the permittee shall also comply with the reporting and recordkeeping requirements of 40 CFR 60.676(b).
- [40 CFR 60.674(b)]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

D. EU Nos. 003 & 010

This section of the permit addresses the following emissions units.

EU No.	Emission Unit Description
003	<p><u>Three (3) Product Storage Silos</u> - Three (3) product storage silos receive dried material limestone from the screw conveyor (120) associated with EU 002 – Grinding Mill, which may also include reject dried limestone from EU 005 – Classifier System. The maximum total receiving (filling) rate of dried limestone to the three (3) product storage silos is considered as the same as the input rate of 85 tons/hr. of wet limestone based on a daily average to the Grinding Mill. Each product storage silo has a design capacity of 3,000 tons of dried limestone.</p> <p>Dried limestone from the screw conveyor (120) is transferred to a bucket elevator (121). The bucket elevator (121) transfers the dried limestone to any combination of three (3) air slides (123, 124, and/or 125). The air slides (123, 124, and 125) transfer the dried limestone to Product Storage Silo No. 1 – north (127), No. 2 - middle (128), and No. 3 – south (129), respectively.</p> <p>Emissions from the small screw conveyors (119), the main screw conveyor (120), the bucket elevator (121), the three (3) air slides (123, 124, and 125), and the three (3) product storage silos (127, 128, and 129) are controlled by a common Nuisance Baghouse rated at 3,000 acfm.</p> <p>The Nuisance Baghouse also controls emissions from the air slide leaving Product Storage Silo No. 1 (137), the backup common collecting hopper (140), and the backup truck loading spout (141) associated with EU 010 – Truck Loading.</p>
010	<p><u>Truck Loading</u> -Trucks are loaded with dried limestone product from the three (3) product storage silos via either the primary or backup truck loading system. The primary and backup systems are independent of each other but cannot be used simultaneously because there is only space for one truck to park in the loading area at a time. The backup system will only be used when the primary system is unable to operate due to malfunction or equipment failure.</p> <p>Primary truck loading system: Product from Product Storage Silo No. 2 (128) or Product Storage Silo No. 3 (129) is transferred to the primary common collecting hopper (140.1), which does not store or hold product, and then to the primary truck loading spout (141.1). Product Storage Silo No. 2 (128) transfers product directly to the primary common collecting hopper (140.1), and Product Storage Silo No. 3 (129) transfers product by an air slide (138) to the primary common collecting hopper (140.1). The transfer of product from the primary truck loading spout (141.1) is limited by a valve actuator. The maximum truck loading rate occurs when the valve actuator is fully open.</p> <p>Backup truck loading system: Product from Product Storage Silo No. 1 (127) is transferred by an air slide (137) to the backup common collecting hopper (140), which does not store or hold product, and then to the backup truck loading spout (141). The transfer of product from the backup truck loading spout (141) is limited by a valve actuator. The maximum truck loading rate occurs when the valve actuator is fully open.</p> <p>Emissions from the air slide leaving Product Storage Silo No. 1 (137), the backup common collecting hopper (140), and the backup truck loading spout (141) are controlled by the common Nuisance Baghouse addressed in EU 003 – Three (3) Product Storage Silos.</p> <p>Emissions from the air slide leaving Product Storage Silo No. 3 (138), the primary common collecting hopper (140.1), and the primary truck loading spout (141.1) are controlled by the integrated Pulse Jet Compact Filter Module rated at 1,600 acfm.</p>

FEDERAL REGULATIONS

D.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

D. EU Nos. 003 & 010

[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

- D.2. Permitted Capacity: The maximum total receiving (filling) rate of dried limestone to the three (3) air slides/three (3) product storage silos is considered and determined the same as the input rate of 85 tons/hr. of wet limestone based on a daily average to EU 002 - Grinding Mill.
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-022-AC]
- D.3. Permitted Capacity: The maximum truck loading rate occurs when the valve actuator that limits the amount of material transferred to a truck is fully open.
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-022-AC]
- D.4. Restricted Operation: The hours of operation of are not limited (8760 hours per year).
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

- D.5. Nuisance Baghouse Particulate Matter (PM) & Visible Emissions (VE) Limitations: Particulate matter and visible emissions from the common Nuisance Baghouse shall not exceed the following:
- a. For affected facilities controlled by the common Nuisance Baghouse that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008:
 1. 0.022 gr/dscf
{Based on an airflow of 3,000 dscfm, this is equivalent to potential emissions of 0.6 lbs./hr. and 2.5 tons/yr.}
 2. 7% opacity
 - b. For affected facilities controlled by the common Nuisance Baghouse that commenced construction, modification, or reconstruction on or after April 22, 2008 :
 1. 0.014 gr/dscf
{Based on an airflow of 3,000 dscfm, this is equivalent to potential emissions of 0.4 lbs./hr. and 1.6 tons/yr.}
 2. <20% opacity
- [Rule 62-296.320, F.A.C. and 40 CFR 60.672 (a) and (b); Construction Permit No. 0530050-022-AC]
- D.6. Integrated Compact Filter Module Particulate Matter (PM) & Visible Emissions (VE) Limitations: Particulate matter and visible emissions from the integrated Compact Filter Module shall not exceed the following:
- a. For affected facilities controlled by the integrated compact filter module that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008:
 1. 0.022 gr/dscf
{Based on an airflow of 1,600 dscfm, this is equivalent to potential emissions of 0.3 lbs./hr. and 1.3 tons/yr.}
 2. 7% opacity

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b. For affected facilities controlled by the integrated compact filter module that commenced construction, modification, or reconstruction on or after April 22, 2008:

1. 0.014 gr/dscf

{Based on an airflow of 1,600 dscfm, this is equivalent to potential emissions of 0.2 lbs./hr. and 0.8 tons/yr. }

2. <20% opacity

{Permitting Note: The installation of the primary truck loading system with an integrated Compact Filter Module at EU 010 – Truck Loading constitutes construction of an affected facility per 40 CFR 60.2 and 40 CFR 60 Subpart 000. Therefore, the limits in Specific Condition D.6.b. have been triggered.}

[Rules 62-4.070(3) and 62-296.320, F.A.C.; 40 CFR 60.672 (a) and (b); Construction Permit No. 0530050-022-AC]

TESTING REQUIREMENTS

D.7. Annual Compliance Tests: During each calendar year (January 1st to December 31st), the Nuisance Baghouse and Compact Filter Module shall be tested to demonstrate compliance with the emissions standards for visible emissions.
[Rule 62-297.310(8)(a)1, F.A.C.]

D.8. Compliance Tests Prior to Renewal: Except as provided in subparagraph 62-297.310(8)(b)3., F.A.C. (see Appendix D – Common Testing Requirements), in addition to the annual compliance tests specified above, compliance tests of the Nuisance Baghouse and Compact Filter Module shall also be performed for particulate matter 180-105 days before the expiration of the operation permit. to demonstrate compliance with the emission limits in Specific Conditions D.5. and D.6.
[Rules 62-210.300(2)(a) and 62-297.310(8)(b), F.A.C.; Construction Permit No. 0530050-022-AC]

D.9. Test Requirements:

- a. The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
- b. The Common Nuisance Baghouse tests shall be conducted when the Grinding Mill is operating, the product storage silos are being filled, the backup truck loading system is in use, the backup valve actuator for loading trucks is fully open, and at least 2 trucks are loaded during each of the three (3) PM test runs. The Integrated Pulse Jet Compact Filter Module test shall be conducted when the primary truck loading system valve actuator for loading trucks is fully open during each of the three (3) PM test runs.
- c. The daily average input rate of wet limestone to the Grinding Mill is limited to 110% of the tested rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 60 consecutive days for the purpose of additional compliance testing.

[Rule 62-297.310(3) & (9), F.A.C.; Construction Permit No. 0530050-022-AC]

D.10. Test Methods: Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
1-4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content

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Method	Description of Method and Comments
5	Method for Determining Particulate Matter Emissions
9	Visual Determination of the Opacity of Emissions from Stationary Sources

The above methods are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

MONITORING REQUIREMENTS

D.11. Monitoring Requirements: For affected facilities that commenced construction, modification, or reconstruction on or after April 22, 2008:

- a. If wet suppression is used to control emissions, the permittee must monitor the system in accordance with Appendix E (40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants) of this permit.
- b. If a baghouse is used to control emissions, the permittee must monitor the baghouse in accordance with Appendix E (40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants) of this permit

[Rule 62-4.070(3), F.A.C.; 40 CFR 60.674(b), (c) or (d).]

RECORDS AND REPORTS

D.12. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:

- a. company name;
- b. facility ID no., emissions unit no. and emission point;
- c. date each affected facility commenced construction, modification or reconstruction;
- d. actual input rate of wet limestone to the Grinding Mill during the test period (tons/hour);
- e. a written statement indicating the primary truck loading system was in use and the primary valve actuator for loading trucks was fully open during the test period;
- f. the number of trucks filled for each PM test unit; and
- g. a copy of the Operation Records required for EU 002 and EU 010 for the month the test was conducted.

[Rules 62-4.070(3) and 62-297.310(10), F.A.C.]

D.13. Operational Data: In order to document compliance with Specific Condition Nos. D.2. and D.3., the permittee shall comply with the recordkeeping requirements for EU 002 and record the following regarding EU 010:

Daily:

- a. facility name, facility ID No., emission unit ID No., and date (month/day/year);

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D. EU Nos. 003 & 010

- b. the total amount of dried limestone loaded in truck, in tons;
- c. the total hours of loading trucks;

Monthly:

- d. facility name, facility ID No., emission unit ID No., and date (month and year);
- e. the total amount of dried limestone loaded in trucks, in tons;
- f. the most recent consecutive 12-month total amount of dried limestone loaded in trucks, in tons;
- g. the total hours of loading trucks; and
- h. the most recent consecutive 12-month period total hours of loading trucks.

Daily records shall be completed within seven (7) calendar days and monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-022-AC]

D.14. Monitoring Records: For affected facilities that commenced construction, modification, or reconstruction on or after April 22, 2008:

- a. If wet suppression is used to control emissions, the permittee must keep records in accordance with Appendix E (40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants) of this permit.
- b. If a baghouse is used to control emissions, the permittee must keep records in accordance with Appendix E (40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants) of this permit.

[40 CFR 60.676(b), (c), (d), and (e); Construction Permit No. 0530050-022-AC]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

E. EU Nos. 005

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
005	<u>Classifier System</u> - The Classifier System screens dried limestone on screw conveyor (120) associated with Emission Unit No. 002 – Grinding Mill into various size products typically from 1 to 4 microns in size. A chute/hopper attached to the bottom of the screw conveyor (120) diverts a maximum rate of 5 tons/hr. of dried limestone to a proportioning rotary feeder (200). The 5 tons/hr. transfer rate is considered a constant rate based on the speed of the rotary feeder, which is always operating at its maximum speed. The rotary feeder (200) then transfers the dried limestone to a Classifier (202.1). Oversize material from the Classifier (202.1) is transferred to a reject screw conveyor (204) and placed back on screw conveyor (120). The acceptable dried limestone and air are then transferred to the Classifier's Baghouse (205). The baghouse is a conventional pulse jet filter with enhanced filter media to allow air/material separation of the fine material (dried limestone) and is rated at 12,000 acfm. The dried limestone from the dust collector is then transferred to a screw conveyor (206), then to a pneumatic conveying blower (209), which then transfers the dried limestone to Emission Unit No. 011 – 30-Ton Silo.

FEDERAL REGULATIONS

- E.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

- E.2. Permitted Capacity: The maximum transfer rate of dried limestone to the Classifier (202.1) is 5 tons/hr. Due to the nature of the process, this rate is considered constant based on the speed of the rotary feeder, which is always operating at its maximum speed
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]
- E.3. Restricted Operation: The hours of operation of are not limited (8760 hours per year).
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

- E.4. Emissions Standards, Particulate Matter & Visible Emissions:
- a. If any of the pieces of equipment controlled by the Classifier's Dust Collector were constructed, re-constructed, or modified after August 31, 1983 but before April 22, 2008:
 1. 0.022 gr/dscf
{Based on an airflow of 12,000 dscfm, this is equivalent to potential emissions of 2.3 lbs./hr. and 9.9 tons/yr.}
 2. 7% opacity
 - b. If any of the pieces of equipment controlled by the Classifier's Dust Collector were constructed, re-constructed, or modified on or after April 22, 2008:
 1. 0.014 gr/dscf
{Based on an airflow of 12,000 dscfm, this is equivalent to potential emissions of 1.4 lbs./hr. and 6.3 tons/yr.}

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2. <20% opacity

[Rule 62-296.320, F.A.C. and 40 CFR 60.672 (a) and (b); Construction Permit No. 0530050-016-AC]

TESTING REQUIREMENTS

E.5. Annual Compliance Tests: During each calendar year (January 1st to December 31st), the emissions unit shall be tested to demonstrate compliance with the emissions standards for Visible Emissions. [Rule 62-297.310(8)(a)1, F.A.C.; Construction Permit No. 0530050-016-AC]

E.6. Compliance Tests Prior to Renewal: Except as provided in subparagraph 62-297.310(8)(b)3., F.A.C. (see Appendix D – Common Testing Requirements), in addition to the annual compliance tests specified above, compliance tests shall also be performed for particulate matter 180-105 days before the expiration of the operation permit. to demonstrate compliance with the emission limits in Specific Condition E.4. [Rules 62-210.300(2)(a) and 62-297.310(8)(b), F.A.C.; Construction Permit No. 0530050-016-AC]

E.7. Test Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(9), F.A.C.]

E.8. Test Methods: Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
5	Determination of Particulate Matter Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources

The above methods are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

E.9. Visible Emission Testing Requirements: Visible emission testing shall also comply with the following:

- a. The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.
- b. As an alternative to the Method 9 requirement to conduct visible emission observations of only one emission point at a time, a single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 - 1. No more than three emission points may be read concurrently.
 - 2. All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 - 3. If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

[Rules 62-297.310(4), and 62-297.401, F.A.C.; 40 CFR 60.675 (c) and (e)(2)]

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E. EU Nos. 005

MONITORING REQUIREMENTS

E.10. Monitoring Requirements: The permittee shall comply with the following:

- a. If any affected piece(s) of equipment of the processing plant (i.e., conveyor belt) was constructed, modified, or began reconstruction on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility, a monthly inspection must be performed to check that water is flowing to discharge spray nozzles of the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if water is not flowing properly during the inspection.
- b. Per Appendix E, the permittee shall also comply with the monitoring requirements in 40 CFR 60.674(c) and (d).

[40 CFR 60.674(b), (c) and (d)]

RECORDS AND REPORTS

E.11. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:

- a. company name;
- b. facility ID No. and Emission Unit No(s). (e.g., 0530050 and E.U. No. 005);
- c. date each affected piece of equipment for this emission unit commenced construction, modification or reconstruction;
- d. a statement that the Grinding Mill was operating and dried limestone was being transferred to the classifier during the test period; and
- e. a copy of the logs as required by Specific Condition Nos. C.13. and E.12. for the month the test was conducted.

[Rule 62-297.310(10), F.A.C.; Construction Permit No. 0530050-016-AC]

E.12. Operational Data: The permittee shall monthly record the following:

- a. facility name, facility ID No., and emission unit ID No. and date (month/day/year);
- b. total amount of dried limestone transferred to the Classifier in tons;
- c. most recent consecutive 12-month period total amount of dried limestone transferred to the Classifier in tons;
- d. total hours of transferring dried limestone to the Classifier; and
- e. most recent consecutive 12-month period total hours of transferring dried limestone to the Classifier.

The monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

E.13. Monitoring Records: The permittee shall comply with the following:

- a. If any affected piece(s) of equipment of the processing plant was constructed, modified, or began reconstruction on or after April 22, 2008, the owner or operator must record each inspection of the

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

E. EU Nos. 005

water spray nozzles, including the date of each inspection and any corrective actions taken. Also see Specific Condition No. E.10.

- b. Per Appendix E, the permittee shall also comply with the reporting and recordkeeping requirements of 40 CFR 60.676(b).

[Rule 62-4.070(3), F.A.C.; 40 CFR 60.674(b)]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

F. EU Nos. 0011

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
011	<p><u>30-Ton Silo</u> - The 30-Ton Silo (212) receives dried limestone from a pneumatic conveying blower (209) associated with Emission Unit No. 005 – Classifier’s Baghouse at a maximum rate of 5 tons/hr. The 5 tons/hr. transfer rate is considered a constant rate. Emissions from filling the silo are controlled by a bin vent filter (210) rated at 1,120 acfm that vents outside.</p> <p>The dried limestone inside the 30-Ton Silo is transferred to Emission Unit No. 013 – 3-Ton Silo by a screw conveyor (216) and/or Emission Unit No. 012 – 50 lb. Bagging Machine.</p> <p>The 3-Ton Silo may be filled simultaneously when the 30-Ton Silo is being filled.</p>

FEDERAL REGULATIONS

- F.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

- F.2. Permitted Capacity: The maximum filling rate of dried limestone to the 30-Ton Silo is 5 tons/hr. Due to the nature of the process, the filling rate is considered constant.
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]
- F.3. Restricted Operation: The hours of operation of are not limited (8760 hours per year).
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

- F.4. Visible Emissions Standards: Visible emissions from the 30-Ton Silo’s bin vent filter shall not exceed 7% opacity.
[40 CFR 60.672(f)]

TESTING REQUIREMENTS

- F.5. Annual Compliance Tests: During each calendar year (January 1st to December 31st), the emissions unit shall be tested to demonstrate compliance with the emissions standards for Visible Emissions.
[Rule 62-297.310(8)(a)1, F.A.C.; Construction Permit No. 0530050-016-AC]
- F.6. Test Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
[Rule 62-297.310(9), F.A.C.]

- F.7. Test Methods: Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources

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F. EU Nos. 0011

The above methods are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

- F.8. Visible Emission Testing Requirements: Visible emission testing shall also comply with the following:
- a. Per 40 CFR 60.675(c)(2)(i), the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages). However, per 40 CFR 60.675(c)(2)(ii), the duration of the Method 9 observations shall be no less than 30 minutes if the 30-Ton Silo operates (is filled) for less than 1 hour at a time.
 - b. As an alternative to the Method 9 requirement to conduct visible emission observations of only one emission point at a time, a single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 1. No more than three emission points may be read concurrently.
 2. All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 3. If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

[Rules 62-297.310(4) and 62-297.401, F.A.C.; 40 CFR 60.675 (c) and (e)(2)]

MONITORING REQUIREMENTS

- F.9. Monitoring Requirements: The permittee shall comply with the following:
- a. If any affected piece(s) of equipment of the processing plant (i.e., conveyor belt) was constructed, modified, or began reconstruction on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility, a monthly inspection must be performed to check that water is flowing to discharge spray nozzles of the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if water is not flowing properly during the inspection.
 - b. Per Appendix E, the permittee shall also comply with the monitoring requirements in 40 CFR 60.674(c) and (d).

[40 CFR 60.674(b), (c) and (d)]

RECORDS AND REPORTS

- F.10. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:
- a. company name;
 - b. facility ID No. and Emission Unit No(s). (e.g., 0530050 and E.U. No. 011);
 - c. date the silo commenced construction, modification or reconstruction; and
 - d. a copy of the logs as required by Specific Condition No. F.11. for the month the test was conducted.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

F. EU Nos. 0011

[Rule 62-297.310(10), F.A.C.; Construction Permit No. 0530050-016-AC]

F.11. Operational Data: The permittee shall monthly record the following:

- a. facility name, facility ID No., emission unit ID No., and date (month/day/year);
- b. hours of filling the silo;
- c. the most recent consecutive 12-month period hours of filling the silo;
- d. amount of dried limestone loaded into the silo in tons; and
- e. the most recent consecutive 12-month total amount of dried limestone loaded into the silo, in tons.

The monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

F.12. Monitoring Records: The permittee shall comply with the following:

- a. If any affected piece(s) of equipment of the processing plant was constructed, modified, or began reconstruction on or after April 22, 2008, the owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken. Also see Specific Condition No. F.9.
- b. Per Appendix E, the permittee shall also comply with the reporting and recordkeeping requirements of 40 CFR 60.676(b).

[40 CFR 60, 60.674(b)]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

G. EU Nos. 012 & 013

This section of the permit addresses the following emissions units.

ID No.	Emission Unit Description
012	<p><u>50 lb. Bagging Machine</u> - Dried limestone stored in the 30-Ton Silo (E.U. No. 011) is transferred to this emission unit, a 50 lb. bagging machine, at a maximum rate of 5 tons/hr. A small suction box is located in the proximity of the nozzle to capture dust generated as 50 lb. bags are filled. The dust is routed from the suction box to a common bin vent filter (260) rated at 550 acfm that vents outside as this dust is collected in the 3-Ton Silo (224).</p> <p>The 50 lb. bagging machine may also be used to fill 1-ton supersacks. The entire procedure can be performed by a single employee as follows:</p> <p>A rubber hose is inserted over the 50 lb. bagging machine's bag fill nozzle in the same way that a 50 lb. paper bag is inserted over the same nozzle. The hose is run from the nozzle to a supersack that is suspended by a forklift over a floor scale. The end of the hose is inserted into the supersack through a mounting fixture used to guide and support the fill hose as it deposits material to the supersack. The mounting fixture also provides support for a fugitive dust collection hose that is positioned near the point of fill hose insertion. The fugitive dust collection hose is routed to the common bin filter (260). The neck of the supersack is sealed around the fill hose in order to eliminate fugitive dust or spillage. When the supersack reaches the required weight, a control valve is actuated to shut off the flow of material to the supersack. The fill hose is then removed from the supersack in a manner that minimizes fugitive dust and spillage from occurring. This completes the supersack filling procedure.</p>
013	<p><u>3-Ton Silo</u> - Fugitive dust collected from common bin filter (260) is transferred to this emission unit, a 3-Ton Silo (224), which stores the captured fugitive dust that is created while the 50 lb. bagging machine is in operation.</p>

FEDERAL REGULATIONS

- G.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

- G.2. Permitted Capacity: Dried limestone is transferred to Emission Units No. 012 at a maximum rate of 5 tons/hr.
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]
- G.3. Restricted Operation: The hours of operation of are not limited (8760 hours per year).
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

- G.4. Emissions Standards: Particulate matter and visible emissions from the common bin vent filter (260) shall not exceed the following:
 - a. If any of the pieces of equipment controlled by the common bin vent filter were constructed, re-constructed, or modified after August 31, 1983 but before April 22, 2008:
 - 1. 0.022 gr/dscf
{Based on an airflow of 550 dscfm, this is equivalent to potential emissions of 0.1 lbs./hr. and 0.5 tons/yr.}
 - 2. 7% opacity

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G. EU Nos. 012 & 013

- b. If any of the pieces of equipment controlled by the common bin vent filter were constructed, re-constructed, or modified on or after April 22, 2008:
 - 1. 0.014 gr/dscf
{Based on an airflow of 550 dscfm, this is equivalent to potential emissions of 0.07 lbs./hr. and 0.3 tons/yr.}
 - 2. <20% opacity
- [Rule 62-296.320, F.A.C. and 40 CFR 60.672 (a) and (b); Construction Permit No. 0530050-016-AC]

TESTING REQUIREMENTS

- G.5. Annual Compliance Tests: During each calendar year (January 1st to December 31st), the emissions unit shall be tested to demonstrate compliance with the emissions standards for Visible Emissions.
[Rule 62-297.310(8)(a)1, F.A.C.]

- G.6. Compliance Tests Prior to Renewal: Except as provided in subparagraph 62-297.310(8)(b)3., F.A.C. (see Appendix D – Common Testing Requirements), in addition to the annual compliance tests specified above, compliance tests shall also be performed for particulate matter prior to obtaining a renewed operation permit to demonstrate compliance with the emission limits in Specific Condition G.4.
[Rules 62-210.300(2)(a) and 62-297.310(8)(b), F.A.C.]
{Permitting Note: Tests which are only required once during the term of a permit prior to obtaining a renewed permit should be performed roughly five years from the previous test.}

- G.7. Test Requirements:
 - a. The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests.
 - b. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
 - c. A compliance test shall be conducted when two (2) emission units (E.U. Nos. 012, and 013) are operating simultaneously. A compliance test conducted with less than 2 emission units operating simultaneously will automatically constitute an amended permit to only allow the operation of the emission unit that was operating during that test. Once the simultaneous operation of the emission units are so limited, operation with more emission units simultaneously operating is allowed for no more than 60 consecutive days for the purpose of additional compliance testing to regain the authority to operate with more emission units operating simultaneously than the most recent compliance test. In no case shall the number of emission units simultaneously operating exceed 2. The test results shall be submitted to the Compliance Authority within 45 days of testing. Acceptance of the test by the Compliance Authority will automatically constitute an amended permit at the higher number of emission units tested when simultaneously operating.

[Rule 62-297.310(3) & (9), F.A.C.; Construction Permit No. 0530050-016-AC]

- G.8. Test Methods: Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
5	Determination of Particulate Matter Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

G. EU Nos. 012 & 013

The above methods are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

- G.9. Visible Emission Testing Requirements: Visible emission testing shall also comply with the following:
- a. The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.
 - b. As an alternative to the Method 9 requirement to conduct visible emission observations of only one emission point at a time, a single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 1. No more than three emission points may be read concurrently.
 2. All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 3. If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

[Rules 62-297.310(4), and 62-297.401, F.A.C.; 40 CFR 60.675 (c) and (e)(2)]

MONITORING REQUIREMENTS

- G.10. Monitoring Requirements: The permittee shall comply with the following:
- a. If any affected piece(s) of equipment of the processing plant (i.e., conveyor belt) was constructed, modified, or began reconstruction on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility, a monthly inspection must be performed to check that water is flowing to discharge spray nozzles of the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if water is not flowing properly during the inspection.
 - b. Per Appendix E, the permittee shall also comply with the monitoring requirements in 40 CFR 60.674(c) and (d).

[40 CFR 60.674(b), (c) and (d)]

RECORDS AND REPORTS

- G.11. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:
- a. company name;
 - b. facility ID No. and Emission Unit No(s). (e.g., 0530050 and E.U. Nos. 012 and 013);
 - c. date each affected piece of equipment of these emission units commenced construction, modification or reconstruction;
 - d. a statement of which emission units were operating during the test period; and
 - e. a copy of the logs as required by Specific Condition No. G.12.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

G. EU Nos. 012 & 013

[Rule 62-297.310(10), F.A.C.; Construction Permit No. 0530050-016-AC]

G.12. Operational Data: The permittee shall record the following for each emission unit:

MONTHLY

- a. facility name, facility ID No., and emission unit ID No. and date (month/day/year);
- b. total amount of dried limestone transferred in tons;
- c. most recent consecutive 12-month period total amount of dried limestone transferred in tons;
- d. total hours of transferring dried limestone; and
- e. most recent consecutive 12-month period total hours of transferring dried limestone;

OTHER

- f. If the most recent compliance test was conducted with less than three (3) emission units operating simultaneously, the permittee shall maintain **daily** records to determine when a new compliance test is required in accordance with Specific Condition No. G.7. The **daily** records shall record how many emission units operated simultaneously.

The monthly records shall be completed by the end of the following month. The daily records, as required, shall be completed by the end of the facility's next business day.

[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

G.13. Monitoring Records: The permittee shall comply with the following:

- a. If any affected piece(s) of equipment of the processing plant was constructed, modified, or began reconstruction on or after April 22, 2008, the owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken. Also see Specific Condition No. G.10.
- b. Per Appendix E, the permittee shall also comply with the reporting and recordkeeping requirements of 40 CFR 60.676(b).

[40 CFR 60.674(b)]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

H. EU No. 015

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
015	<p><u>Grinding Mill Building</u> - Fugitive emissions inside the Grinding Mill Building occur from Emission Unit No. 002 – Grinding Mill. Specifically, the fugitive emissions occur from the Grinding Mill’s second feeder belt (107) transferring wet limestone to the grinding mill’s rotary vane feeder (110) and from the grinding mill’s reject material pile located below the grinding mill. The fugitive emissions from the grinding mill’s reject material pile are expected to be insignificant and not quantifiable.</p> <p>The fugitive emissions escape from inside the Grinding Mill Building to the outside atmosphere through various openings.</p>

FEDERAL REGULATIONS

H.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60 Subpart A – NSPS General Provisions and 40 CFR 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants which is adopted by reference in Rule 62-204.800, F.A.C, which are adopted by reference in Rule 62-204.800, F.A.C.
[Rule 62-204.800(8), F.A.C.]

PERFORMANCE RESTRICTIONS

H.2. Permitted Capacity: The maximum permitting capacity of this emission unit is considered the same as shown in Specific Condition No. C.2. for Emission Unit No. 002 – Grinding Mill. This condition states, “The maximum input rate of wet limestone is 85 tons/hr., based on a daily average, and 613,200 tons per any consecutive 12-month period.
[Rule 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

H.3. Restricted Operation: The hours of operation of are not limited (8760 hours per year).
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0530050-016-AC]

EMISSIONS STANDARDS

H.4. Visible Emissions Standards: Visible emissions from the Grinding Mill Building’s roll-up door closest to the Grinding Mill’s reject material pile must not exceed 7% opacity.
[40 CFR 60.672(e)(1)]

TESTING REQUIREMENTS

H.5. Annual Compliance Tests: During each calendar year (January 1st to December 31st), the emissions unit shall be tested to demonstrate compliance with the emissions standards for Visible Emissions.
[Rule 62-297.310(8)(a)1, F.A.C.; Construction Permit No. 0530050-016-AC]

H.6. Test Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
[Rule 62-297.310(9), F.A.C.]

H.7. Test Methods: Required tests shall be performed in accordance with the following reference method:

Method	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

H. EU No. 015

The above method is described in Appendix A of 40 CFR 60 and is adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; and Appendix A of 40 CFR 60]

- H.8. Visible Emission Testing Requirements: Visible emission testing shall also comply with the following:
- a. Per 40 CFR 60.675(c)(3), the duration of the Method 9 observations shall be at least 30 minutes (five 6-minute averages).
 - b. Test shall be conducted when Emission Unit No. 002 - Grinding Mill is operating.
 - c. As an alternative to the Method 9 requirement to conduct visible emission observations of only one emission point at a time, a single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 1. No more than three emission points may be read concurrently.
 2. All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 3. If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

[Rules 62-297.310(4) and 62-297.401, F.A.C.; 40 CFR 60.675 (c), (d), and (e)(2)]

RECORDS AND REPORTS

- H.9. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:
- a. company name;
 - b. facility ID No. and Emission Unit No(s). (e.g., 0530050 and E.U. No. 015);
 - c. the actual input rate of wet limestone to the Grinding Mill during the test period; and
 - d. a copy of the logs for the Grinding Mill as required by Specific Condition No. C.13. for the month the test was conducted.

[Rule 62-297.310(10), F.A.C.; Construction Permit No. 0530050-016-AC]

- H.10. Operational Data: This emission unit shall use the records required by Specific Condition No. C.13. for Emission Unit No. 002 – Grinding Mill for operational and Annual Operating Report purposes.
[Rule 62-4.070(3), F.A.C.; Construction Permit No. 0530050-016-AC]

SECTION 4. APPENDICES

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SECTION 4. APPENDIX A

Citation Formats and Glossary of Common Terms

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 CFR 60.7]

Means: Title 40, Part 60, Section 7

GLOSSARY OF COMMON TERMS

° F: degrees Fahrenheit

µg: microgram

AAQS: Ambient Air Quality Standard

acf: actual cubic feet

acfm: actual cubic feet per minute

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

BACT: best available control technology

bhp: brake horsepower

Btu: British thermal units

CAM: compliance assurance monitoring

CEMS: continuous emissions monitoring system

cfm: cubic feet per minute

CFR: Code of Federal Regulations

CAA: Clean Air Act

CMS: continuous monitoring system

CO: carbon monoxide

CO₂: carbon dioxide

COMS: continuous opacity monitoring system

DARM: Division of Air Resource Management

SECTION 4. APPENDIX A

Citation Formats and Glossary of Common Terms

DEP: Department of Environmental Protection	O&M: operation and maintenance
Department: Department of Environmental Protection	O₂: oxygen
dscf: dry standard cubic feet	Pb: lead
dscfm: dry standard cubic feet per minute	PM: particulate matter
EPA: Environmental Protection Agency	PM₁₀: particulate matter with a mean aerodynamic diameter of 10 microns or less
ESP: electrostatic precipitator (control system for reducing particulate matter)	ppm: parts per million
EU: emissions unit	ppmv: parts per million by volume
F: fluoride	ppmvd: parts per million by volume, dry basis
F.A.C.: Florida Administrative Code	QA: quality assurance
F.A.W.: Florida Administrative Weekly	QC: quality control
F.D.: forced draft	PSD: prevention of significant deterioration
F.S.: Florida Statutes	psi: pounds per square inch
FGD: flue gas desulfurization	PTE: potential to emit
FGR: flue gas recirculation	RACT: reasonably available control technology
ft²: square feet	RATA: relative accuracy test audit
ft³: cubic feet	RBLC: EPA's RACT/BACT/LAER Clearinghouse
gpm: gallons per minute	SAM: sulfuric acid mist
gr: grains	scf: standard cubic feet
HAP: hazardous air pollutant	scfm: standard cubic feet per minute
Hg: mercury	SIC: standard industrial classification code
I.D.: induced draft	SIP: State Implementation Plan
ID: identification	SNCR: selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)
kPa: kilopascals	SO₂: sulfur dioxide
lb: pound	TPD: tons/day
MACT: maximum achievable control technology	TPH: tons per hour
MMBtu: million British thermal units	TPY: tons per year
MSDS: material safety data sheets	TRS: total reduced sulfur
MW: megawatt	UTM: Universal Transverse Mercator coordinate system
NESHAP: National Emissions Standards for Hazardous Air Pollutants	VE: visible emissions
NO_x: nitrogen oxides	VOC: volatile organic compounds
NSPS: New Source Performance Standards	

SECTION 4. APPENDIX B

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 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and 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 and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - a. Have access to and copy any records that must be kept under conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of noncompliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those

SECTION 4. APPENDIX B

General Conditions

standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with 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 (not applicable);
 - b. Determination of Prevention of Significant Deterioration (not applicable); and
 - c. Compliance with New Source Performance Standards (not applicable).
14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least 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;
 - (6) The results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SECTION 4. APPENDIX C

Common Conditions

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the 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:** No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.
 - a. Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
 - b. Reasonable precautions include the following:
 - (1) Paving and maintenance of roads, parking areas and yards.
 - (2) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - (3) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - (4) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of

SECTION 4. APPENDIX C

Common Conditions

the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.

- (5) Landscaping or planting of vegetation.
 - (6) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - (7) Confining abrasive blasting where possible.
 - (8) Enclosure or covering of conveyor systems.
- c. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rule 62-296.320(4)(c), F.A.C.]

RECORDS AND REPORTS

10. Records Retention: The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. [Rule 62-4.160(14)(b), 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. [Rule 62-210.370(1), F.A.C.]
- 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:

SECTION 4. APPENDIX C

Common Conditions

- 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 flow meter 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

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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.

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

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) By April 1 of the year following each calendar year, an 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. However, if the annual operating report is submitted using the DEP's electronic annual operating report software, there is no requirement to submit DEP Form No. 62-210.900(5) to any DEP or local air program office. Each Title V Source shall submit the annual operating report using the DEP's electronic annual operating report software, unless the Title V source claims a technical or financial hardship. A technical or financial hardship is claimed by submitting DEP Form No. 62-210.900(5) to the DEP Division of Air Resource Management at:

AOR and Major Air Pollution Source Annual Emissions Fee
P.O. Box 3070
Tallahassee, Florida 32315-3070

(See <http://www.dep.state.fl.us/air/emission/eaor/> for information regarding annual operating reports.)

- (4) 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.

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[Rule 62-210.370(3), F.A.C.]

- d. *Facility Relocation.* Unless otherwise provided by rule or more stringent permit condition, the owner or operator of a relocatable facility must submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)) to the Department at least 30 days prior to the relocation. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated. [Rule 62-210.370(4), F.A.C.]

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EMISSIONS TESTING REQUIREMENTS

1. Applicability: Unless otherwise stated in a specific rule, permit, or other order, the general requirements set forth in subsections 62-297.310(2) through (10), F.A.C., shall be used for regulated stationary sources' emissions tests for comparison with air pollution emission-limiting standards that are enforceable under state law. An emissions test is an emissions rate test, a concentration test, or an opacity test. [Rule 62-297.310(1), F.A.C.]
2. Required Number of Test Runs: For emission rate or concentration limitations, an emissions test shall consist of three valid test runs to determine the total air pollutant emission rate or concentration through the test section of the stack or duct. A valid test run is a test run that meets all requirements of the applicable test method. An emissions test shall also consist of three distinct determinations of any applicable process parameters corresponding to the three distinct test run time periods during which the emission rate or concentration was measured when such data are needed in conjunction with emissions data to compare the emissions test results with the applicable emission limiting standards. Such data shall be obtained pursuant to subsection 62-297.310(6), F.A.C. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, results of the two valid runs shall be accepted, provided that the arithmetic mean of the results of the two valid runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(2), F.A.C.]
3. Operating Conditions during Emissions Testing: Testing of emissions shall be conducted with the emissions unit operating at the testing capacity as defined below. If it is impracticable to test at the testing capacity, an emissions unit may be tested at less than the testing capacity. If an emissions unit is tested at less than the testing capacity, another emissions test shall be conducted and completed no later than 60 days after the emissions unit operation exceeds 110% of the capacity at which its most recent emissions test was conducted. Testing capacity is defined as at least 90% of the maximum operation rate specified by the permit. [Rule 62-297.310(3), F.A.C.]
4. Calculation of Emission Rate or Concentration: The emission rate or concentration used for comparison with the relevant standard shall be the arithmetic average of the emission rate or concentration determined by each of the three valid test runs unless otherwise specified in an applicable rule or test method. Data collected during periods of soot blowing shall not be excluded from any calculation of emission rate or concentration. [Rule 62-297.310(4), F.A.C.]
5. Required Sampling Times and Observation Periods: Unless otherwise specified in an applicable test method, rule, permit, or other order, the owner or operator shall conduct emissions tests in accordance with the following procedures:
 - a. *Emission Rate or Concentration Tests*. The required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes, except that for operations that are typically completed within less than the minimum required sampling time, the duration of each test run shall include each occurrence of the operation during the minimum required sampling time. The test period shall include the period of typical operation during which the highest representative emissions are expected to occur.
 - b. *Opacity Tests*. When EPA Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a visible emissions test shall be 60 minutes for emissions units that are subject to a multiple-valued opacity standard, and 30 minutes for all other emissions units, except that for batch, cyclical processes, or other operations that are typically completed within less than the minimum observation period, the period of observation shall include each occurrence of the operation during the minimum observation period. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.[Rule 62-297.310(5), F.A.C.]
6. Determination of Process Parameters:
 - a. *Required Process Equipment*. The owner or operator of an emissions unit for which emissions tests are required shall install, operate, and maintain equipment or instruments necessary to determine process parameters, when such data are needed in conjunction with emissions data to compare emissions test results with applicable emission limiting standards.
 - b. *Accuracy of Process Measurement Equipment*. Equipment or instruments used to directly or indirectly determine process parameters shall be calibrated and adjusted so as to determine the value of the process parameter to within 10% of its true value.

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[Rule 62-297.310(6), F.A.C.]

7. Required Emissions Testing Facilities:

- a. The owner or operator of an emissions unit, for which an emissions test other than a visible emissions test is required, shall provide emissions testing facilities that meet the requirements of 40 CFR 60.8(e), adopted and incorporated in Rule 62-204.800, F.A.C.
- b. *Permanent Emissions Testing Facilities.* The owner or operator of an emissions unit, for which an emissions test other than a visible emissions test is required on at least an annual basis, shall install and maintain permanent emissions testing facilities.
- c. *Temporary Emissions Testing Facilities.* The owner or operator of an emissions unit that is not required to conduct an emissions test on at least an annual basis may use permanent or temporary emissions testing facilities. If the owner or operator chooses to use temporary emissions testing facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

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

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

a. *Annual Emissions Tests Required.*

- (1) Where used in Rules 62-210.310, 62-297.310, or Chapter 62-296, F.A.C., to refer to frequency of required emissions tests, the terms “annual,” “annually,” and “annually thereafter” shall mean no less frequently than once every calendar year (January 1 – December 31).
- (2) Unless exempted by subparagraph 62-297.310(8)(a)5., F.A.C., the owner or operator shall have an emissions unit tested annually for each of the following pollutants that has an emissions-limiting standard for which emissions testing is required:
 - (a) Each hazardous air pollutant regulated by 40 CFR Part 61, adopted and incorporated by reference at Rule 62-204.800, F.A.C.; and
 - (b) Any other regulated air pollutant, as defined at Rule 62-210.200, F.A.C., or a pollutant designated as a surrogate to a regulated air pollutant by an applicable rule or order, if allowable emissions equal or exceed 100 tons per year.
- (3) Unless exempted by subparagraph 62-297.310(8)(a)5., F.A.C., the owner or operator shall have an emissions unit tested annually for visible emissions, if there is an applicable standard other than the general opacity standard of subparagraph 62-296.320(4)(b)1., F.A.C.
- (4) Unless exempted by subparagraph 62-297.310(8)(a)5., F.A.C., the owner or operator shall have an emissions unit tested annually if a rule, permit or other order issued after March 9, 2015, requires an initial emissions test but is silent as to the frequency of additional testing. A rule, permit, or other order that states that no further testing is required after an initial test, or which expressly lists or describes the tests that shall be conducted annually, is not considered silent as to the frequency of additional testing. Annual testing is not required where a permit or other order issued prior to March 9, 2015, is silent as to the frequency of additional testing.
- (5) Exemptions from subparagraphs 62-297.310(8)(a)2., 3., and 4., F.A.C.
 - (a) An annual emissions test shall not be required for any pollutant for which a rule, permit, or other order requires emissions testing at some other specific frequency. If multiple applicable rules, permits, or other orders, other than subparagraphs 62-297.310(8)(a)2., 3., and 4., F.A.C., require different testing frequencies, testing must comply with the frequency requirements of each such rule, permit, or order.
 - (b) An annual emissions test shall not be required for any pollutant for which a rule, permit, or other order requires that the pollutant emissions be measured by a continuous emission monitoring system and, either that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., or that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 75, adopted and incorporated in Rule 62-204.800, F.A.C.

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- (c) An annual emissions test shall not be required for visible emissions for which a rule, permit, or other order requires that emissions be measured by a continuous opacity monitoring system, and that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., and the manufacturer's recommended quality assurance and quality control measures.
 - (d) An annual emissions test shall not be required for any emissions unit that operated for 400 hours or less (including during startup and shutdown) during the calendar year. If an emission unit operates for more than 400 hours during the calendar year, an emissions test shall be completed no later than 60 days after the emissions unit's annual operation exceeds 400 hours, or by the end of the calendar year, whichever is later.
 - (e) An annual emissions test shall not be required for any emissions unit with emissions generated solely from the combustion of fuel, provided that the emissions unit does not burn any liquid fuel or solid fuel or fuel blend for more than 400 hours combined, other than during startup, during the calendar year. If an emissions unit's liquid fuel or solid fuel or fuel blend burning exceeds 400 hours combined during the calendar year, other than during startup, an emissions test shall be completed no later than 60 days after the emissions unit's liquid fuel or solid fuel or fuel blend burning exceeds 400 hours combined, or by the end of the calendar year, whichever is later.
 - (f) An annual emissions test shall not be required for each fuel-specific emissions limit, provided the fuel or fuel blend subject to a fuel-specific limit was not burned for more than 400 hours, other than during startup, during the calendar year. If an emissions unit burns a fuel or fuel blend subject to a fuel-specific emission limit for more than 400 hours, other than during startup, during the calendar year, an emissions test for that fuel or fuel blend shall be completed no later than 60 days after the unit's burning of that fuel or fuel blend exceeds 400 hours, or by the end of the calendar year, whichever is later.
 - (g) An emissions unit shall not be required to start up for the sole purpose of conducting an emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after the emissions unit next starts up.
 - (h) An emissions unit permitted to burn multiple fuels or fuel blends shall not be required to switch fuels for the sole purpose of conducting an annual emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after a switch is made to burn the fuel or fuel blend for which testing is required.
 - (i) An annual emissions test for visible emissions shall not be required for emissions units exempted from air permitting pursuant to paragraphs 62-210.300(3)(a) or (b), F.A.C.; emissions units determined to be insignificant pursuant to paragraph 62-213.430(6)(b), F.A.C.; or emissions units authorized pursuant to the general permit provisions in subsection 62-210.300(4), F.A.C., unless the general permit specifically requires such testing.
- b. *Emissions Tests Prior to Obtaining an Air Operation Permit.*
- (1) Unless exempted by subparagraph 62-297.310(8)(b)3., F.A.C., prior to obtaining an initial or renewal air operation permit for any emissions unit that is subject to any emission-limiting standard, the owner or operator shall have an emissions test conducted for each such standard to assist in providing reasonable assurance, per Rule 62-4.070, F.A.C., that the emission-limiting standard can be met and shall submit the test report as specified in subsection 62-297.310(10), F.A.C. For an emissions unit at a Title V source, such prior emissions testing is not required provided that an emissions testing compliance plan is included in the Title V permit.
 - (2) For the purpose of renewal of an air operation permit, the owner or operator may satisfy the requirements of subparagraph 62-297.310(8)(b)1., F.A.C., for any emissions unit by submitting the most recent emissions test, as specified in subsection 62-297.310(10), F.A.C., provided such test occurred within the term of the current operating permit.
 - (3) Exemptions from subparagraph 62-297.310(8)(b)1., F.A.C.
 - (a) An emissions test shall not be required for any pollutant for which a rule, permit, or other order requires that the emissions be measured by a continuous emission monitoring system and, either that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., or that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 75, adopted and incorporated in Rule

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62-204.800, F.A.C.

- (b) An emissions test shall not be required for visible emissions for which a rule, permit, or other order requires that emissions be measured by a continuous opacity monitoring system, and that system meets the performance specifications and quality assurance and quality control measures of 40 CFR part 60, adopted and incorporated in Rule 62-204.800, F.A.C., and the manufacturer's recommended quality assurance and quality control measures.
 - (c) For the purpose of renewal of an air operation permit, an emissions test shall not be required for any emissions unit that, in the previous five-year period of permitted operation, operated for 400 hours or less (including during startup and shutdown) during each calendar year included in the five-year period of permitted operation. The first time an emissions unit subsequently exceeds 400 hours of operation during a calendar year, emissions must be tested no later than 60 days after 400 hours of operation is exceeded in that calendar year, or by the end of that calendar year, whichever is later.
 - (d) For the purpose of renewal of an air operation permit, an emissions test shall not be required for any emissions unit with emissions generated solely from the combustion of fuel provided that, in the previous five-year period of permitted operation, the emissions unit did not burn any liquid fuel or solid fuel or fuel blend for more than 400 hours combined, other than during startup, during each calendar year included in the five-year period of permitted operation. The first time an emissions unit subsequently burns any liquid fuel or solid fuel or fuel blend for more than 400 hours combined during a calendar year, emissions must be tested no later than 60 days after the emissions unit's combined burning of any liquid fuel or solid fuel or fuel blend exceeds 400 hours in that calendar year, or by the end of that calendar year, whichever is later.
 - (e) An emissions test shall not be required for each fuel-specific emissions limit prior to the renewal of an air operation permit for an emissions unit provided that, in the previous five-year period of permitted operation, the fuel or fuel blend subject to a fuel-specific limit was not burned for more than 400 hours, other than during startup, during each calendar year included in the five-year period of permitted operation. The first time an emissions unit subsequently burns a fuel or fuel blend subject to a fuel-specific emission limit for more than 400 hours, other than during startup, during any calendar year, an emissions test for that fuel or fuel blend must be completed no later than 60 days after the emissions unit's burning of that fuel or fuel blend exceeds 400 hours in that calendar year, or by the end of that calendar year, whichever is later.
 - (f) An emissions unit shall not be required to start up for the sole purpose of conducting an emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after the emissions unit starts up.
 - (g) An emissions unit permitted to burn multiple fuels or fuel blends shall not be required to switch fuels for the sole purpose of conducting the emissions test to meet the frequency requirements of subsection 62-297.310(8), F.A.C. In such a case, an emissions test shall be completed no later than 60 days after a switch is made to burn the fuel or fuel blend for which testing is required.
 - (h) An emissions test for visible emissions shall not be required for emissions units exempted from air permitting pursuant to paragraphs 62-210.300(3)(a) or (b), F.A.C.; emissions units determined to be insignificant pursuant to paragraph 62-213.430(6)(b), F.A.C.; or emissions units authorized pursuant to the general permit provisions in subsection 62-210.300(4), F.A.C., unless the general permit specifically requires such testing.
- c. *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, unless the Department obtains other information sufficient to demonstrate compliance. The owner or operator of the emissions unit shall provide a report on the results of said tests to the Department in accordance with the provisions of subsection 62-297.310(10), F.A.C.

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

9. **Scheduling and Notification:** At least 15 days prior to the date on which each required emissions test is to begin, the owner or operator shall notify the air compliance program identified by permit, unless shorter notice is agreed to by the appropriate air compliance program. The notification shall include the date, time, place of each such test, Facility ID Number, Emission Unit ID Number(s) and description(s), Emission Point Number(s) and description(s), test method(s),

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pollutant(s) to be tested, along with the name and telephone number of the person who will be responsible for conducting such test(s) for the owner or operator. If a scheduled emissions test needs to be re-scheduled, the owner or operator shall submit to the appropriate air compliance program a revised notification at least seven days prior to the re-scheduled emissions test date or arrange a re-scheduled test date with the appropriate air compliance program by mutual agreement. [Rule 62-297.310(9), F.A.C.]

REPORTS

10. Test Reports:

- a. The owner or owner's authorized agent of an emissions unit for which an emissions test is required shall submit a written test report to the compliance authority specified by permit, on the results of each such test as soon as practicable but no later than 45 days after the last run of each test is completed. Test reports may be submitted electronically.
- b. If the owner or owner's authorized agent of an emissions unit for which an emissions test is required submits the results of each such test electronically using the EPA Electronic Reporting Tool (ERT), the written report specified in paragraph 62-297.310(10)(a), F.A.C., need not be submitted, provided the conditions of subparagraphs 62-297.310(10)(b)1. through 3., F.A.C., are met:
 - (1) The owner or owner's authorized agent shall submit the test information using the ERT as soon as practicable but no later than 45 days after the last run of each test is completed;
 - (2) The test information shall provide, as a minimum, the information specified in subparagraphs 62-297.310(10)(c)1. through 24., F.A.C.; and
 - (3) The compliance authority specified by permit must receive written notification, no later than 45 days after the last run of each test is completed, of the date that the test data was submitted using the ERT.
- c. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA Method 9 test, shall provide the following information.
 - (1) The type, location, and identification number of the emissions unit tested.
 - (2) The facility at which the emissions unit is located.
 - (3) The owner and, if other than the owner, operator of the emissions unit.
 - (4) The type and amount of fuels and materials typically used and processed, and the actual types and amounts of fuels used and material processed during each test run.
 - (5) If necessary in order to compare the emissions test results with an applicable emission limiting standard, the means, raw data, and computations used to determine the amount of fuels used and materials processed.
 - (6) The type of air pollution control devices installed on the emissions unit, their general condition, their typical operating parameters, and their actual operating parameters during each test run.
 - (7) A diagram of the sampling location, including the distance to any upstream and downstream bends or other flow disturbances.
 - (8) The date, starting time, and duration of each sampling run.
 - (9) The test procedures, including any authorized alternative procedures, used.
 - (10) The number of points sampled, and the configuration and location of the sampling plane.
 - (11) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack or duct, temperatures, average meter temperatures, and sample time per point.
 - (12) The type, manufacturer, and configuration of the sampling equipment used.
 - (13) Data related to the required calibration of the test equipment.
 - (14) Data on the identification, processing, and weights of all filters used.
 - (15) Data on the types and amounts of any chemical solutions used.
 - (16) For each sampling run, data on the amount of pollutant collected from each sampling probe.

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- (17) For each sampling run, data on the amount of pollutant collected from the filters.
- (18) For each sampling run, data on the amount of pollutant collected from the impingers.
- (19) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
- (20) All measured and calculated data required to be determined by each applicable test procedure for each run.
- (21) The detailed calculations for one run that relate the collected data to the calculated emission rate or concentration, as applicable.
- (22) The applicable emission standard, and the resulting maximum allowable emission rate or concentration for the emissions unit, as applicable, plus the test result in the same form and unit of measure.
- (23) When an emissions test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or owner's authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his or her knowledge.
- (24) For non-Title V sources, a certification by the owner or owner's authorized agent that, to his or her knowledge, all data submitted are true and correct.
- (25) Any report submitted for a Title V source shall contain certification by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-297.310(10), F.A.C.]

SECTION 4. APPENDIX E

40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

FEDERAL REVISION DATE: APRIL 28, 2009

40 CFR PART 60, SUBPART OOO—STANDARDS OF PERFORMANCE FOR NONMETALLIC MINERAL PROCESSING PLANTS

Source: 74 FR 19309, Apr. 28, 2009, unless otherwise noted.

§ 60.670 Applicability and designation of affected facility.

(a)

- (1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.
- (2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; plants without crushers or grinding mills above ground; and wet material processing operations (as defined in §60.671).

(b) An affected facility that is subject to the provisions of subparts F or I of this part or that follows in the plant process any facility subject to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

(c) Facilities at the following plants are not subject to the provisions of this subpart:

- (1) Fixed sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 23 megagrams per hour (25 tons per hour) or less;
- (2) Portable sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 136 megagrams per hour (150 tons per hour) or less; and
- (3) Common clay plants and pumice plants with capacities, as defined in §60.671, of 9 megagrams per hour (10 tons per hour) or less.

(d)

- (1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.
- (2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).
- (3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, modification, or reconstruction after August 31, 1983, is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that do not apply to owners and operators of affected facilities subject to this subpart or that apply with certain exceptions.

§ 60.671 Definitions.

All terms used in this subpart, but not specifically defined in this section, shall have the meaning given them in the Act and in subpart A of this part.

Bagging operation means the mechanical process by which bags are filled with nonmetallic minerals.

Belt conveyor means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

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40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

Bucket elevator means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

Building means any frame structure with a roof.

Capacity means the cumulative rated capacity of all initial crushers that are part of the plant.

Capture system means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one or more affected facilities to a control device.

Control device means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more affected facilities at a nonmetallic mineral processing plant.

Conveying system means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: Feeders, belt conveyors, bucket elevators and pneumatic systems.

Crush or Crushing means to reduce the size of nonmetallic mineral material by means of physical impaction of the crusher or grinding mill upon the material.

Crusher means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: Jaw, gyratory, cone, roll, rod mill, hammer mill, and impactor.

Enclosed truck or railcar loading station means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

Fixed plant means any nonmetallic mineral processing plant at which the processing equipment specified in §60.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

Fugitive emission means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

Grinding mill means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: Hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used.

Initial crusher means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

Nonmetallic mineral means any of the following minerals or any mixture of which the majority is any of the following minerals:

- (1) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell.
- (2) Sand and Gravel.
- (3) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay.
- (4) Rock Salt.
- (5) Gypsum (natural or synthetic).
- (6) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate.
- (7) Pumice.
- (8) Gilsonite.
- (9) Talc and Pyrophyllite.
- (10) Boron, including Borax, Kernite, and Colemanite.
- (11) Barite.
- (12) Fluorospars.
- (13) Feldspar.
- (14) Diatomite.

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- (15) Perlite.
- (16) Vermiculite.
- (17) Mica.
- (18) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite.

Nonmetallic mineral processing plant means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670 (b) and (c).

Portable plant means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

Production line means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

Saturated material means, for purposes of this subpart, mineral material with sufficient surface moisture such that particulate matter emissions are not generated from processing of the material through screening operations, bucket elevators and belt conveyors. Material that is wetted solely by wet suppression systems is not considered to be "saturated" for purposes of this definition.

Screening operation means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens). Grizzly feeders associated with truck dumping and static (non-moving) grizzlies used anywhere in the nonmetallic mineral processing plant are not considered to be screening operations.

Seasonal shut down means shut down of an affected facility for a period of at least 45 consecutive days due to weather or seasonal market conditions.

Size means the rated capacity in tons per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

Stack emission means the particulate matter that is released to the atmosphere from a capture system.

Storage bin means a facility for storage (including surge bins) of nonmetallic minerals prior to further processing or loading.

Transfer point means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

Truck dumping means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: Trucks, front end loaders, skip hoists, and railcars.

Vent means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

Wet material processing operation(s) means any of the following:

- (1) Wet screening operations (as defined in this section) and subsequent screening operations, bucket elevators and belt conveyors in the production line that process saturated materials (as defined in this section) up to the first crusher, grinding mill or storage bin in the production line; or
- (2) Screening operations, bucket elevators and belt conveyors in the production line downstream of wet mining operations (as defined in this section) that process saturated materials (as defined in this section) up to the first crusher, grinding mill or storage bin in the production line.

Wet mining operation means a mining or dredging operation designed and operated to extract any nonmetallic mineral regulated under this subpart from deposits existing at or below the water table, where the nonmetallic mineral is saturated with water.

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Wet screening operation means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

§ 60.672 Standard for particulate matter (PM).

- (a) Affected facilities must meet the stack emission limits and compliance requirements in Table 2 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.8. The requirements in Table 2 of this subpart apply for affected facilities with capture systems used to capture and transport particulate matter to a control device.
- (b) Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.
- (c) [Reserved]
- (d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.
- (e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a) and (b) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:
 - (1) Fugitive emissions from the building openings (except for vents as defined in §60.671) must not exceed 7 percent opacity; and
 - (2) Vents (as defined in §60.671) in the building must meet the applicable stack emission limits and compliance requirements in Table 2 of this subpart.
- (f) Any baghouse that controls emissions from only an individual, enclosed storage bin is exempt from the applicable stack PM concentration limit (and associated performance testing) in Table 2 of this subpart but must meet the applicable stack opacity limit and compliance requirements in Table 2 of this subpart. This exemption from the stack PM concentration limit does not apply for multiple storage bins with combined stack emissions.

§ 60.673 Reconstruction.

- (a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the “fixed capital cost of the new components” or the “fixed capital cost that would be required to construct a comparable new facility” under §60.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.
- (b) Under §60.15, the “fixed capital cost of the new components” includes the fixed capital cost of all depreciable components (except components specified in paragraph (a) of this section) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

§ 60.674 Monitoring of operations.

- (a) The owner or operator of any affected facility subject to the provisions of this subpart which uses a wet scrubber to control emissions shall install, calibrate, maintain and operate the following monitoring devices:
 - (1) A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 250 pascals ± 1 inch water gauge pressure and must be calibrated on an annual basis in accordance with manufacturer's instructions.
 - (2) A device for the continuous measurement of the scrubbing liquid flow rate to the wet scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 5 percent of design scrubbing liquid flow rate and must be calibrated on an annual basis in accordance with manufacturer's instructions.
- (b) The owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility must perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if

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the owner or operator finds that water is not flowing properly during an inspection of the water spray nozzles. The owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in the logbook required under §60.676(b).

- (1) If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the 5-year repeat testing requirement specified in Table 3 of this subpart provided that the affected facility meets the criteria in paragraphs (b)(1)(i) and (ii) of this section:
 - (i) The owner or operator of the affected facility conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to paragraph (b) of this section and §60.676(b), and
 - (ii) The owner or operator of the affected facility designates which upstream water spray(s) will be periodically inspected at the time of the initial performance test required under §60.11 of this part and §60.675 of this subpart.
- (2) If an affected facility that routinely uses wet suppression water sprays ceases operation of the water sprays or is using a control mechanism to reduce fugitive emissions other than water sprays during the monthly inspection (for example, water from recent rainfall), the logbook entry required under §60.676(b) must specify the control mechanism being used instead of the water sprays.
- (c) Except as specified in paragraph (d) or (e) of this section, the owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses a baghouse to control emissions must conduct quarterly 30-minute visible emissions inspections using EPA Method 22 (40 CFR part 60, Appendix A-7). The Method 22 (40 CFR part 60, Appendix A-7) test shall be conducted while the baghouse is operating. The test is successful if no visible emissions are observed. If any visible emissions are observed, the owner or operator of the affected facility must initiate corrective action within 24 hours to return the baghouse to normal operation. The owner or operator must record each Method 22 (40 CFR part 60, Appendix A-7) test, including the date and any corrective actions taken, in the logbook required under §60.676(b). The owner or operator of the affected facility may establish a different baghouse-specific success level for the visible emissions test (other than no visible emissions) by conducting a PM performance test according to §60.675(b) simultaneously with a Method 22 (40 CFR part 60, Appendix A-7) to determine what constitutes normal visible emissions from that affected facility's baghouse when it is in compliance with the applicable PM concentration limit in Table 2 of this subpart. The revised visible emissions success level must be incorporated into the permit for the affected facility.
- (d) As an alternative to the periodic Method 22 (40 CFR part 60, Appendix A-7) visible emissions inspections specified in paragraph (c) of this section, the owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses a baghouse to control emissions may use a bag leak detection system. The owner or operator must install, operate, and maintain the bag leak detection system according to paragraphs (d)(1) through (3) of this section.
 - (1) Each bag leak detection system must meet the specifications and requirements in paragraphs (d)(1)(i) through (viii) of this section.
 - (i) The bag leak detection system must be certified by the manufacturer to be capable of detecting PM emissions at concentrations of 1 milligram per dry standard cubic meter (0.00044 grains per actual cubic foot) or less.
 - (ii) The bag leak detection system sensor must provide output of relative PM loadings. The owner or operator shall continuously record the output from the bag leak detection system using electronic or other means (*e.g.* , using a strip chart recorder or a data logger).
 - (iii) The bag leak detection system must be equipped with an alarm system that will sound when the system detects an increase in relative particulate loading over the alarm set point established according to paragraph (d)(1)(iv) of this section, and the alarm must be located such that it can be heard by the appropriate plant personnel.
 - (iv) In the initial adjustment of the bag leak detection system, the owner or operator must establish, at a minimum, the baseline output by adjusting the sensitivity (range) and the averaging period of the device, the alarm set points, and the alarm delay time.
 - (v) Following initial adjustment, the owner or operator shall not adjust the averaging period, alarm set point, or alarm delay time without approval from the Administrator or delegated authority except as provided in paragraph (d)(1)(vi) of this section.

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- (vi) Once per quarter, the owner or operator may adjust the sensitivity of the bag leak detection system to account for seasonal effects, including temperature and humidity, according to the procedures identified in the site-specific monitoring plan required by paragraph (d)(2) of this section.
 - (vii) The owner or operator must install the bag leak detection sensor downstream of the fabric filter.
 - (viii) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.
- (2) The owner or operator of the affected facility must develop and submit to the Administrator or delegated authority for approval of a site-specific monitoring plan for each bag leak detection system. The owner or operator must operate and maintain the bag leak detection system according to the site-specific monitoring plan at all times. Each monitoring plan must describe the items in paragraphs (d)(2)(i) through (vi) of this section.
- (i) Installation of the bag leak detection system;
 - (ii) Initial and periodic adjustment of the bag leak detection system, including how the alarm set-point will be established;
 - (iii) Operation of the bag leak detection system, including quality assurance procedures;
 - (iv) How the bag leak detection system will be maintained, including a routine maintenance schedule and spare parts inventory list;
 - (v) How the bag leak detection system output will be recorded and stored; and
 - (vi) Corrective action procedures as specified in paragraph (d)(3) of this section. In approving the site-specific monitoring plan, the Administrator or delegated authority may allow owners and operators more than 3 hours to alleviate a specific condition that causes an alarm if the owner or operator identifies in the monitoring plan this specific condition as one that could lead to an alarm, adequately explains why it is not feasible to alleviate this condition within 3 hours of the time the alarm occurs, and demonstrates that the requested time will ensure alleviation of this condition as expeditiously as practicable.
- (3) For each bag leak detection system, the owner or operator must initiate procedures to determine the cause of every alarm within 1 hour of the alarm. Except as provided in paragraph (d)(2)(vi) of this section, the owner or operator must alleviate the cause of the alarm within 3 hours of the alarm by taking whatever corrective action(s) are necessary. Corrective actions may include, but are not limited to the following:
- (i) Inspecting the fabric filter for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in PM 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 fabric filter compartment;
 - (v) Cleaning the bag leak detection system probe or otherwise repairing the bag leak detection system; or
 - (vi) Shutting down the process producing the PM emissions.
- (e) As an alternative to the periodic Method 22 (40 CFR part 60, Appendix A-7) visible emissions inspections specified in paragraph (c) of this section, the owner or operator of any affected facility that is subject to the requirements for processed stone handling operations in the Lime Manufacturing NESHAP (40 CFR part 63, subpart AAAAA) may follow the continuous compliance requirements in row 1 items (i) through (iii) of Table 6 to Subpart AAAAA of 40 CFR part 63.

§ 60.675 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 appendices A-1 through A-7 of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in paragraph (e) of this section.
- (b) The owner or operator shall determine compliance with the PM standards in §60.672(a) as follows:
 - (1) Except as specified in paragraphs (e)(3) and (4) of this section, Method 5 of Appendix A-3 of this part or Method 17 of Appendix A-6 of this part shall be used to determine the particulate matter concentration. The sample volume

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shall be at least 1.70 dscm (60 dscf). For Method 5 (40 CFR part 60, Appendix A-3), if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

(2) Method 9 of Appendix A-4 of this part and the procedures in §60.11 shall be used to determine opacity.

(c)

(1) In determining compliance with the particulate matter standards in §60.672(b) or §60.672(e)(1), the owner or operator shall use Method 9 of Appendix A-4 of this part and the procedures in §60.11, with the following additions:

- (i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
- (ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (*e.g.*, road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of this part, Section 2.1) must be followed.
- (iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(2)

- (i) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9 (40 CFR part 60, Appendix A-4), the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations shall be 1 hour (ten 6-minute averages).
- (ii) The duration of the Method 9 (40 CFR part 60, Appendix A-4) observations may be reduced to the duration the affected facility operates (but not less than 30 minutes) for baghouses that control storage bins or enclosed truck or railcar loading stations that operate for less than 1 hour at a time.

(3) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages.

(d) To demonstrate compliance with the fugitive emission limits for buildings specified in §60.672(e)(1), the owner or operator must complete the testing specified in paragraph (d)(1) and (2) of this section. Performance tests must be conducted while all affected facilities inside the building are operating.

(1) If the building encloses any affected facility that commences construction, modification, or reconstruction on or after April 22, 2008, the owner or operator of the affected facility must conduct an initial Method 9 (40 CFR part 60, Appendix A-4) performance test according to this section and §60.11.

(2) If the building encloses only affected facilities that commenced construction, modification, or reconstruction before April 22, 2008, and the owner or operator has previously conducted an initial Method 22 (40 CFR part 60, Appendix A-7) performance test showing zero visible emissions, then the owner or operator has demonstrated compliance with the opacity limit in §60.672(e)(1). If the owner or operator has not conducted an initial performance test for the building before April 22, 2008, then the owner or operator must conduct an initial Method 9 (40 CFR part 60, Appendix A-4) performance test according to this section and §60.11 to show compliance with the opacity limit in §60.672(e)(1).

(e) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

- (i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

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- (ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.
- (2) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:
 - (i) No more than three emission points may be read concurrently.
 - (ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.
 - (iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.
- (3) Method 5I of Appendix A-3 of this part may be used to determine the PM concentration as an alternative to the methods specified in paragraph (b)(1) of this section. Method 5I (40 CFR part 60, Appendix A-3) may be useful for affected facilities that operate for less than 1 hour at a time such as (but not limited to) storage bins or enclosed truck or railcar loading stations.
- (4) In some cases, velocities of exhaust gases from building vents may be too low to measure accurately with the type S pitot tube specified in EPA Method 2 of Appendix A-1 of this part [*i.e.*, velocity head <1.3 mm H₂O (0.05 in. H₂O)] and referred to in EPA Method 5 of Appendix A-3 of this part. For these conditions, the owner or operator may determine the average gas flow rate produced by the power fans (*e.g.*, from vendor-supplied fan curves) to the building vent. The owner or operator may calculate the average gas velocity at the building vent measurement site using Equation 1 of this section and use this average velocity in determining and maintaining isokinetic sampling rates.

$$v_e = \frac{Q_f}{A_e} \quad (\text{Eq. 1})$$

Where:

V_e = average building vent velocity (feet per minute);

Q_f = average fan flow rate (cubic feet per minute); and

A_e = area of building vent and measurement location (square feet).

- (f) To comply with §60.676(d), the owner or operator shall record the measurements as required in §60.676(c) using the monitoring devices in §60.674 (a)(1) and (2) during each particulate matter run and shall determine the averages.
- (g) For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in §60.7(a)(6) and 60.8(d) to a 7-day advance notification.
- (h) [Reserved]
- (i) If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in §60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

§ 60.676 Reporting and recordkeeping.

- (a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.
 - (1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:
 - (i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and
 - (ii) The rated capacity in tons per hour of the replacement equipment.
 - (2) For a screening operation:
 - (i) The total surface area of the top screen of the existing screening operation being replaced and
 - (ii) The total surface area of the top screen of the replacement screening operation.
 - (3) For a conveyor belt:

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- (i) The width of the existing belt being replaced and
 - (ii) The width of the replacement conveyor belt.
- (4) For a storage bin:
- (i) The rated capacity in megagrams or tons of the existing storage bin being replaced and
 - (ii) The rated capacity in megagrams or tons of replacement storage bins.
- (b)
- (1) Owners or operators of affected facilities (as defined in §§60.670 and 60.671) for which construction, modification, or reconstruction commenced on or after April 22, 2008, must record each periodic inspection required under §60.674(b) or (c), including dates and any corrective actions taken, in a logbook (in written or electronic format). The owner or operator must keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Administrator upon request.
 - (2) For each bag leak detection system installed and operated according to §60.674(d), the owner or operator must keep the records specified in paragraphs (b)(2)(i) through (iii) of this section.
 - (i) Records of the bag leak detection system output;
 - (ii) Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection system settings; and
 - (iii) 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 actions taken, the date and time the cause of the alarm was alleviated, and whether the cause of the alarm was alleviated within 3 hours of the alarm.
 - (3) The owner or operator of each affected facility demonstrating compliance according to §60.674(e) by following the requirements for processed stone handling operations in the Lime Manufacturing NESHAP (40 CFR part 63, subpart AAAAA) must maintain records of visible emissions observations required by §63.7132(a)(3) and (b) of 40 CFR part 63, subpart AAAAA.
- (c) During the initial performance test of a wet scrubber, and daily thereafter, the owner or operator shall record the measurements of both the change in pressure of the gas stream across the scrubber and the scrubbing liquid flow rate.
- (d) After the initial performance test of a wet scrubber, the owner or operator shall submit semiannual reports to the Administrator of occurrences when the measurements of the scrubber pressure loss and liquid flow rate decrease by more than 30 percent from the average determined during the most recent performance test.
- (e) The reports required under paragraph (d) of this section shall be postmarked within 30 days following end of the second and fourth calendar quarters.
- (f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with §60.672(b), (e) and (f).
- (g) The owner or operator of any wet material processing operation that processes saturated and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. At the time of such change, this screening operation, bucket elevator, or belt conveyor becomes subject to the applicable opacity limit in §60.672(b) and the emission test requirements of §60.11.
- (h) The subpart A requirement under §60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart.
- (i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.
- (1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.
 - (2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

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- (j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.
- (k) Notifications and reports required under this subpart and under subpart A of this part to demonstrate compliance with this subpart need only to be sent to the EPA Region or the State which has been delegated authority according to §60.4(b).

Table 1 to Subpart OOO—Exceptions to Applicability of Subpart A to Subpart OOO

Subpart A reference	Applies to subpart OOO	Explanation
60.4, Address	Yes	Except in §60.4(a) and (b) submittals need not be submitted to both the EPA Region and delegated State authority (§60.676(k)).
60.7, Notification and recordkeeping	Yes	Except in (a)(1) notification of the date construction or reconstruction commenced (§60.676(h)). Also, except in (a)(6) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require a 7-day advance notification instead of 30 days (§60.675(g)).
60.8, Performance tests	Yes	Except in (d) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require a 7-day advance notification instead of 30 days (§60.675(g)).
60.11, Compliance with standards and maintenance requirements	Yes	Except in (b) under certain conditions (§§60.675(c)), Method 9 (40 CFR part 60, Appendix A-4) observation is reduced from 3 hours to 30 minutes for fugitive emissions.
60.18, General control device	No	Flares will not be used to comply with the emission limits.

Table 2 to Subpart OOO—Stack Emission Limits for Affected Facilities With Capture Systems

For * * *	The owner or operator must meet a PM limit of * * *	And the owner or operator must meet an opacity limit of * * *	The owner or operator must demonstrate compliance with these limits by conducting * * *
Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	0.05 g/dscm (0.022 gr/dscf) ^a	7 percent for dry control devices ^b	An initial performance test according to §60.8 of this part and §60.675 of this subpart; and Monitoring of wet scrubber parameters according to §60.674(a) and §60.676(c), (d), and (e).

SECTION 4. APPENDIX E

40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

Affected facilities (as defined in §§60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008	0.032 g/dscm (0.014 gr/dscf) ^a	Not applicable (except for individual enclosed storage bins) 7 percent for dry control devices on individual enclosed storage bins	An initial performance test according to §60.8 of this part and §60.675 of this subpart; and Monitoring of wet scrubber parameters according to §60.674(a) and §60.676(c), (d), and (e); and Monitoring of baghouses according to §60.674(c), (d), or (e) and §60.676(b).
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^aExceptions to the PM limit apply for individual enclosed storage bins and other equipment. See §60.672(d) through (f).

^bThe stack opacity limit and associated opacity testing requirements do not apply for affected facilities using wet scrubbers.

Table 3 to Subpart OOO—Fugitive Emission Limits

For * * *	The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§60.670 and 60.671) * * *	The owner or operator must meet the following fugitive emissions limit for crushers at which a capture system is not used * * *	The owner or operator must demonstrate compliance with these limits by conducting * * *
Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	10 percent opacity	15 percent opacity	An initial performance test according to §60.11 of this part and §60.675 of this subpart.
Affected facilities (as defined in §§60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008	7 percent opacity	12 percent opacity	An initial performance test according to §60.11 of this part and §60.675 of this subpart; and Periodic inspections of water sprays according to §60.674(b) and §60.676(b); and A repeat performance test according to §60.11 of this part and §60.675 of this subpart within 5 years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in §60.674(b) and §60.676(b) are exempt from this 5-year repeat testing requirement.

SECTION 4. APPENDIX F
40 CFR 60, Subpart A - General Provisions

FEDERAL REVISION DATE: JUNE 23, 2017

40 CFR Part 60, Subpart A—General Provisions

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§60.1 Applicability.

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

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

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

(d) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.* (1) This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia (“site”).

(2) Except for compliance with 40 CFR 60.49b(u), the site shall have the option of either complying directly with the requirements of this part, or reducing the site-wide emissions caps in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the site-wide emissions caps in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this part.

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(3) Notwithstanding the provisions of paragraph (d)(2) of this section, for any provisions of this part except for Subpart Kb, the owner/operator of the site shall comply with the applicable provisions of this part if the Administrator determines that compliance with the provisions of this part is necessary for achieving the objectives of the regulation and the Administrator notifies the site in accordance with the provisions of the permit issued pursuant to 40 CFR 52.2454.

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

§60.2 Definitions.

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

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

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

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

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

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

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

Clean coal technology demonstration project means a project using funds appropriated under the heading 'Department of Energy-Clean Coal Technology', up to a total amount of \$2,500,000,000 for commercial demonstrations of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency.

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

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

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

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

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

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

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

Force majeure means, for purposes of §60.8, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

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

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

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

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

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

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

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

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

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

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

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

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

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Permitting authority means:

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

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

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

Reactivation of a very clean coal-fired electric utility steam generating unit means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit:

(1) Has not been in operation for the two-year period prior to the enactment of the Clean Air Act Amendments of 1990, and the emissions from such unit continue to be carried in the permitting authority's emissions inventory at the time of enactment;

(2) Was equipped prior to shut-down with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of no less than 85 percent and a removal efficiency for particulates of no less than 98 percent;

(3) Is equipped with low-NO_x burners prior to the time of commencement of operations following reactivation; and

(4) Is otherwise in compliance with the requirements of the Clean Air Act.

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

Repowering means replacement of an existing coal-fired boiler with one of the following clean coal technologies: atmospheric or pressurized fluidized bed combustion, integrated gasification combined cycle, magnetohydrodynamics, direct and indirect coal-fired turbines, integrated gasification fuel cells, or as determined by the Administrator, in consultation with the Secretary of Energy, a derivative of one or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990. Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Department of Energy.

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

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

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

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

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

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

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

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

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

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

[44 FR 55173, Sept. 25, 1979, as amended at 45 FR 5617, Jan. 23, 1980; 45 FR 85415, Dec. 24, 1980; 54 FR 6662, Feb. 14, 1989; 55 FR 51382, Dec. 13, 1990; 57 FR 32338, July 21, 1992; 59 FR 12427, Mar. 16, 1994; 72 FR 27442, May 16, 2007]

§60.3 Units and abbreviations.

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

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

A—ampere

g—gram

Hz—hertz

J—joule

K—degree Kelvin

kg—kilogram

m—meter

m³—cubic meter

mg—milligram—10⁻³ gram

mm—millimeter—10⁻³ meter

Mg—megagram—10⁶ gram

mol—mole

N—newton

ng—nanogram—10⁻⁹ gram

nm—nanometer—10⁻⁹ meter

Pa—pascal

s—second

V—volt

W—watt

Ω—ohm

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µg—microgram— 10^{-6} gram

(b) Other units of measure:

Btu—British thermal unit

°C—degree Celsius (centigrade)

cal—calorie

cfm—cubic feet per minute

cu ft—cubic feet

dcf—dry cubic feet

dcm—dry cubic meter

dscf—dry cubic feet at standard conditions

dscm—dry cubic meter at standard conditions

eq—equivalent

°F—degree Fahrenheit

ft—feet

gal—gallon

gr—grain

g-eq—gram equivalent

hr—hour

in—inch

k—1,000

l—liter

lpm—liter per minute

lb—pound

meq—milliequivalent

min—minute

ml—milliliter

mol. wt.—molecular weight

ppb—parts per billion

ppm—parts per million

psia—pounds per square inch absolute

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psig—pounds per square inch gage

°R—degree Rankine

scf—cubic feet at standard conditions

scfh—cubic feet per hour at standard conditions

scm—cubic meter at standard conditions

sec—second

sq ft—square feet

std—at standard conditions

(c) Chemical nomenclature:

CdS—cadmium sulfide

CO—carbon monoxide

CO₂—carbon dioxide

HCl—hydrochloric acid

Hg—mercury

H₂O—water

H₂S—hydrogen sulfide

H₂SO₄—sulfuric acid

N₂—nitrogen

NO—nitric oxide

NO₂—nitrogen dioxide

NO_x—nitrogen oxides

O₂—oxygen

SO₂—sulfur dioxide

SO₃—sulfur trioxide

SO_x—sulfur oxides

(d) Miscellaneous:

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

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

§60.4 Address.

[Link to an amendment published at 83 FR 15968, Apr. 13, 2018.](#)

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

Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), Director, Office of Ecosystem Protection, U.S. Environmental Protection Agency, 5 Post Office Square—Suite 100, Boston, MA 02109-3912.

Region II (New Jersey, New York, Puerto Rico, Virgin Islands), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, Federal Office Building, 26 Federal Plaza (Foley Square), New York, NY 10278.

Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Director, Air Protection Division, Mail Code 3AP00, 1650 Arch Street, Philadelphia, PA 19103-2029.

Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, 61 Forsyth St. SW., Suite 9T43, Atlanta, Georgia 30303-8960.

Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Director, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, IL 60604-3590.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas); Director; Air, Pesticides, and Toxics Division; U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, TX 75202.

Region VII (Iowa, Kansas, Missouri, Nebraska), Director, Air and Waste Management Division, 11201 Renner Boulevard, Lenexa, Kansas 66219.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming) Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, Mail Code 8ENF-AT, 1595 Wynkoop Street, Denver, CO 80202-1129.

Region IX (Arizona, California, Hawaii and Nevada; the territories of American Samoa and Guam; the Commonwealth of the Northern Mariana Islands; the territories of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Palmyra Atoll, and Wake Islands; and certain U.S. Government activities in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau), Director, Air Division, U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

Region X (Alaska, Oregon, Idaho, Washington), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Seattle, WA 98101.

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

(1) [Reserved]

(2) State of Alabama: Alabama Department of Environmental Management, P.O. Box 301463, Montgomery, Alabama 36130-1463.

(3) State of Alaska, Department of Environmental Conservation, Pouch O, Juneau, AK 99811.

(4) Arizona:

Arizona Department of Environmental Quality, 1110 West Washington Street, Phoenix, AZ 85007.

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Maricopa County Air Quality Department, 1001 North Central Avenue, Suite 900, Phoenix, AZ 85004.

Pima County Department of Environmental Quality, 33 North Stone Avenue, Suite 700, Tucson, AZ 85701.

Pinal County Air Quality Control District, 31 North Pinal Street, Building F, Florence, AZ 85132.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(5) State of Arkansas: Chief, Division of Air Pollution Control, Arkansas Department of Pollution Control and Ecology, 8001 National Drive, P.O. Box 9583, Little Rock, AR 72209.

(6) California:

Amador County Air Pollution Control District, 12200-B Airport Road, Jackson, CA 95642.

Antelope Valley Air Quality Management District, 43301 Division Street, Suite 206, Lancaster, CA 93535.

Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109.

Butte County Air Quality Management District, 2525 Dominic Drive, Suite J, Chico, CA 95928.

Calaveras County Air Pollution Control District, 891 Mountain Ranch Road, San Andreas, CA 95249.

Colusa County Air Pollution Control District, 100 Sunrise Blvd., Suite A-3, Colusa, CA 95932-3246.

El Dorado County Air Quality Management District, 2850 Fairlane Court, Bldg. C, Placerville, CA 95667-4100.

Eastern Kern Air Pollution Control District, 2700 "M" Street, Suite 302, Bakersfield, CA 93301-2370.

Feather River Air Quality Management District, 1007 Live Oak Blvd., Suite B-3, Yuba City, CA 95991.

Glenn County Air Pollution Control District, 720 N. Colusa Street, P.O. Box 351, Willows, CA 95988-0351.

Great Basin Unified Air Pollution Control District, 157 Short Street, Suite 6, Bishop, CA 93514-3537.

Imperial County Air Pollution Control District, 150 South Ninth Street, El Centro, CA 92243-2801.

Lake County Air Quality Management District, 885 Lakeport Blvd., Lakeport, CA 95453-5405.

Lassen County Air Pollution Control District, 707 Nevada Street, Suite 1, Susanville, CA 96130.

Mariposa County Air Pollution Control District, P.O. Box 5, Mariposa, CA 95338.

Mendocino County Air Quality Management District, 306 E. Gobbi Street, Ukiah, CA 95482-5511.

Modoc County Air Pollution Control District, 619 North Main Street, Alturas, CA 96101.

Mojave Desert Air Quality Management District, 14306 Park Avenue, Victorville, CA 92392-2310.

Monterey Bay Unified Air Pollution Control District, 24580 Silver Cloud Court, Monterey, CA 93940.

North Coast Unified Air Quality Management District, 2300 Myrtle Avenue, Eureka, CA 95501-3327.

Northern Sierra Air Quality Management District, 200 Litton Drive, Suite 320, P.O. Box 2509, Grass Valley, CA 95945-2509.

Northern Sonoma County Air Pollution Control District, 150 Matheson Street, Healdsburg, CA 95448-4908.

Placer County Air Pollution Control District, 3091 County Center Drive, Suite 240, Auburn, CA 95603.

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Sacramento Metropolitan Air Quality Management District, 777 12th Street, Third Floor, Sacramento, CA 95814-1908.

San Diego County Air Pollution Control District, 10124 Old Grove Road, San Diego, CA 92131-1649.

San Joaquin Valley Air Pollution Control District, 1990 E. Gettysburg, Fresno, CA 93726.

San Luis Obispo County Air Pollution Control District, 3433 Roberto Court, San Luis Obispo, CA 93401-7126.

Santa Barbara County Air Pollution Control District, 260 North San Antonio Road, Suite A, Santa Barbara, CA 93110-1315.

Shasta County Air Quality Management District, 1855 Placer Street, Suite 101, Redding, CA 96001-1759.

Siskiyou County Air Pollution Control District, 525 So. Foothill Drive, Yreka, CA 96097-3036.

South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, CA 91765-4182.

Tehama County Air Pollution Control District, P.O. Box 8069 (1750 Walnut Street), Red Bluff, CA 96080-0038.

Tuolumne County Air Pollution Control District, 22365 Airport, Columbia, CA 95310.

Ventura County Air Pollution Control District, 669 County Square Drive, 2nd Floor, Ventura, CA 93003-5417.

Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95616-4882.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(7) State of Colorado, Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, CO 80222-1530.

NOTE: For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(8) State of Connecticut, Bureau of Air Management, Department of Environmental Protection, State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

(9) State of Delaware, Department of Natural Resources & Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

(10) District of Columbia, Department of Public Health, Air Quality Division, 51 N Street, NE., Washington, DC 20002.

(11) State of Florida: Florida Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400.

(12) State of Georgia: Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354.

(13) Hawaii:

Clean Air Branch, Hawaii Department of Health, 919 Ala Moana Blvd., Suite 203, Honolulu, HI 96814.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(14) State of Idaho, Department of Health and Welfare, Statehouse, Boise, ID 83701.

(15) State of Illinois: Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794.

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(16) State of Indiana: Indiana Department of Environmental Management, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana 46204.

(17) State of Iowa: Iowa Department of Natural Resources, Environmental Protection Division, Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, IA 50322.

(18) State of Kansas: Kansas Department of Health and Environment, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366.

(19) Commonwealth of Kentucky: Kentucky Department for Environmental Protection, Division for Air Quality, 300 Sower Boulevard, 2nd Floor, Frankfort, Kentucky 40601 or local agency, Louisville Metro Air Pollution Control District, 701 W. Ormsby Ave., Suite 303, Louisville, Kentucky 40203.

(20) State of Louisiana: Louisiana Department of Environmental Quality, P.O. Box 4301, Baton Rouge, Louisiana 70821-4301.

NOTE: For a list of delegated standards for Louisiana (excluding Indian country), see paragraph (e)(2) of this section.

(21) State of Maine, Bureau of Air Quality Control, Department of Environmental Protection, State House, Station No. 17, Augusta, ME 04333.

(22) State of Maryland, Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

(23) Commonwealth of Massachusetts, Division of Air Quality Control, Department of Environmental Protection, One Winter Street, 7th floor, Boston, MA 02108.

(24) State of Michigan: Michigan Department of Natural Resources and Environment, Air Quality Division, P.O. Box 30028, Lansing, Michigan 48909.

(25) State of Minnesota: Minnesota Pollution Control Agency, Division of Air Quality, 520 Lafayette Road North, St. Paul, Minnesota 55155.

(26) State of Mississippi: Hand Deliver or Courier: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, 515 East Amite Street, Jackson, Mississippi 39201, Mailing Address: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, P.O. Box 2261, Jackson, Mississippi 39225.

(27) State of Missouri: Missouri Department of Natural Resources, Division of Environmental Quality, P.O. Box 176, Jefferson City, MO 65102.

(28) State of Montana, Department of Environmental Quality, 1520 E. 6th Ave., PO Box 200901, Helena, MT 59620-0901.

NOTE: For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(29) State of Nebraska, Nebraska Department of Environmental Control, P.O. Box 94877, State House Station, Lincoln, NE 68509.

Lincoln-Lancaster County Health Department, Division of Environmental Health, 2200 St. Marys Avenue, Lincoln, NE 68502

(30) Nevada:

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Nevada Division of Environmental Protection, 901 South Stewart Street, Suite 4001, Carson City, NV 89701-5249.

Clark County Department of Air Quality and Environmental Management, 500 S. Grand Central Parkway, 1st Floor, P.O. Box 555210, Las Vegas, NV 89155-5210.

Washoe County Health District, Air Quality Management Division, 1001 E. 9th Street, Building A, Suite 115A, Reno, NV 89520.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(31) State of New Hampshire, Air Resources Division, Department of Environmental Services, 64 North Main Street, Caller Box 2033, Concord, NH 03302-2033.

(32) State of New Jersey: New Jersey Department of Environmental Protection, Division of Environmental Quality, Enforcement Element, John Fitch Plaza, CN-027, Trenton, NJ 08625.

(1) The following table lists the specific source and pollutant categories that have been delegated to the states in Region II. The (X) symbol is used to indicate each category that has been delegated.

	Subpart	State			
		New Jersey	New York	Puerto Rico	Virgin Islands
D	Fossil-Fuel Fired Steam Generators for Which Construction Commenced After August 17, 1971 (Steam Generators and Lignite Fired Steam Generators)	X	X	X	X
Da	Electric Utility Steam Generating Units for Which Construction Commenced After September 18, 1978	X		X	
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
E	Incinerators	X	X	X	X
F	Portland Cement Plants	X	X	X	X
G	Nitric Acid Plants	X	X	X	X
H	Sulfuric Acid Plants	X	X	X	X
I	Asphalt Concrete Plants	X	X	X	X
J	Petroleum Refineries—(All Categories)	X	X	X	X
K	Storage Vessels for Petroleum Liquids Constructed After June 11, 1973, and prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids Constructed After May 18, 1978	X	X	X	
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Ingot Production Plants	X	X	X	X
N	Iron and Steel Plants	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	X
Q	Primary Zinc Smelters	X	X	X	X
R	Primary Lead Smelters	X	X	X	X

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S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate	X	X	X	X
Y	Coal Preparation Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces	X	X	X	X
AAa	Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels in Steel Plants	X	X	X	
BB	Kraft Pulp Mills	X	X	X	
CC	Glass Manufacturing Plants	X	X	X	
DD	Grain Elevators	X	X	X	
EE	Surface Coating of Metal Furniture	X	X	X	
GG	Stationary Gas Turbines	X	X	X	
HH	Lime Plants	X	X	X	
KK	Lead Acid Battery Manufacturing Plants	X	X		
LL	Metallic Mineral Processing Plants	X	X	X	
MM	Automobile and Light-Duty Truck Surface Coating Operations	X	X		
NN	Phosphate Rock Plants	X	X		
PP	Ammonium Sulfate Manufacturing Plants	X	X		
QQ	Graphic Art Industry Publication Rotogravure Printing	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	
SS	Industrial Surface Coating: Large Appliances	X	X	X	
TT	Metal Coil Surface Coating	X	X	X	
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	
VV	Equipment Leaks of Volatile Organic Compounds in Synthetic Organic Chemical Manufacturing Industry	X		X	
WW	Beverage Can Surface Coating Industry	X	X	X	
XX	Bulk Gasoline Terminals	X	X	X	
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X		X	
HHH	Synthetic Fiber Production Facilities	X		X	
JJJ	Petroleum Dry Cleaners	X	X	X	

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KKK	Equipment Leaks of VOC from Onshore Natural Gas Processing Plants				
LLL	Onshore Natural Gas Processing Plants; SO ₂ Emissions		X		
OOO	Nonmetallic Mineral Processing Plants		X	X	
PPP	Wool Fiberglass Insulation Manufacturing Plants		X	X	

(33) State of New Mexico: New Mexico Environment Department, P.O. Box 5469, Santa Fe, New Mexico 87502-5469. Note: For a list of delegated standards for New Mexico (excluding Bernalillo County and Indian country), see paragraph (e)(1) of this section.

(i) Albuquerque-Bernalillo County Air Quality Control Board, c/o Environmental Health Department, P.O. Box 1293, Albuquerque, New Mexico 87103.

(ii) [Reserved]

(34) New York: New York State Department of Environmental Conservation, 50 Wolf Road Albany, New York 12233, attention: Division of Air Resources.

(35) State of North Carolina: North Carolina Department of Environmental Quality, Division of Air Quality, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641 or local agencies, Forsyth County Office of Environmental Assistance and Protection, 201 North Chestnut Street, Winston-Salem, North Carolina 27101-4120; Mecklenburg County Land Use and Environmental Services Agency, Air Quality, 2145 Suttle Avenue, Charlotte, North Carolina 28208; Western North Carolina Regional Air Quality Agency, 125 S. Lexington Ave., Suite 101, Asheville, North Carolina 28801-3661.

(36) State of North Dakota, Division of Air Quality, North Dakota Department of Health, P.O. Box 5520, Bismarck, ND 58506-5520.

NOTE: For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(37) State of Ohio:

(i) Medina, Summit and Portage Counties; Director, Akron Regional Air Quality Management District, 146 South High Street, Room 904, Akron, OH 44308.

(ii) Stark County; Director, Canton City Health Department, Air Pollution Control Division, 420 Market Avenue North, Canton, Ohio 44702-1544.

(iii) Butler, Clermont, Hamilton, and Warren Counties; Director, Hamilton County Department of Environmental Services, 250 William Howard Taft Road, Cincinnati, Ohio 45219-2660.

(iv) Cuyahoga County; Commissioner, Cleveland Department of Public Health, Division of Air Quality, 75 Erieview Plaza 2nd Floor, Cleveland, Ohio 44114.

(v) Clark, Darke, Greene, Miami, Montgomery, and Preble Counties; Director, Regional Air Pollution Control Agency, 117 South Main Street, Dayton, Ohio 45422-1280.

(vi) Lucas County and the City of Rossford (in Wood County); Director, City of Toledo, Division of Environmental Services, 348 South Erie Street, Toledo, OH 43604.

(vii) Adams, Brown, Lawrence, and Scioto Counties; Portsmouth Local Air Agency, 605 Washington Street, Third Floor, Portsmouth, OH 45662.

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(viii) Allen, Ashland, Auglaize, Crawford, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Marion, Mercer, Ottawa, Paulding, Putnam, Richland, Sandusky, Seneca, Van Wert Williams, Wood (Except City of Rossford), and Wyandot Counties; Ohio Environmental Protection Agency, Northwest District Office, Air Pollution Control, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

(ix) Ashtabula, Carroll, Columbiana, Holmes, Lorain, and Wayne Counties; Ohio Environmental Protection Agency, Northeast District Office, Air Pollution Unit, 2110 East Aurora Road, Twinsburg, OH 44087.

(x) Athens, Belmont, Coshocton, Gallia, Guemsey, Harrison, Hocking, Jackson, Jefferson, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Tuscarawas, Vinton, and Washington Counties; Ohio Environmental Protection Agency, Southeast District Office, Air Pollution Unit, 2195 Front Street, Logan, OH 43138.

(xi) Champaign, Clinton, Highland, Logan, and Shelby Counties; Ohio Environmental Protection Agency, Southwest District Office, Air Pollution Unit, 401 East Fifth Street, Dayton, Ohio 45402-2911.

(xii) Delaware, Fairfield, Fayette, Franklin, Knox, Licking, Madison, Morrow, Pickaway, and Union Counties; Ohio Environmental Protection Agency, Central District Office, Air Pollution control, 50 West Town Street, Suite 700, Columbus, Ohio 43215.

(xiii) Geauga and Lake Counties; Lake County General Health District, Air Pollution Control, 33 Mill Street, Painesville, OH 44077.

(xiv) Mahoning and Trumbull Counties; Mahoning-Trumbull Air Pollution Control Agency, 345 Oak Hill Avenue, Suite 200, Youngstown, OH 44502.

(38) State of Oklahoma, Oklahoma State Department of Health, Air Quality Service, P.O. Box 53551, Oklahoma City, OK 73152.

(i) Oklahoma City and County: Director, Oklahoma City-County Health Department, 921 Northeast 23rd Street, Oklahoma City, OK 73105.

(ii) Tulsa County: Tulsa City-County Health Department, 4616 East Fifteenth Street, Tulsa, OK 74112.

(39) State of Oregon. (i) Oregon Department of Environmental Quality (ODEQ), 811 SW Sixth Avenue, Portland, OR 97204-1390, <http://www.deq.state.or.us>.

(ii) Lane Regional Air Pollution Authority (LRAPA), 1010 Main Street, Springfield, Oregon 97477, <http://www.lrapa.org>.

(40)(i) City of Philadelphia, Department of Public Health, Air Management Services, 321 University Avenue, Philadelphia, Pennsylvania 19104.

(ii) Commonwealth of Pennsylvania, Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

(iii) Allegheny County Health Department, Bureau of Environmental Quality, Division of Air Quality, 301 39th Street, Pittsburgh, Pennsylvania 15201.

(41) State of Rhode Island, Division of Air and Hazardous Materials, Department of Environmental Management, 291 Promenade Street, Providence, RI 02908.

(42) State of South Carolina: South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201.

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(43) State of South Dakota, Air Quality Program, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181.

NOTE: For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(44) State of Tennessee: Tennessee Department of Environment and Conservation, Division of Air Pollution Control, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 15th Floor, Nashville, Tennessee 37243, or local agencies, Knox County Air Quality Management—Department of Public Health, 140 Dameron Avenue, Knoxville, Tennessee 37917; Metro Public Health Department, Pollution Control Division, 2500 Charlotte Ave., Nashville, Tennessee 37209; Chattanooga-Hamilton County Air Pollution Control Bureau, 6125 Preservation Drive, Chattanooga, Tennessee 37416; Shelby County Health Department, Pollution Control Section, 814 Jefferson Avenue, Memphis, Tennessee 38105.

(45) State of Texas, Texas Air Control Board, 6330 Highway 290 East, Austin, TX 78723.

(46) State of Utah, Division of Air Quality, Department of Environmental Quality, P.O. Box 144820, Salt Lake City, UT 84114-4820.

NOTE: For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(47) State of Vermont, Air Pollution Control Division, Agency of Natural Resources, Building 3 South, 103 South Main Street, Waterbury, VT 05676.

(48) Commonwealth of Virginia, Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

(49) *State of Washington.* (i) Washington State Department of Ecology (Ecology), P.O. Box 47600, Olympia, WA 98504-7600, <http://www.ecy.wa.gov/>

(ii) Benton Clean Air Authority (BCAA), 650 George Washington Way, Richland, WA 99352-4289, <http://www.bcaa.net/>

(iii) Northwest Air Pollution Control Authority (NWAPA), 1600 South Second St., Mount Vernon, WA 98273-5202, <http://www.nwair.org/>

(iv) Olympic Regional Clean Air Agency (ORCAA), 909 Sleater-Kinney Road S.E., Suite 1, Lacey, WA 98503-1128, <http://www.orcaa.org/>

(v) Puget Sound Clean Air Agency (PSCAA), 110 Union Street, Suite 500, Seattle, WA 98101-2038, <http://www.pscleanair.org/>

(vi) Spokane County Air Pollution Control Authority (SCAPCA), West 1101 College, Suite 403, Spokane, WA 99201, <http://www.scapca.org/>

(vii) Southwest Clean Air Agency (SWCAA), 1308 NE. 134th St., Vancouver, WA 98685-2747, <http://www.swcleanair.org/>

(viii) Yakima Regional Clean Air Authority (YRCAA), 6 South 2nd Street, Suite 1016, Yakima, WA 98901, <http://co.yakima.wa.us/cleanair/default.htm>

(ix) The following table lists the delegation status of the New Source Performance Standards for the State of Washington. An "X" indicates the subpart has been delegated, subject to all the conditions and limitations set forth in Federal law and the letters granting delegation. Some authorities cannot be delegated and are retained by EPA. Refer to the letters granting delegation for a discussion of these retained authorities. The dates noted at the end of the table indicate the effective

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dates of Federal rules that have been delegated. Authority for implementing and enforcing any amendments made to these rules after these effective dates are not delegated.

NSPS SUBPARTS DELEGATED TO WASHINGTON AIR AGENCIES

Subpart ¹	Washington							
	Ecology ²	BCAA ³	NWAPA ⁴	ORCAA ⁵	PSCAA ⁶	SCAPCA ⁷	SWCAA ⁸	YRCAA ⁹
A General Provisions	X	X	X	X	X	X	X	X
B Adoption and Submittal of State Plans for Designated Facilities								
C Emission Guidelines and Compliance Times								
Cb Large Municipal Waste Combustors that are Constructed on or before September 20, 1994 (Emission Guidelines and Compliance Times)								
Cc Municipal Solid Waste Landfills (Emission Guidelines and Compliance Times)								
Cd Sulfuric Acid Production Units (Emission Guidelines and Compliance Times)								
Ce Hospital/Medical/Infectious Waste Incinerators (Emission Guidelines and Compliance Times)								
D Fossil-Fuel-Fired Steam Generators for which Construction is Commenced after August 17, 1971	X	X	X	X	X	X	X	X
Da Electric Utility Steam Generating Units for which Construction is Commenced after September 18, 1978	X	X	X	X	X	X	X	X
Db Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X	X	X	X	X
Dc Small Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X	X	X	X	X
E Incinerators	X	X	X	X	X	X	X	X
Ea Municipal Waste Combustors for which Construction is Commenced after December 20, 1989 and on or before September 20, 1994	X	X	X	X	X	X	X	X
Eb—Large Municipal Waste Combustors		X		X	X	X		
Ec—Hospital/Medical/Infectious Waste Incinerators	X	X	X	X	X	X		
F Portland Cement Plants	X	X	X	X	X	X	X	X

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G Nitric Acid Plants	X	X	X	X	X	X	X	X
H Sulfuric Acid Plants	X	X	X	X	X	X	X	X
I Hot Mix Asphalt Facilities	X	X	X	X	X	X	X	X
J Petroleum Refineries	X	X	X	X	X	X	X	X
K Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11, 1973 and prior to May 19, 1978	X	X	X	X	X	X	X	X
Ka Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after May 18, 1978 and prior to July 23, 1984	X	X	X	X	X	X	X	X
Kb VOC Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984	X	X	X	X	X	X	X	X
L Secondary Lead Smelters	X	X	X	X	X	X	X	X
M Secondary Brass and Bronze Production Plants	X	X	X	X	X	X	X	X
N Primary Emissions from Basic Oxygen Process Furnaces for which Construction is Commenced after June 11, 1973	X	X	X	X	X	X	X	X
Na Secondary Emissions from Basic Oxygen Process Steel-making Facilities for which Construction is Commenced after January 20, 1983	X	X	X	X	X	X	X	X
O Sewage Treatment Plants	X	X	X	X	X	X	X	X
P Primary Copper Smelters	X	X	X	X	X	X	X	X
Q Primary Zinc Smelters	X	X	X	X	X	X	X	X
R Primary Lead Smelters	X	X	X	X	X	X	X	X
S Primary Aluminum Reduction Plants ¹⁰	X							
T Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X	X	X	X	X
U Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X	X	X	X	X
V Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X	X	X	X	X
W Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X	X	X	X	X
X Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	X	X	X	X	X
Y Coal Preparation Plants	X	X	X	X	X	X	X	X

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Z Ferrous Alloy Production Facilities	X	X	X	X	X	X	X	X
AA Steel Plants: Electric Arc Furnaces Constructed after October 21, 1974 and on or before August 17, 1983	X	X	X	X	X	X	X	X
AAa Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed after August 7, 1983	X	X	X	X	X	X	X	X
BB Kraft Pulp Mills ¹¹	X							
CC Glass Manufacturing Plants	X	X	X	X	X	X	X	X
DD Grain Elevators	X	X	X	X	X	X	X	X
EE Surface Coating of Metal Furniture	X	X	X	X	X	X	X	X
GG Stationary Gas Turbines	X	X	X	X	X	X	X	X
HH Lime Manufacturing Plants	X	X	X	X	X	X	X	X
KK Lead-Acid Battery Manufacturing Plants	X	X	X	X	X	X	X	X
LL Metallic Mineral Processing Plants	X	X	X	X	X	X	X	X
MM Automobile and Light Duty Truck Surface Coating Operations	X	X	X	X	X	X	X	X
NN Phosphate Rock Plants	X	X	X	X	X	X	X	X
PP Ammonium Sulfate Manufacture	X	X	X	X	X	X	X	X
QQ Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	X	X	X	X	X
RR Pressure Sensitive Tape and Label Surface Coating Standards	X	X	X	X	X	X	X	X
SS Industrial Surface Coating: Large Appliances	X	X	X	X	X	X	X	X
TT Metal Coil Surface Coating	X	X	X	X	X	X	X	X
UU Asphalt Processing and Asphalt Roof Manufacture	X	X	X	X	X	X	X	X
VV Equipment Leaks of VOC in Synthetic Organic Chemical Manufacturing Industry	X	X	X	X	X	X	X	X
WW Beverage Can Surface Coating Industry	X	X	X	X	X	X	X	X
XX Bulk Gasoline Terminals	X	X	X	X	X	X	X	X
AAA New Residential Wood Heaters								
BBB Rubber Tire Manufacturing Industry	X	X	X	X	X	X	X	X
DDD VOC Emissions from Polymer Manufacturing Industry	X	X	X	X	X	X	X	X
FFF Flexible Vinyl and Urethane Coating and Printing	X	X	X	X	X	X	X	X

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GGG Equipment Leaks of VOC in Petroleum Refineries	X	X	X	X	X	X	X	X
HHH Synthetic Fiber Production Facilities	X	X	X	X	X	X	X	X
III VOC Emissions from Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes	X	X	X	X	X	X	X	X
JJJ Petroleum Dry Cleaners	X	X	X	X	X	X	X	X
KKK Equipment Leaks of VOC from Onshore Natural Gas Processing Plants	X	X	X	X	X	X	X	X
LLL Onshore Natural Gas Processing: SO ₂ Emissions	X	X	X	X	X	X	X	X
NNN VOC Emissions from Synthetic Organic Chemical Manufacturing Industry Distillation Operations	X	X	X	X	X	X	X	X
OOO Nonmetallic Mineral Processing Plants			X		X		X	
PPP Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X	X	X	X	X
QQQ VOC Emissions from Petroleum Refinery Wastewater Systems	X	X	X	X	X	X	X	X
RRR VOCs from Synthetic Organic Chemical Manufacturing Industry Reactor Processes	X	X	X	X	X	X	X	X
SSS Magnetic Tape Coating Facilities	X	X	X	X	X	X	X	X
TTT Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	X	X	X	X	X
UUU Calciners and Dryers in Mineral Industries	X	X	X	X	X	X	X	X
VVV Polymeric Coating of Supporting Substrates Facilities	X	X	X	X	X	X	X	X
WWW Municipal Solid Waste Landfills	X	X	X	X	X	X	X	X
AAAA Small Municipal Waste Combustion Units for which Construction is Commenced after August 30, 1999 or for which Modification or Reconstruction is Commenced after June 6, 2001	X	X		X	X	X		X
BBBB Small Municipal Waste Combustion Units Constructed on or before August 30, 1999 (Emission Guidelines and Compliance Times)								
CCCC Commercial and Industrial Solid Waste Incineration Units for which Construction is Commenced after November, 30, 1999 or for which	X	X		X	X	X		X

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Modification or Reconstruction is Commenced on or after June 1, 2001								
DDDD Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or before November 30, 1999 (Emission Guidelines and Compliance Times)								

¹Any authority within any subpart of this part that is not delegable, is not delegated. Please refer to Attachment B to the delegation letters for a listing of the NSPS authorities excluded from delegation.

²Washington State Department of Ecology, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

³Benton Clean Air Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

⁴Northwest Air Pollution Authority, for all NSPS delegated, as in effect on July 1, 2000.

⁵Olympic Regional Clean Air Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

⁶Puget Sound Clean Air Authority, for all NSPS delegated, as in effect on July 1, 2002.

⁷Spokane County Air Pollution Control Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

⁸Southwest Clean Air Agency, for all NSPS delegated, as in effect on July 1, 2000.

⁹Yakima Regional Clean Air Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

¹⁰Subpart S of this part is not delegated to local agencies in Washington because the Washington State Department of Ecology retains sole authority to regulate Primary Aluminum Plants, pursuant to Washington Administrative Code 173-415-010.

¹¹Subpart BB of this part is not delegated to local agencies in Washington because the Washington State Department of Ecology retains sole authority to regulate Kraft and Sulfite Pulping Mills, pursuant to Washington State Administrative Code 173-405-012 and 173-410-012.

(50) State of West Virginia, Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE., Charleston, West Virginia 25304.

(51) State of Wisconsin: Wisconsin Department of Natural Resources, 101 South Webster St., P.O. Box 7921, Madison, Wisconsin 53707-7921.

(52) State of Wyoming, Department of Environmental Quality, Air Quality Division, Herschler Building, 122 West 25th Street, Cheyenne, WY 82002.

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NOTE: For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(53) Territory of Guam: Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(54) Commonwealth of Puerto Rico: Commonwealth of Puerto Rico Environmental Quality Board, P.O. Box 11488, Santurce, PR 00910, Attention: Air Quality Area Director (see table under §60.4(b)(FF)(1)).

(55) U.S. Virgin Islands: U.S. Virgin Islands Department of Conservation and Cultural Affairs, P.O. Box 578, Charlotte Amalie, St. Thomas, VI 00801.

(56) American Samoa: American Samoa Environmental Protection Agency, P.O. Box PPA, Pago Pago, American Samoa 96799.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(57) Commonwealth of the Northern Mariana Islands: CNMI Division of Environmental Quality, P.O. Box 501304, Saipan, MP 96950.

NOTE: For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(c) The delegation status table for New Source Performance Standards for Region VIII can be found online at <http://www2.epa.gov/region8/air-program>.

(d) The following tables list the specific part 60 standards that have been delegated unchanged to the air pollution control agencies in Region IX. The (X) symbol is used to indicate each standard that has been delegated. The following provisions of this subpart are not delegated: §§60.4(b), 60.8(b), 60.9, 60.11(b), 60.11(e), 60.13(a), 60.13(d)(2), 60.13(g), 60.13(i).

(1) *Arizona*. The following table identifies delegations for Arizona:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X	X	X	X
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994	X	X	X	

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Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X	X	X	
F	Portland Cement Plants	X	X	X	X
G	Nitric Acid Plants	X	X	X	X
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011		X	X	
H	Sulfuric Acid Plant	X	X	X	X
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007		X	X	
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	X	X
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X	X	X	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	X
Q	Primary Zinc Smelters	X	X	X	X
R	Primary Lead Smelters	X	X	X	X
S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	X
Y	Coal Preparation and Processing Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X

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AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	X	X
BB	Kraft Pulp Mills	X	X	X	X
BBa	Kraft Pulp Mill Sources for which Construction, Reconstruction or Modification Commenced after May 23, 2013		X	X	
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	X
FF	(Reserved)				
Ga	Nitric Acid Plants for which Construction, Reconstruction or Modification Commenced after October 14, 2011		X		
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X	X
NN	Phosphate Rock Plants	X	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	X	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	X
SS	Industrial Surface Coating: Large Appliances	X	X	X	X
TT	Metal Coil Surface Coating	X	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006	X	X	X	
WW	Beverage Can Surface Coating Industry	X	X	X	X
XX	Bulk Gasoline Terminals	X	X	X	X
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X	X	X

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EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	X
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	X	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	X	X	X	
HHH	Synthetic Fiber Production Facilities	X	X	X	X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X	X	X	X
JJJ	Petroleum Dry Cleaners	X	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	X	X
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	X	X	X	X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X	X	X
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	X	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X	X		
SSS	Magnetic Tape Coating Facilities	X	X	X	X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	X
UUU	Calciners and Dryers in Mineral Industries	X	X	X	
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X	
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	X	X	X	
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X	X	X	
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	X	X	X	
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines	X	X	X	
JJJJ	Stationary Spark Ignition Internal Combustion Engines		X	X	
KKKK	Stationary Combustion Turbines	X	X	X	

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LLLL	New Sewage Sludge Incineration Units			X	
MMMM	Emissions Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units	X			
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution		X	X	
QQQQ	Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces		X	X	
TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units		X		

(2) *California*. The following tables identify delegations for each of the local air pollution control agencies of California.

(i) Delegations for Amador County Air Pollution Control District, Antelope Valley Air Quality Management District, Bay Area Air Quality Management District, and Butte County Air Quality Management District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR AMADOR COUNTY APCD, ANTELOPE VALLEY AQMD, BAY AREA AQMD, AND BUTTE COUNTY AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
A	General Provisions		X		
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971		X	X	
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978		X	X	
Db	Industrial-Commercial-Institutional Steam Generating Units		X	X	
Dc	Small Industrial-Commercial-Institutional Steam Generating Units		X	X	
E	Incinerators		X	X	
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994		X	X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994		X		
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996		X		
F	Portland Cement Plants		X	X	
G	Nitric Acid Plants		X	X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011				
H	Sulfuric Acid Plant		X	X	
I	Hot Mix Asphalt Facilities		X	X	

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J	Petroleum Refineries		X	X	
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007		X		
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		X	X	
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984		X	X	
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984		X	X	
L	Secondary Lead Smelters		X	X	
M	Secondary Brass and Bronze Production Plants		X	X	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973		X	X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983		X	X	
O	Sewage Treatment Plants		X	X	
P	Primary Copper Smelters		X	X	
Q	Primary Zinc Smelters		X	X	
R	Primary Lead Smelters		X	X	
S	Primary Aluminum Reduction Plants		X	X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X		
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X	X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X	X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X	X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X	X	
Y	Coal Preparation and Processing Plants		X	X	
Z	Ferroalloy Production Facilities		X	X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983		X	X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983		X	X	
BB	Kraft Pulp Mills		X	X	
CC	Glass Manufacturing Plants		X	X	
DD	Grain Elevators		X	X	

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EE	Surface Coating of Metal Furniture		X	X	
FF	(Reserved)				
GG	Stationary Gas Turbines		X	X	
HH	Lime Manufacturing Plants		X	X	
KK	Lead-Acid Battery Manufacturing Plants		X	X	
LL	Metallic Mineral Processing Plants		X	X	
MM	Automobile and Light Duty Trucks Surface Coating Operations		X	X	
NN	Phosphate Rock Plants		X	X	
PP	Ammonium Sulfate Manufacture		X	X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing		X	X	
RR	Pressure Sensitive Tape and Label Surface Coating Operations		X	X	
SS	Industrial Surface Coating: Large Appliances		X	X	
TT	Metal Coil Surface Coating		X	X	
UU	Asphalt Processing and Asphalt Roofing Manufacture		X	X	
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing		X	X	
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006		X		
WW	Beverage Can Surface Coating Industry		X	X	
XX	Bulk Gasoline Terminals				
AAA	New Residential Wood Heaters		X	X	
BBB	Rubber Tire Manufacturing Industry		X	X	
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry		X	X	
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing		X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries		X	X	
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006		X		
HHH	Synthetic Fiber Production Facilities		X	X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes		X		
JJJ	Petroleum Dry Cleaners		X	X	

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KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants		X	X	
LLL	Onshore Natural Gas Processing: SO ₂ Emissions		X		
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations		X	X	
OOO	Nonmetallic Mineral Processing Plants		X	X	
PPP	Wool Fiberglass Insulation Manufacturing Plants		X	X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems		X		
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes		X		
SSS	Magnetic Tape Coating Facilities		X	X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines		X	X	
UUU	Calciners and Dryers in Mineral Industries		X	X	
VVV	Polymeric Coating of Supporting Substrates Facilities		X	X	
WWW	Municipal Solid Waste Landfills		X		
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001		X		
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001		X		
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006		X		
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines		X		
JJJJ	Stationary Spark Ignition Internal Combustion Engines		X		
KKKK	Stationary Combustion Turbines		X		
LLLL	New Sewage Sludge Incineration Units				
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution				

(ii) [Reserved]

(iii) Delegations for Glenn County Air Pollution Control District, Great Basin Unified Air Pollution Control District, Imperial County Air Pollution Control District, and Kern County Air Pollution Control District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR GLENN COUNTY APCD, GREAT BASIN UNIFIED APCD, IMPERIAL COUNTY APCD, AND KERN COUNTY APCD

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	Subpart	Air pollution control agency			
		Glenn County APCD	Great Basin Unified APCD	Imperial County APCD	Kern County APCD
A	General Provisions		X		X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971		X		X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978		X		X
Db	Industrial-Commercial-Institutional Steam Generating Units		X		X
Dc	Small Industrial Steam Generating Units		X		X
E	Incinerators		X		X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994		X		
Eb	Municipal Waste Combustors Constructed After September 20, 1994				
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996				
F	Portland Cement Plants		X		X
G	Nitric Acid Plants		X		X
H	Sulfuric Acid Plants		X		
I	Hot Mix Asphalt Facilities		X		X
J	Petroleum Refineries		X		X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		X		X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984		X		X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984		X		X
L	Secondary Lead Smelters		X		X
M	Secondary Brass and Bronze Production Plants		X		X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973		X		X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983		X		X
O	Sewage Treatment Plants		X		X
P	Primary Copper Smelters		X		X

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Q	Primary Zinc Smelters		X		X
R	Primary Lead Smelters		X		X
S	Primary Aluminum Reduction Plants		X		X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X		X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X		X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X		X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X		X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X		X
Y	Coal Preparation Plants		X		X
Z	Ferroalloy Production Facilities		X		X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983		X		X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983		X		X
BB	Kraft pulp Mills		X		X
CC	Glass Manufacturing Plants		X		X
DD	Grain Elevators		X		X
EE	Surface Coating of Metal Furniture		X		X
FF	(Reserved)				
GG	Stationary Gas Turbines		X		X
HH	Lime Manufacturing Plants		X		X
KK	Lead-Acid Battery Manufacturing Plants		X		X
LL	Metallic Mineral Processing Plants		X		X
MM	Automobile and Light Duty Trucks Surface Coating Operations		X		X
NN	Phosphate Rock Plants		X		X
PP	Ammonium Sulfate Manufacture		X		X
QQ	Graphic Arts Industry: Publication Rotogravure Printing		X		X
RR	Pressure Sensitive Tape and Label Surface Coating Operations		X		X
SS	Industrial Surface Coating: Large Appliances		X		X
TT	Metal Coil Surface Coating		X		X
UU	Asphalt Processing and Asphalt Roofing Manufacture		X		X
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry		X		X
WW	Beverage Can Surface Coating Industry		X		X
XX	Bulk Gasoline Terminals				

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AAA	New Residential Wool Heaters		X		X
BBB	Rubber Tire Manufacturing Industry		X		X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry		X		X
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing		X		X
GGG	Equipment Leaks of VOC in Petroleum Refineries		X		X
HHH	Synthetic Fiber Production Facilities		X		X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes		X		X
JJJ	Petroleum Dry Cleaners		X		X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants		X		X
LLL	Onshore Natural Gas Processing: SO2 Emissions				X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations		X		X
OOO	Nonmetallic Mineral Processing Plants		X		X
PPP	Wool Fiberglass Insulation Manufacturing Plants		X		X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems		X		X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes				X
SSS	Magnetic Tape Coating Facilities		X		X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines		X	X	
UUU	Calciners and Dryers in Mineral Industries		X		X
VVV	Polymeric Coating of Supporting Substrates Facilities		X		X
WWW	Municipal Solid Waste Landfills				X

(iv) Delegations for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT, LASSEN COUNTY AIR POLLUTION CONTROL DISTRICT, MARIPOSA COUNTY AIR POLLUTION CONTROL DISTRICT, AND MENDOCINO COUNTY AIR POLLUTION CONTROL DISTRICT

Subpart	Air pollution control agency
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Florida Rock Industries, Inc.
 Brooksville Grinding Plant

Air Permit No. 0530050-024-AO
 Air Operation Permit

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		Lake County AQMD	Lassen County APCD	Mariposa County AQMD	Mendocino County AQMD
A	General Provisions	X			X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X			X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X			X
Db	Industrial-Commercial-Institutional Steam Generating Units	X			
Dc	Small Industrial Steam Generating Units	X			X
E	Incinerators	X			X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X			X
Eb	Municipal Waste Combustors Constructed After September 20, 1994				
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996				
F	Portland Cement Plants	X			X
G	Nitric Acid Plants	X			X
H	Sulfuric Acid Plants	X			X
I	Hot Mix Asphalt Facilities	X			X
J	Petroleum Refineries	X			X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X			X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X			X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X			X
L	Secondary Lead Smelters	X			X
M	Secondary Brass and Bronze Production Plants	X			X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X			X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X			X
O	Sewage Treatment Plants	X			X
P	Primary Copper Smelters	X			X

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Q	Primary Zinc Smelters	X			X
R	Primary Lead Smelters	X			X
S	Primary Aluminum Reduction Plants	X			X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X			X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X			X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X			X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X			X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X			X
Y	Coal Preparation Plants	X			X
Z	Ferroalloy Production Facilities	X			X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X			X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X			X
BB	Kraft Pulp Mills	X			X
CC	Glass Manufacturing Plants	X			X
DD	Grain Elevators	X			X
EE	Surface Coating of Metal Furniture	X			X
FF	(Reserved)				
GG	Stationary Gas Turbines	X			X
HH	Lime Manufacturing Plants	X			X
KK	Lead-Acid Battery Manufacturing Plants	X			X
LL	Metallic Mineral Processing Plants	X			X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X			X
NN	Phosphate Rock Plants	X			X
PP	Ammonium Sulfate Manufacture	X			X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X			X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X			X
SS	Industrial Surface Coating: Large Appliances	X			X
TT	Metal Coil Surface Coating	X			X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X			X
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	X			X
WW	Beverage Can Surface Coating Industry	X			X

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XX	Bulk Gasoline Terminals				
AAA	New Residential Wool Heaters	X			X
BBB	Rubber Tire Manufacturing Industry	X			X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X			X
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X			X
GGG	Equipment Leaks of VOC in Petroleum Refineries	X			X
HHH	Synthetic Fiber Production Facilities	X			X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X			X
JJJ	Petroleum Dry Cleaners	X			X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X			X
LLL	Onshore Natural Gas Processing: SO2 Emissions	X			X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X			X
OOO	Nonmetallic Mineral Processing Plants	X			X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X			X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X			X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X			
SSS	Magnetic Tape Coating Facilities	X			X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines				
UUU	Calciners and Dryers in Mineral Industries	X			X
VVV	Polymeric Coating of Supporting Substrates Facilities	X			X
WWW	Municipal Solid Waste Landfills	X			

(v) Delegations for Modoc Air Pollution Control District, Mojave Desert Air Quality Management District, Monterey Bay Unified Air Pollution Control District and North Coast Unified Air Quality Management District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR MODOC COUNTY APCD, MOJAVE DESERT AQMD, MONTEREY BAY UNIFIED APCD, AND NORTH COAST UNIFIED AQMD

Florida Rock Industries, Inc.
 Brooksville Grinding Plant

Air Permit No. 0530050-024-AO
 Air Operation Permit

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	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units		X	X	
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994		X		
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994		X		
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996		X		
F	Portland Cement Plants	X	X	X	X
G	Nitric Acid Plants	X	X	X	X
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011				
H	Sulfuric Acid Plant	X	X	X	X
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007		X		
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	X	X
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X

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N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X	X	X	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	X
Q	Primary Zinc Smelters	X	X	X	X
R	Primary Lead Smelters	X	X	X	X
S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	X
Y	Coal Preparation and Processing Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	X	X
BB	Kraft Pulp Mills	X	X	X	X
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	X
FF	(Reserved)				
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X	X
NN	Phosphate Rock Plants	X	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	X	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	X

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SS	Industrial Surface Coating: Large Appliances	X	X	X	X
TT	Metal Coil Surface Coating	X	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006		X		
WW	Beverage Can Surface Coating Industry	X	X	X	X
XX	Bulk Gasoline Terminals				
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X	X	
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	X
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	X	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006		X		
HHH	Synthetic Fiber Production Facilities	X	X	X	X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes		X		
JJJ	Petroleum Dry Cleaners	X	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	X	X
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	X	X	X	X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X	X	
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	X	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes		X		

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SSS	Magnetic Tape Coating Facilities	X	X	X	X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	X
UUU	Calciners and Dryers in Mineral Industries		X	X	
VVV	Polymeric Coating of Supporting Substrates Facilities		X	X	X
WWW	Municipal Solid Waste Landfills		X		
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001		X		
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001		X		
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006		X		
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines		X		
JJJJ	Stationary Spark Ignition Internal Combustion Engines		X		
KKKK	Stationary Combustion Turbines		X		
LLLL	New Sewage Sludge Incineration Units				
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution				

(vi) Delegations for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT, NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT, PLACER COUNTY AIR POLLUTION CONTROL DISTRICT, AND SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

	Subpart	Air pollution control agency			
		Northern Sierra AQMD	Northern Sonoma County APCD	Placer County APCD	Sacramento Metropolitan AQMD
A	General Provisions		X		X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971		X		X

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Da	Electric Utility Steam Generating Units Constructed After September 18, 1978		X		X
Db	Industrial-Commercial-Institutional Steam Generating Units				X
Dc	Small Industrial Steam Generating Units				X
E	Incinerators		X		X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994				X
Eb	Municipal Waste Combustors Constructed After September 20, 1994				X
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996				X
F	Portland Cement Plants		X		X
G	Nitric Acid Plants		X		X
H	Sulfuric Acid Plants		X		X
I	Hot Mix Asphalt Facilities		X		X
J	Petroleum Refineries		X		X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		X		X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984		X		X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984				X
L	Secondary Lead Smelters		X		X
M	Secondary Brass and Bronze Production Plants		X		X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973		X		X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983				X
O	Sewage Treatment Plants		X		X
P	Primary Copper Smelters		X		X
Q	Primary Zinc Smelters		X		X
R	Primary Lead Smelters		X		X

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S	Primary Aluminum Reduction Plants		X		X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X		X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X		X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X		X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X		X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X		X
Y	Coal Preparation Plants		X		X
Z	Ferrous Alloy Production Facilities		X		X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983		X		X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983				X
BB	Kraft pulp Mills		X		X
CC	Glass Manufacturing Plants		X		X
DD	Grain Elevators		X		X
EE	Surface Coating of Metal Furniture				X
FF	(Reserved)				
GG	Stationary Gas Turbines		X		X
HH	Lime Manufacturing Plants		X		X
KK	Lead-Acid Battery Manufacturing Plants				X
LL	Metallic Mineral Processing Plants				X
MM	Automobile and Light Duty Trucks Surface Coating Operations		X		X
NN	Phosphate Rock Plants				X
PP	Ammonium Sulfate Manufacture		X		X
QQ	Graphic Arts Industry: Publication Rotogravure Printing				X
RR	Pressure Sensitive Tape and Label Surface Coating Operations				X
SS	Industrial Surface Coating: Large Appliances				X
TT	Metal Coil Surface Coating				X
UU	Asphalt Processing and Asphalt Roofing Manufacture				X
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry				X

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WW	Beverage Can Surface Coating Industry				X
XX	Bulk Gasoline Terminals				
AAA	New Residential Wool Heaters				X
BBB	Rubber Tire Manufacturing Industry				X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry				X
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing				X
GGG	Equipment Leaks of VOC in Petroleum Refineries				X
HHH	Synthetic Fiber Production Facilities				X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes				X
JJJ	Petroleum Dry Cleaners				X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants				X
LLL	Onshore Natural Gas Processing: SO2 Emissions				X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations				X
OOO	Nonmetallic Mineral Processing Plants				X
PPP	Wool Fiberglass Insulation Manufacturing Plants				X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems				X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes				X
SSS	Magnetic Tape Coating Facilities				X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines				X
UUU	Calciners and Dryers in Mineral Industries				X
VVV	Polymeric Coating of Supporting Substrates Facilities				X
WWW	Municipal Solid Waste Landfills				X

(vii) Delegations for San Diego County Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, San Luis Obispo County Air Pollution Control District, and Santa Barbara County Air Pollution Control District are shown in the following table:

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DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SAN DIEGO COUNTY APCD, SAN JOAQUIN VALLEY UNIFIED APCD, SAN LUIS OBISPO COUNTY APCD, AND SANTA BARBARA COUNTY APCD

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X	X	X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994	X	X		X
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X			X
F	Portland Cement Plants	X	X	X	
G	Nitric Acid Plants	X	X	X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011				
H	Sulfuric Acid Plant	X	X	X	
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007				X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	X	X

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L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X	X	X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	X	
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	
Q	Primary Zinc Smelters	X	X	X	
R	Primary Lead Smelters	X	X	X	
S	Primary Aluminum Reduction Plants	X	X	X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	
Y	Coal Preparation and Processing Plants	X	X	X	
Z	Ferroalloy Production Facilities	X	X	X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	X	
BB	Kraft Pulp Mills	X	X	X	
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	
FF	(Reserved)				
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	
LL	Metallic Mineral Processing Plants	X	X	X	
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X	
NN	Phosphate Rock Plants	X	X	X	
PP	Ammonium Sulfate Manufacture	X	X	X	

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QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	
SS	Industrial Surface Coating: Large Appliances	X	X	X	
TT	Metal Coil Surface Coating	X	X	X	
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X	
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006				X
WW	Beverage Can Surface Coating Industry	X	X	X	
XX	Bulk Gasoline Terminals				
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X		
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	X	
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006				X
HHH	Synthetic Fiber Production Facilities	X	X	X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X	X		
JJJ	Petroleum Dry Cleaners	X	X	X	
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	X	
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	X	X	X	
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X		
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	X	

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RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X	X	X	
SSS	Magnetic Tape Coating Facilities	X	X	X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	
UUU	Calciners and Dryers in Mineral Industries	X	X	X	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X	X
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	X			X
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X			X
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	X			X
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines				X
JJJJ	Stationary Spark Ignition Internal Combustion Engines				X
KKKK	Stationary Combustion Turbines	X			X
LLLL	New Sewage Sludge Incineration Units				
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution				

(viii) Delegations for Shasta County Air Quality Management District, Siskiyou County Air Pollution Control District, South Coast Air Quality Management District, and Tehama County Air Pollution Control District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SHASTA COUNTY AQMD, SISKIYOU COUNTY APCD, SOUTH COAST AQMD, AND TEHAMA COUNTY APCD

	Subpart	Air pollution control agency			
		Shasta County AQMD	Siskiyou County APCD	South Coast AQMD	Tehama County APCD
A	General Provisions	X	X	X	
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X		X	

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Da	Electric Utility Steam Generating Units Constructed After September 18, 1978			X	
Db	Industrial-Commercial-Institutional Steam Generating Units			X	
Dc	Small Industrial-Commercial-Institutional Steam Generating Units			X	
E	Incinerators	X		X	
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994			X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994			X	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996			X	
F	Portland Cement Plants	X		X	
G	Nitric Acid Plants	X		X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011				
H	Sulfuric Acid Plant	X		X	
I	Hot Mix Asphalt Facilities	X		X	
J	Petroleum Refineries	X		X	
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007			X	
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X		X	
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984			X	
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984			X	
L	Secondary Lead Smelters	X		X	
M	Secondary Brass and Bronze Production Plants	X		X	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X		X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983			X	
O	Sewage Treatment Plants	X		X	
P	Primary Copper Smelters	X		X	
Q	Primary Zinc Smelters	X		X	
R	Primary Lead Smelters	X		X	

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S	Primary Aluminum Reduction Plants	X		X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X		X	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X		X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X		X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X		X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X		X	
Y	Coal Preparation and Processing Plants	X		X	
Z	Ferroalloy Production Facilities	X		X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X		X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983			X	
BB	Kraft Pulp Mills	X		X	
CC	Glass Manufacturing Plants			X	
DD	Grain Elevators	X		X	
EE	Surface Coating of Metal Furniture			X	
FF	(Reserved)				
GG	Stationary Gas Turbines			X	
HH	Lime Manufacturing Plants	X		X	
KK	Lead-Acid Battery Manufacturing Plants			X	
LL	Metallic Mineral Processing Plants			X	
MM	Automobile and Light Duty Trucks Surface Coating Operations			X	
NN	Phosphate Rock Plants			X	
PP	Ammonium Sulfate Manufacture			X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing			X	
RR	Pressure Sensitive Tape and Label Surface Coating Operations			X	
SS	Industrial Surface Coating: Large Appliances			X	
TT	Metal Coil Surface Coating			X	
UU	Asphalt Processing and Asphalt Roofing Manufacture			X	
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing			X	
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006			X	
WW	Beverage Can Surface Coating Industry			X	
XX	Bulk Gasoline Terminals				

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AAA	New Residential Wood Heaters		X	X	
BBB	Rubber Tire Manufacturing Industry		X	X	
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry			X	
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing			X	
GGG	Equipment Leaks of VOC in Petroleum Refineries			X	
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006			X	
HHH	Synthetic Fiber Production Facilities			X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes			X	
JJJ	Petroleum Dry Cleaners			X	
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants			X	
LLL	Onshore Natural Gas Processing: SO ₂ Emissions			X	
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations			X	
OOO	Nonmetallic Mineral Processing Plants			X	
PPP	Wool Fiberglass Insulation Manufacturing Plants			X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems		X	X	
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes			X	
SSS	Magnetic Tape Coating Facilities		X	X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines		X	X	
UUU	Calciners and Dryers in Mineral Industries			X	
VVV	Polymeric Coating of Supporting Substrates Facilities			X	
WWW	Municipal Solid Waste Landfills			X	
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	X	X	X	
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which			X	

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	Modification or Reconstruction Is Commenced on or After June 1, 2001				
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006			X	
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines			X	
JJJJ	Stationary Spark Ignition Internal Combustion Engines			X	
KKKK	Stationary Combustion Turbines			X	
LLLL	New Sewage Sludge Incineration Units				
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution				

(ix) Delegations for Tuolumne County Air Pollution Control District, Ventura County Air Pollution Control District, and Yolo-Solano Air Quality Management District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR TUOLUMNE COUNTY AIR POLLUTION CONTROL DISTRICT, VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT, AND YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT

	Subpart	Air Pollution Control Agency		
		Tuolumne County APCD	Ventura County APCD	Yolo-Solano AQMD
A	General Provisions	X	X	
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X		
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	
Dc	Small Industrial Steam Generating Units	X		
E	Incinerators	X		
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X		
Eb	Municipal Waste Combustors Constructed After September 20, 1994	X		
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X		
F	Portland Cement Plants	X		
G	Nitric Acid Plants	X		
H	Sulfuric Acid Plants	X		
I	Hot Mix Asphalt Facilities	X	X	

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J	Petroleum Refineries	X	X	
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007			
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X		
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X		
L	Secondary Lead Smelters	X		
M	Secondary Brass and Bronze Production Plants	X		
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X		
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X		
O	Sewage Treatment Plants	X		
P	Primary Copper Smelters	X		
Q	Primary Zinc Smelters	X		
R	Primary Lead Smelters	X		
S	Primary Aluminum Reduction Plants	X		
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X		
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X		
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X		
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X		
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X		
Y	Coal Preparation Plants	X		
Z	Ferroalloy Production Facilities	X		
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X		
BB	Kraft pulp Mills	X		
CC	Glass Manufacturing Plants	X		
DD	Grain Elevators	X		
EE	Surface Coating of Metal Furniture	X		

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FF	(Reserved)			
GG	Stationary Gas Turbines	X		
HH	Lime Manufacturing Plants	X		
KK	Lead-Acid Battery Manufacturing Plants	X		
LL	Metallic Mineral Processing Plants	X		
MM	Automobile and Light Duty Trucks Surface Coating Operations	X		
NN	Phosphate Rock Plants	X		
PP	Ammonium Sulfate Manufacture	X		
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X		
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X		
SS	Industrial Surface Coating: Large Appliances	X		
TT	Metal Coil Surface Coating	X		
UU	Asphalt Processing and Asphalt Roofing Manufacture	X		
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	X		
VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006			
WW	Beverage Can Surface Coating Industry	X		
XX	Bulk Gasoline Terminals			
AAA	New Residential Wood Heaters	X		
BBB	Rubber Tire Manufacturing Industry	X		
CCC	(Reserved)			
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X		
EEE	(Reserved)			
FFF	Flexible Vinyl and Urethane Coating and Printing	X		
GGG	Equipment Leaks of VOC in Petroleum Refineries	X		
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006			
HHH	Synthetic Fiber Production Facilities	X		
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X		
JJJ	Petroleum Dry Cleaners	X		
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X		
LLL	Onshore Natural Gas Processing: SO2 Emissions	X		
MMM	(Reserved)			

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NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X		
OOO	Nonmetallic Mineral Processing Plants	X	X	
PPP	Wool Fiberglass Insulation Manufacturing Plants	X		
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X		
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X		
SSS	Magnetic Tape Coating Facilities	X		
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X		
UUU	Calciners and Dryers in Mineral Industries	X		
VVV	Polymeric Coating of Supporting Substrates Facilities	X		
WWW	Municipal Solid Waste Landfills	X	X	
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	X		
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X		
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006			
GGGG	(Reserved)			
IIII	Stationary Compression Ignition Internal Combustion Engines			
JJJJ	Stationary Spark Ignition Internal Combustion Engines			
KKKK	Stationary Combustion Turbines			

(3) *Hawaii*. The following table identifies delegations for Hawaii:

Delegation Status for New Source Performance Standards for Hawaii:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR HAWAII

	Subpart	Hawaii
A	General Provisions	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X
Dc	Small Industrial Steam Generating Units	X
E	Incinerators	X

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Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X
Eb	Municipal Waste Combustors Constructed After September 20, 1994	X
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X
F	Portland Cement Plants	X
G	Nitric Acid Plants	
H	Sulfuric Acid Plants	
I	Hot Mix Asphalt Facilities	X
J	Petroleum Refineries	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007	
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X
L	Secondary Lead Smelters	
M	Secondary Brass and Bronze Production Plants	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	
O	Sewage Treatment Plants	X
P	Primary Copper Smelters	
Q	Primary Zinc Smelters	
R	Primary Lead Smelters	
S	Primary Aluminum Reduction Plants	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	
Y	Coal Preparation Plants	X
Z	Ferroalloy Production Facilities	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X

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BB	Kraft pulp Mills	
CC	Glass Manufacturing Plants	
DD	Grain Elevators	
EE	Surface Coating of Metal Furniture	
FF	(Reserved)	
GG	Stationary Gas Turbines	X
HH	Lime Manufacturing Plants	
KK	Lead-Acid Battery Manufacturing Plants	
LL	Metallic Mineral Processing Plants	
MM	Automobile and Light Duty Trucks Surface Coating Operations	
NN	Phosphate Rock Plants	
PP	Ammonium Sulfate Manufacture	
QQ	Graphic Arts Industry: Publication Rotogravure Printing	
RR	Pressure Sensitive Tape and Label Surface Coating Operations	
SS	Industrial Surface Coating: Large Appliances	
TT	Metal Coil Surface Coating	
UU	Asphalt Processing and Asphalt Roofing Manufacture	
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	
WW	Beverage Can Surface Coating Industry	X
XX	Bulk Gasoline Terminals	X
AAA	New Residential Wool Heaters	
BBB	Rubber Tire Manufacturing Industry	
CCC	(Reserved)	
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	
EEE	(Reserved)	
FFF	Flexible Vinyl and Urethane Coating and Printing	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	
HHH	Synthetic Fiber Production Facilities	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	
JJJ	Petroleum Dry Cleaners	X

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KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	
LLL	Onshore Natural Gas Processing: SO2 Emissions	
MMM	(Reserved)	
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X
OOO	Nonmetallic Mineral Processing Plants	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	
QQQ	VOC Emissions From Petroleum Refinery Wastewater	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	
SSS	Magnetic Tape Coating Facilities	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	
UUU	Calciners and Dryers in Mineral Industries	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X
WWW	Municipal Solid Waste Landfills	X
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	X
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	
GGGG	(Reserved)	
IIII	Stationary Compression Ignition Internal Combustion Engines	
JJJJ	Stationary Spark Ignition Internal Combustion Engines	
KKKK	Stationary Combustion Turbines	

(4) *Nevada*. The following table identifies delegations for Nevada:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR NEVADA

	Subpart	Air pollution control agency		
		Nevada DEP	Clark County	Washoe County
A	General Provisions	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X	X	

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E	Incinerators	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X	X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994	X	X	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X	X	
F	Portland Cement Plants	X	X	X
G	Nitric Acid Plants	X	X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011	X		
H	Sulfuric Acid Plant	X	X	
I	Hot Mix Asphalt Facilities	X	X	X
J	Petroleum Refineries	X	X	
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007	X		
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	
L	Secondary Lead Smelters	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X	X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	
O	Sewage Treatment Plants	X	X	X
P	Primary Copper Smelters	X	X	X
Q	Primary Zinc Smelters	X	X	X
R	Primary Lead Smelters	X	X	X
S	Primary Aluminum Reduction Plants	X	X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	
Y	Coal Preparation and Processing Plants	X	X	X

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Z	Ferroalloy Production Facilities	X	X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	
BB	Kraft Pulp Mills	X	X	
CC	Glass Manufacturing Plants	X	X	
DD	Grain Elevators	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X
FF	(Reserved)			
GG	Stationary Gas Turbines	X	X	X
HH	Lime Manufacturing Plants	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X
NN	Phosphate Rock Plants	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	
SS	Industrial Surface Coating: Large Appliances	X	X	X
TT	Metal Coil Surface Coating	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006	X	X	
WW	Beverage Can Surface Coating Industry	X	X	
XX	Bulk Gasoline Terminals	X	X	
AAA	New Residential Wood Heaters		X	
BBB	Rubber Tire Manufacturing Industry	X	X	
CCC	(Reserved)			
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X	
EEE	(Reserved)			
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	

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GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	X	X	
HHH	Synthetic Fiber Production Facilities	X	X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X	X	
JJJ	Petroleum Dry Cleaners	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	X	X	
MMM	(Reserved)			
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X	
OOO	Nonmetallic Mineral Processing Plants	X	X	
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X	X	
SSS	Magnetic Tape Coating Facilities	X	X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X
UUU	Calciners and Dryers in Mineral Industries	X	X	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	X	X	X
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X	X	X
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	X	X	X
GGGG	(Reserved)			
HHHH	(Reserved)			
IIII	Stationary Compression Ignition Internal Combustion Engines	X	X	X
JJJJ	Stationary Spark Ignition Internal Combustion Engines	X	X	X
KKKK	Stationary Combustion Turbines	X	X	X
LLLL	New Sewage Sludge Incineration Units		X	
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution	X		

(5) *Guam*. The following table identifies delegations as of June 15, 2001:

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DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR GUAM

	Subpart	Guam
A	General Provisions	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	
Db	Industrial-Commercial-Institutional Steam Generating Units	
Dc	Small Industrial Steam Generating Units	
E	Incinerators	
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	
Eb	Municipal Waste Combustors Constructed After September 20, 1994	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	
F	Portland Cement Plants	X
G	Nitric Acid Plants	
H	Sulfuric Acid Plants	
I	Hot Mix Asphalt Facilities	X
J	Petroleum Refineries	X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X

(e) The following lists the specific part 60 standards that have been delegated unchanged to the air pollution control agencies in Region 6.

(1) *New Mexico*. The New Mexico Environment Department has been delegated all part 60 standards promulgated by EPA, except subpart AAA—Standards of Performance for New Residential Wood Heaters; and subpart HHHH—Emission Guidelines and Compliance Times for Coal-Fired Electric Steam Generating Units, as amended in the FEDERAL REGISTER through September 23, 2013.

(2) *Louisiana*. The Louisiana Department of Environmental Quality has been delegated all part 60 standards promulgated by EPA, except subpart AAA—Standards of Performance for New Residential Wood Heaters, as amended in the FEDERAL REGISTER through July 1, 2013.

DELEGATION STATUS FOR PART 60 STANDARDS—STATE OF LOUISIANA

[Excluding Indian Country]

Subpart	Source category	LDEQ¹
A	General Provisions	Yes
Ce	Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators	Yes
D	Fossil Fueled Steam Generators (>250 MM BTU/hr)	Yes
Da	Electric Utility Steam Generating Units (>250 MM BTU/hr)	Yes

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Db	Industrial-Commercial-Institutional Steam Generating Units (100 to 250 MM BTU/hr)	Yes
Dc	Industrial-Commercial-Institutional Small Steam Generating Units (10 to 100 MM BTU/hr)	Yes
E	Incinerators (>50 tons per day)	Yes
Ea	Municipal Waste Combustors	Yes
Eb	Large Municipal Waste Combustors	Yes
Ec	Hospital/Medical/Infectious Waste Incinerators	Yes
F	Portland Cement Plants	Yes
G	Nitric Acid Plants	Yes
Ga	Nitric Acid Plants (after October 14, 2011)	Yes
H	Sulfuric Acid Plants	Yes
I	Hot Mix Asphalt Facilities	Yes
J	Petroleum Refineries	Yes
Ja	Petroleum Refineries (After May 14, 2007)	Yes
K	Storage Vessels for Petroleum Liquids (After 6/11/73 & Before 5/19/78)	Yes
Ka	Storage Vessels for Petroleum Liquids (After 6/11/73 & Before 5/19/78)	Yes
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Stg/Vessels) After 7/23/84	Yes
L	Secondary Lead Smelters Yes	Yes
M	Secondary Brass and Bronze Production Plants	Yes
N	Primary Emissions from Basic Oxygen Process Furnaces (Construction Commenced After June 11, 1973)	Yes
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities Construction is Commenced After January 20, 1983	Yes
O	Sewage Treatment Plants	Yes
P	Primary Copper Smelters	Yes
Q	Primary Zinc Smelters	Yes
R	Primary Lead Smelters	Yes
S	Primary Aluminum Reduction Plants	Yes
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Plants	Yes
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	Yes
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	Yes
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	Yes
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	Yes
Y	Coal Preparation Plants	Yes
Z	Ferroalloy Production Facilities	Yes
AA	Steel Plants: Electric Arc Furnaces After 10/21/74 & On or Before 8/17/83	Yes
AAa	Steel Plants: Electric Arc Furnaces & Argon-Oxygen Decarburization Vessels After 8/07/83	Yes

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BB	Kraft Pulp Mills	Yes
CC	Glass Manufacturing Plants	Yes
DD	Grain Elevators	Yes
EE	Surface Coating of Metal Furniture	Yes
GG	Stationary Gas Turbines	Yes
HH	Lime Manufacturing Plants	Yes
KK	Lead-Acid Battery Manufacturing Plants	Yes
LL	Metallic Mineral Processing Plants	Yes
MM	Automobile & Light Duty Truck Surface Coating Operations	Yes
NN	Phosphate Manufacturing Plants	Yes
PP	Ammonium Sulfate Manufacture	Yes
QQ	Graphic Arts Industry: Publication Rotogravure Printing	Yes
RR	Pressure Sensitive Tape and Label Surface Coating Operations	Yes
SS	Industrial Surface Coating: Large Appliances	Yes
TT	Metal Coil Surface Coating	Yes
UU	Asphalt Processing and Asphalt Roofing Manufacture	Yes
VV	VOC Equipment Leaks in the SOCOMI Industry	Yes
VVa	VOC Equipment Leaks in the SOCOMI Industry (After November 7, 2006)	Yes
XX	Bulk Gasoline Terminals	Yes
AAA	New Residential Wood Heaters	No
BBB	Rubber Tire Manufacturing Industry	Yes
DDD	Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry	Yes
FFF	Flexible Vinyl and Urethane Coating and Printing	Yes
GGG	VOC Equipment Leaks in Petroleum Refineries	Yes
HHH	Synthetic Fiber Production	Yes
III	VOC Emissions from the SOCOMI Air Oxidation Unit Processes	Yes
JJJ	Petroleum Dry Cleaners	Yes
KKK	VOC Equipment Leaks From Onshore Natural Gas Processing Plants	Yes
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	Yes
NNN	VOC Emissions from SOCOMI Distillation Operations	Yes
OOO	Nonmetallic Mineral Processing Plants	Yes
PPP	Wool Fiberglass Insulation Manufacturing Plants	Yes
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	Yes
RRR	VOC Emissions from SOCOMI Reactor Processes	Yes

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SSS	Magnetic Tape Coating Operations	Yes
TTT	Industrial Surface Coating: Plastic Parts for Business Machines	Yes
UUU	Calciners and Dryers in Mineral Industries	Yes
VVV	Polymeric Coating of Supporting Substrates Facilities	Yes
WWW	Municipal Solid Waste Landfills	Yes
AAAA	Small Municipal Waste Combustion Units (Construction is Commenced After 8/30/99 or Modification/Reconstruction is Commenced After 6/06/2001)	Yes
CCCC	Commercial & Industrial Solid Waste Incineration Units (Construction is Commenced After 11/30/1999 or Modification/Reconstruction is Commenced on or After 6/01/2001)	Yes
DDDD	Emission Guidelines & Compliance Times for Commercial & Industrial Solid Waste Incineration Units (Commenced Construction On or Before 11/30/1999)	Yes
EEEE	Other Solid Waste Incineration Units (Constructed after 12/09/2004 or Modification/Reconstruction is commenced on or after 06/16/2004)	Yes
IIII	Stationary Compression Ignition Internal Combustion Engines	Yes
JJJJ	Stationary Spark Ignition Internal Combustion Engines	Yes
KKKK	Stationary Combustion Turbines (Construction Commenced After 02/18/2005)	Yes
LLLL	New Sewage Sludge Incineration Units	Yes
MMMM	Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units	Yes
OOOO	Crude Oil and Natural Gas Production, Transmission and Distribution	Yes

¹The Louisiana Department of Environmental Quality (LDEQ) has been delegated all Part 60 standards promulgated by EPA, except subpart AAA—Standards of Performance for New Residential Wood Heaters—as amended in the FEDERAL REGISTER through July 1, 2013.

(3) *Albuquerque-Bernalillo County Air Quality Control Board*. The Albuquerque-Bernalillo County Air Quality Control Board has been delegated all part 60 standards promulgated by EPA, except subpart AAA—Standards of Performance for New Residential Wood Heaters, as amended in the FEDERAL REGISTER through September 13, 2013.

[40 FR 18169, Apr. 25, 1975]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §60.4, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§60.5 Determination of construction or modification.

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

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

[40 FR 58418, Dec. 16, 1975]

§60.6 Review of plans.

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

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

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

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

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

§60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

(1) A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) [Reserved]

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with §60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

(6) A notification of the anticipated date for conducting the opacity observations required by §60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by §60.8 in lieu of Method 9 observation data as allowed by §60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and-or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically

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required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

- (1) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
 - (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - (3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - (4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.
- (d) The summary report form shall contain the information and be in the format shown in figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in §60.7(c) need not be submitted unless requested by the Administrator.

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

FIGURE 1—SUMMARY REPORT—GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE

Pollutant (Circle One—SO₂/NO_x/TRS/H₂S/CO/Opacity)

Reporting period dates: From _____ to _____

Company:

Emission Limitation

Address:

Monitor Manufacturer and Model No.

Date of Latest CMS Certification or Audit

Process Unit(s) Description:

Total source operating time in reporting period¹

Emission data summary ¹	CMS performance summary ¹
1. Duration of excess emissions in reporting period due to:	1. CMS downtime in reporting period due to:
a. Startup/shutdown	a. Monitor equipment malfunctions
b. Control equipment problems	b. Non-Monitor equipment malfunctions
c. Process problems	c. Quality assurance calibration

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d. Other known causes		d. Other known causes	
e. Unknown causes		e. Unknown causes	
2. Total duration of excess emission		2. Total CMS Downtime	
3. Total duration of excess emissions × (100) [Total source operating time]	% ²	3. [Total CMS Downtime] × (100) [Total source operating time]	% ²

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

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

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

Name

Signature

Title

Date

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

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be

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used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

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

(f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(g) If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.

(h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[36 FR 24877, Dec. 28, 1971, as amended at 40 FR 46254, Oct. 6, 1975; 40 FR 58418, Dec. 16, 1975; 45 FR 5617, Jan. 23, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 52 FR 9781, Mar. 26, 1987; 55 FR 51382, Dec. 13, 1990; 59 FR 12428, Mar. 16, 1994; 59 FR 47265, Sep. 15, 1994; 64 FR 7463, Feb. 12, 1999]

§60.8 Performance tests.

(a) Except as specified in paragraphs (a)(1),(a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator

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under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(4) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(1), (2), and (3) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

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(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method.

(1) Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

(2) Contents of report (electronic or paper submitted copy). Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, the report for a performance test shall include the elements identified in paragraphs (f)(2)(i) through (vi) of this section.

(i) General identification information for the facility including a mailing address, the physical address, the owner or operator or responsible official (where applicable) and his/her email address, and the appropriate Federal Registry System (FRS) number for the facility.

(ii) Purpose of the test including the applicable regulation(s) requiring the test, the pollutant(s) and other parameters being measured, the applicable emission standard and any process parameter component, and a brief process description.

(iii) Description of the emission unit tested including fuel burned, control devices, and vent characteristics; the appropriate source classification code (SCC); the permitted maximum process rate (where applicable); and the sampling location.

(iv) Description of sampling and analysis procedures used and any modifications to standard procedures, quality assurance procedures and results, record of process operating conditions that demonstrate the applicable test conditions are met, and values for any operating parameters for which limits were being set during the test.

(v) Where a test method requires you record or report, the following shall be included: Record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, chain-of-custody documentation, and example calculations for reported results.

(vi) Identification of the company conducting the performance test including the primary office address, telephone number, and the contact for this test program including his/her email address.

(g) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further

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audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.

(1) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60, Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60, Methods 18 and 19 of appendix A-6 of part 60, Methods 20, 22, and 25A of appendix A-7 of part 60, Methods 30A and 30B of appendix A-8 of part 60, and Methods 303, 318, 320, and 321 of appendix A of part 63 of this chapter. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. "Commercially available" means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, www.epa.gov/ttn/emc, to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request and the compliance authority may grant a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

(2) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:

(i) Preparing the sample;

(ii) Confirming the true concentration of the sample;

(iii) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range.

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(iv) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

(v) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;

(vi) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;

(vii) The AASP shall report the results from each audit sample in a timely manner to the compliance authority and then to the source owner, operator, or representative. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.

(viii) Evaluating the acceptance limits of samples at least once every two years to determine in cooperation with the voluntary consensus standard body if they should be changed;

(ix) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.

(3) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:

(i) Checking audit samples to confirm their true value as reported by the AASP;

(ii) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years;

(iii) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.

(4) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget Circular A-119. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at http://standards.gov/standards_gov/a119.cfm. The VCSB shall approve all accrediting bodies. The Administrator will review all technical criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (g)(2) through (4) of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, <http://www.epa.gov/ttn/emc>.

(h) Unless otherwise specified in the applicable subpart, each test location must be verified to be free of cyclonic flow and evaluated for the existence of emission gas stratification and the required number of sampling traverse points. If other procedures are not specified in the applicable subpart to the regulations, use the appropriate procedures in Method 1 to check for cyclonic flow and Method 7E to evaluate emission gas stratification and selection of sampling points.

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(i) Whenever the use of multiple calibration gases is required by a test method, performance specification, or quality assurance procedure in a part 60 standard or appendix, Method 205 of 40 CFR part 51, appendix M of this chapter, "Verification of Gas Dilution Systems for Field Instrument Calibrations," may be used.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974; 42 FR 57126, Nov. 1, 1977; 44 FR 33612, June 11, 1979; 54 FR 6662, Feb. 14, 1989; 54 FR 21344, May 17, 1989; 64 FR 7463, Feb. 12, 1999; 72 FR 27442, May 16, 2007; 75 FR 55646, Sept. 13, 2010; 79 FR 11241, Feb. 27, 2014; 81 FR 59809, Aug. 30, 2016]

§60.9 Availability of information.

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter. (Information submitted voluntarily to the Administrator for the purposes of §§60.5 and 60.6 is governed by §§2.201 through 2.213 of this chapter and not by §2.301 of this chapter.)

§60.10 State authority.

The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from:

(a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.

(b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.

§60.11 Compliance with standards and maintenance requirements.

(a) Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by §60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e)(1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in §60.8 unless one of the following conditions apply. If no performance test under §60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under §60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in §60.7(a)(6) shall be waived. The rescheduled opacity

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observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under §60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under §60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in §60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by §60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and §60.8 performance test results.

(5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under §60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under §60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under §60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under §60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under §60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in §60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine compliance with the opacity standard.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by §60.8, the opacity observation results and observer certification required by §60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by §60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with §60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and

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advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the FEDERAL REGISTER.

(f) Special provisions set forth under an applicable subpart shall supersede any conflicting provisions in paragraphs (a) through (e) of this section.

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[38 FR 28565, Oct. 15, 1973, as amended at 39 FR 39873, Nov. 12, 1974; 43 FR 8800, Mar. 3, 1978; 45 FR 23379, Apr. 4, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 51 FR 1790, Jan. 15, 1986; 52 FR 9781, Mar. 26, 1987; 62 FR 8328, Feb. 24, 1997; 65 FR 61749, Oct. 17, 2000]

§60.12 Circumvention.

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

[39 FR 9314, Mar. 8, 1974]

§60.13 Monitoring requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under §60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under §60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of this part before the performance test required under §60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under §60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of this part, The owner or operator of an

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affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under §60.8 and as described in §60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under §60.8 is conducted.

(2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d)(1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once each operating day in accordance with a written procedure. The zero and span must, at a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of this part. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified. Owners and operators of a COMS installed in accordance with the provisions of this part must check the zero and upscale (span) calibration drifts at least once daily. For a particular COMS, the acceptable range of zero and upscale calibration materials is defined in the applicable version of PS-1 in appendix B of this part. For a COMS, the optical surfaces, exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures must be followed for a COMS. Minimum procedures must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition using a certified neutral density filter or other related technique to produce a known obstruction of the light beam. Such procedures must provide a system check of all active analyzer internal optics with power or curvature, all active electronic circuitry including the light source and photodetector assembly, and electronic or electro-mechanical systems and hardware and or software used during normal measurement operation.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of this part shall be used.

(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected

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facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h)(1) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in §60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

(2) For continuous monitoring systems other than opacity, 1-hour averages shall be computed as follows, except that the provisions pertaining to the validation of partial operating hours are only applicable for affected facilities that are required by the applicable subpart to include partial hours in the emission calculations:

(i) Except as provided under paragraph (h)(2)(iii) of this section, for a full operating hour (any clock hour with 60 minutes of unit operation), at least four valid data points are required to calculate the hourly average, *i.e.*, one data point in each of the 15-minute quadrants of the hour.

(ii) Except as provided under paragraph (h)(2)(iii) of this section, for a partial operating hour (any clock hour with less than 60 minutes of unit operation), at least one valid data point in each 15-minute quadrant of the hour in which the unit operates is required to calculate the hourly average.

(iii) For any operating hour in which required maintenance or quality-assurance activities are performed:

(A) If the unit operates in two or more quadrants of the hour, a minimum of two valid data points, separated by at least 15 minutes, is required to calculate the hourly average; or

(B) If the unit operates in only one quadrant of the hour, at least one valid data point is required to calculate the hourly average.

(iv) If a daily calibration error check is failed during any operating hour, all data for that hour shall be invalidated, unless a subsequent calibration error test is passed in the same hour and the requirements of paragraph (h)(2)(iii) of this section are met, based solely on valid data recorded after the successful calibration.

(v) For each full or partial operating hour, all valid data points shall be used to calculate the hourly average.

(vi) Except as provided under paragraph (h)(2)(vii) of this section, data recorded during periods of continuous monitoring system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph.

(vii) Owners and operators complying with the requirements of §60.7(f)(1) or (2) must include any data recorded during periods of monitor breakdown or malfunction in the data averages.

(viii) When specified in an applicable subpart, hourly averages for certain partial operating hours shall not be computed or included in the emission averages (e.g., hours with < 30 minutes of unit operation under §60.47b(d)).

(ix) Either arithmetic or integrated averaging of all data may be used to calculate the hourly averages. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant).

(3) All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in the applicable subpart. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in the applicable subpart to specify the emission limit.

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

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(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

(j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in Section 8.4 of Performance Specification 2 and substitute the procedures in Section 16.0 if the results of a performance test conducted according to the requirements in §60.8 of this subpart or other tests performed following the criteria in §60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in Section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure, that the CEMS data indicate that the source emissions are approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., §§60.45(g) (2) and (3), 60.73(e), and 60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative

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to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in Section 8.4 of Performance Specification 2.

[40 FR 46255, Oct. 6, 1975]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §60.13, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§60.14 Modification.

(a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

(b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in paragraph (b)(1) of this section. When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in appendix C of this part shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.

(d) [Reserved]

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and §60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by §60.1, the existing facility was designed to accommodate that alternative use. A facility shall be

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considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.

(h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for the purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the 5 years prior to the change.

(i) Repowering projects that are awarded funding from the Department of Energy as permanent clean coal technology demonstration projects (or similar projects funded by EPA) are exempt from the requirements of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.

(j)(1) Repowering projects that qualify for an extension under section 409(b) of the Clean Air Act are exempt from the requirements of this section, provided that such change does not increase the actual hourly emissions of any pollutant regulated under this section above the actual hourly emissions achievable at that unit during the 5 years prior to the change.

(2) This exemption shall not apply to any new unit that:

(i) Is designated as a replacement for an existing unit;

(ii) Qualifies under section 409(b) of the Clean Air Act for an extension of an emission limitation compliance date under section 405 of the Clean Air Act; and

(iii) Is located at a different site than the existing unit.

(k) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project is exempt from the requirements of this section. A *temporary clean coal control technology demonstration project*, for the purposes of this section is a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the State implementation plan for the State in which the project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

(l) The reactivation of a very clean coal-fired electric utility steam generating unit is exempt from the requirements of this section.

[40 FR 58419, Dec. 16, 1975, as amended at 43 FR 34347, Aug. 3, 1978; 45 FR 5617, Jan. 23, 1980; 57 FR 32339, July 21, 1992; 65 FR 61750, Oct. 17, 2000]

§60.15 Reconstruction.

(a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.

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(b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and

(2) It is technologically and economically feasible to meet the applicable standards set forth in this part.

(c) "Fixed capital cost" means the capital needed to provide all the depreciable components.

(d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

(1) Name and address of the owner or operator.

(2) The location of the existing facility.

(3) A brief description of the existing facility and the components which are to be replaced.

(4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.

(5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.

(6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

(e) The Administrator will determine, within 30 days of the receipt of the notice required by paragraph (d) of this section and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.

(f) The Administrator's determination under paragraph (e) shall be based on:

(1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;

(2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;

(3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

(4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[40 FR 58420, Dec. 16, 1975]

§60.16 Priority list.

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PRIORITIZED MAJOR SOURCE CATEGORIES

<i>Priority Number</i> ¹	<i>Source Category</i>
1.	Synthetic Organic Chemical Manufacturing Industry (SOCMI) and Volatile Organic Liquid Storage Vessels and Handling Equipment
	(a) SOCMI unit processes
	(b) Volatile organic liquid (VOL) storage vessels and handling equipment
	(c) SOCMI fugitive sources
	(d) SOCMI secondary sources
2.	Industrial Surface Coating: Cans
3.	Petroleum Refineries: Fugitive Sources
4.	Industrial Surface Coating: Paper
5.	Dry Cleaning
	(a) Perchloroethylene
	(b) Petroleum solvent
6.	Graphic Arts
7.	Polymers and Resins: Acrylic Resins
8.	Mineral Wool (Deleted)
9.	Stationary Internal Combustion Engines
10.	Industrial Surface Coating: Fabric
11.	Industrial-Commercial-Institutional Steam Generating Units.
12.	Incineration: Non-Municipal (Deleted)
13.	Non-Metallic Mineral Processing
14.	Metallic Mineral Processing
15.	Secondary Copper (Deleted)
16.	Phosphate Rock Preparation
17.	Foundries: Steel and Gray Iron
18.	Polymers and Resins: Polyethylene
19.	Charcoal Production
20.	Synthetic Rubber
	(a) Tire manufacture
	(b) SBR production
21.	Vegetable Oil
22.	Industrial Surface Coating: Metal Coil
23.	Petroleum Transportation and Marketing

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24.	By-Product Coke Ovens
25.	Synthetic Fibers
26.	Plywood Manufacture
27.	Industrial Surface Coating: Automobiles
28.	Industrial Surface Coating: Large Appliances
29.	Crude Oil and Natural Gas Production
30.	Secondary Aluminum
31.	Potash (Deleted)
32.	Lightweight Aggregate Industry: Clay, Shale, and Slate ²
33.	Glass
34.	Gypsum
35.	Sodium Carbonate
36.	Secondary Zinc (Deleted)
37.	Polymers and Resins: Phenolic
38.	Polymers and Resins: Urea-Melamine
39.	Ammonia (Deleted)
40.	Polymers and Resins: Polystyrene
41.	Polymers and Resins: ABS-SAN Resins
42.	Fiberglass
43.	Polymers and Resins: Polypropylene
44.	Textile Processing
45.	Asphalt Processing and Asphalt Roofing Manufacture
46.	Brick and Related Clay Products
47.	Ceramic Clay Manufacturing (Deleted)
48.	Ammonium Nitrate Fertilizer
49.	Castable Refractories (Deleted)
50.	Borax and Boric Acid (Deleted)
51.	Polymers and Resins: Polyester Resins
52.	Ammonium Sulfate
53.	Starch
54.	Perlite
55.	Phosphoric Acid: Thermal Process (Deleted)
56.	Uranium Refining
57.	Animal Feed Defluorination (Deleted)

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58.	Urea (for fertilizer and polymers)
59.	Detergent (Deleted)
<i>Other Source Categories</i>	
Lead acid battery manufacture ³	
Organic solvent cleaning ³	
Industrial surface coating: metal furniture ³	
Stationary gas turbines ⁴	
Municipal solid waste landfills ⁴	

¹Low numbers have highest priority, e.g., No. 1 is high priority, No. 59 is low priority.

²Formerly titled “Sintering: Clay and Fly Ash”.

³Minor source category, but included on list since an NSPS is being developed for that source category.

⁴Not prioritized, since an NSPS for this major source category has already been promulgated.

[47 FR 951, Jan. 8, 1982, as amended at 47 FR 31876, July 23, 1982; 51 FR 42796, Nov. 25, 1986; 52 FR 11428, Apr. 8, 1987; 61 FR 9919, Mar. 12, 1996]

§60.17 Incorporations by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the EPA must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the EPA Docket Center, Public Reading Room, EPA WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, telephone number 202-566-1744, and is available from the sources listed below. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030 or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) American Gas Association, available through ILI Infodisk, 610 Winters Avenue, Paramus, New Jersey 07652:

(1) American Gas Association Report No. 3: Orifice Metering for Natural Gas and Other Related Hydrocarbon Fluids, Part 1: General Equations and Uncertainty Guidelines (1990), IBR approved for §60.107a(d).

(2) American Gas Association Report No. 3: Orifice Metering for Natural Gas and Other Related Hydrocarbon Fluids, Part 2: Specification and Installation Requirements (2000), IBR approved for §60.107a(d).

(3) American Gas Association Report No. 11: Measurement of Natural Gas by Coriolis Meter (2003), IBR approved for §60.107a(d).

(4) American Gas Association Transmission Measurement Committee Report No. 7: Measurement of Gas by Turbine Meters (Revised February 2006), IBR approved for §60.107a(d).

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(c) American Hospital Association (AHA) Service, Inc., Post Office Box 92683, Chicago, Illinois 60675-2683. You may inspect a copy at the EPA's Air and Radiation Docket and Information Center (Docket A-91-61, Item IV-J-124), Room M-1500, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

(1) An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities. American Society for Health Care Environmental Services of the American Hospital Association. Chicago, Illinois. 1993. AHA Catalog No. 057007. ISBN 0-87258-673-5. IBR approved for §§60.35e and 60.55c.

(2) [Reserved]

(d) The following material is available for purchase from the American National Standards Institute (ANSI), 25 W. 43rd Street, 4th Floor, New York, NY 10036, Telephone (212) 642-4980, and is also available at the following Web site: <http://www.ansi.org>.

(1) ANSI No. C12.20-2010 American National Standard for Electricity Meters—0.2 and 0.5 Accuracy Classes (Approved August 31, 2010), IBR approved for §60.5535(d).

(2) [Reserved]

(e) American Petroleum Institute (API), 1220 L Street NW., Washington, DC 20005.

(1) API Publication 2517, Evaporation Loss from External Floating Roof Tanks, Second Edition, February 1980, IBR approved for §§60.111(i), 60.111a(f), and 60.116b(e).

(2) API Manual of Petroleum Measurement Standards, Chapter 22—Testing Protocol, Section 2—Differential Pressure Flow Measurement Devices, First Edition, August 2005, IBR approved for §60.107a(d).

(f) American Public Health Association, 1015 18th Street NW., Washington, DC 20036.

(1) “Standard Methods for the Examination of Water and Wastewater,” 16th edition, 1985. Method 303F: “Determination of Mercury by the Cold Vapor Technique.” Incorporated by reference for appendix A-8 to part 60, Method 29, §§9.2.3, 10.3, and 11.1.3.

(2) 2540 G. Total, Fixed, and Volatile Solids in Solid and Semisolid Samples, in Standard Methods for the Examination of Water and Wastewater, 20th Edition, 1998, IBR approved for §60.154(b).

(g) The following material is available for purchase from the American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, NY 10016-5990, Telephone (800) 843-2763, and is also available at the following Web site: <http://www.asme.org>.

(1) ASME Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th Edition (1971), IBR approved for §§60.58a(h), 60.58b(i), 60.1320(a), and 60.1810(a).

(2) ASME MFC-3M-2004, Measurement of Fluid Flow in Pipes Using Orifice, Nozzle, and Venturi, IBR approved for §60.107a(d).

(3) ASME/ANSI MFC-4M-1986 (Reaffirmed 2008), Measurement of Gas Flow by Turbine Meters, IBR approved for §60.107a(d).

(4) ASME/ANSI MFC-5M-1985 (Reaffirmed 2006), Measurement of Liquid Flow in Closed Conduits Using Transit-Time Ultrasonic Flowmeters, IBR approved for §60.107a(d).

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(5) ASME MFC-6M-1998 (Reaffirmed 2005), Measurement of Fluid Flow in Pipes Using Vortex Flowmeters, IBR approved for §60.107a(d).

(6) ASME/ANSI MFC-7M-1987 (Reaffirmed 2006), Measurement of Gas Flow by Means of Critical Flow Venturi Nozzles, IBR approved for §60.107a(d).

(7) ASME/ANSI MFC-9M-1988 (Reaffirmed 2006), Measurement of Liquid Flow in Closed Conduits by Weighing Method, IBR approved for §60.107a(d).

(8) ASME MFC-11M-2006, Measurement of Fluid Flow by Means of Coriolis Mass Flowmeters, IBR approved for §60.107a(d).

(9) ASME MFC-14M-2003, Measurement of Fluid Flow Using Small Bore Precision Orifice Meters, IBR approved for §60.107a(d).

(10) ASME MFC-16-2007, Measurement of Liquid Flow in Closed Conduits with Electromagnetic Flowmeters, IBR approved for §60.107a(d).

(11) ASME MFC-18M-2001, Measurement of Fluid Flow Using Variable Area Meters, IBR approved for §60.107a(d).

(12) ASME MFC-22-2007, Measurement of Liquid by Turbine Flowmeters, IBR approved for §60.107a(d).

(13) ASME PTC 4.1-1964 (Reaffirmed 1991), Power Test Codes: Test Code for Steam Generating Units (with 1968 and 1969 Addenda), IBR approved for §§60.46b, 60.58a(h), 60.58b(i), 60.1320(a), and 60.1810(a).

(14) ASME/ANSI PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], (Issued August 31, 1981), IBR approved for §§60.56c(b), 60.63(f), 60.106(e), 60.104a(d), (h), (i), and (j), 60.105a(d), (f), and (g), §60.106a(a), §60.107a(a), (c), and (d), tables 1 and 3 to subpart EEEE, tables 2 and 4 to subpart FFFF, table 2 to subpart JJJJ, §60.285a(f), §60.4415(a), 60.2145(s) and (t), 60.2710(s), (t), and (w), 60.2730(q), 60.4900(b), 60.5220(b), tables 1 and 2 to subpart LLLL, tables 2 and 3 to subpart MMMM, 60.5406(c), 60.5406a(c), 60.5407a(g), 60.5413(b), 60.5413a(b) and 60.5413a(d).

(15) ASME PTC 22-2014, Gas Turbines: Performance Test Codes, (Issued December 31, 2014), IBR approved for §60.5580.

(16) ASME PTC 46-1996, Performance Test Code on Overall Plant Performance, (Issued October 15, 1997), IBR approved for §60.5580.

(17) ASME QRO-1-1994, Standard for the Qualification and Certification of Resource Recovery Facility Operators, IBR approved for §§60.54b(a) and (b), 60.56a, 60.1185(a) and (c), and 60.1675(a) and (c).

(h) The following material is available for purchase from ASTM International, 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428-2959, (800) 262-1373, <http://www.astm.org>.

(1) ASTM A99-76, Standard Specification for Ferromanganese, IBR approved for §60.261.

(2) ASTM A99-82 (Reapproved 1987), Standard Specification for Ferromanganese, IBR approved for §60.261.

(3) ASTM A100-69, Standard Specification for Ferrosilicon, IBR approved for §60.261.

(4) ASTM A100-74, Standard Specification for Ferrosilicon, IBR approved for §60.261.

(5) ASTM A100-93, Standard Specification for Ferrosilicon, IBR approved for §60.261.

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- (6) ASTM A101-73, Standard Specification for Ferrochromium, IBR approved for §60.261.
- (7) ASTM A101-93, Standard Specification for Ferrochromium, IBR approved for §60.261.
- (8) ASTM A482-76, Standard Specification for Ferrochromesilicon, IBR approved for §60.261.
- (9) ASTM A482-93, Standard Specification for Ferrochromesilicon, IBR approved for §60.261.
- (10) ASTM A483-64, Standard Specification for Silicomanganese, IBR approved for §60.261.
- (11) ASTM A483-74 (Reapproved 1988), Standard Specification for Silicomanganese, IBR approved for §60.261.
- (12) ASTM A495-76, Standard Specification for Calcium-Silicon and Calcium Manganese-Silicon, IBR approved for §60.261.
- (13) ASTM A495-94, Standard Specification for Calcium-Silicon and Calcium Manganese-Silicon, IBR approved for §60.261.
- (14) ASTM D86-78, Distillation of Petroleum Products, IBR approved for §§60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).
- (15) ASTM D86-82, Distillation of Petroleum Products, IBR approved for §§60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).
- (16) ASTM D86-90, Distillation of Petroleum Products, IBR approved for §§60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).
- (17) ASTM D86-93, Distillation of Petroleum Products, IBR approved for §§60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).
- (18) ASTM D86-95, Distillation of Petroleum Products, IBR approved for §§60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).
- (19) ASTM D86-96, Distillation of Petroleum Products, (Approved April 10, 1996), IBR approved for §§60.562-2(d), 60.593(d), 60.593a(d), 60.633(h), 60.5401(f), 60.5401a(f).
- (20) ASTM D129-64, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §§60.106(j) and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.
- (21) ASTM D129-78, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §§60.106(j) and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.
- (22) ASTM D129-95, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §§60.106(j) and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.
- (23) ASTM D129-00, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §60.335(b).
- (24) ASTM D129-00 (Reapproved 2005), Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §60.4415(a).
- (25) ASTM D240-76, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, IBR approved for §§60.46(c), 60.296(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

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(26) ASTM D240-92, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, IBR approved for §§60.46(c), 60.296(b), and appendix A-7: Method 19, Section 12.5.2.2.3.

(27) ASTM D240-02 (Reapproved 2007), Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, (Approved May 1, 2007), IBR approved for §60.107a(d).

(28) ASTM D270-65, Standard Method of Sampling Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.1.

(29) ASTM D270-75, Standard Method of Sampling Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.1.

(30) ASTM D323-82, Test Method for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for §§60.111(l), 60.111a(g), 60.111b, and 60.116b(f).

(31) ASTM D323-94, Test Method for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for §§60.111(l), 60.111a(g), 60.111b, and 60.116b(f).

(32) ASTM D388-77, Standard Specification for Classification of Coals by Rank, IBR approved for §§60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(33) ASTM D388-90, Standard Specification for Classification of Coals by Rank, IBR approved for §§60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(34) ASTM D388-91, Standard Specification for Classification of Coals by Rank, IBR approved for §§60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(35) ASTM D388-95, Standard Specification for Classification of Coals by Rank, IBR approved for §§60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(36) ASTM D388-98a, Standard Specification for Classification of Coals by Rank, IBR approved for §§60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(37) ASTM D388-99 (Reapproved 2004)^{e1} Standard Classification of Coals by Rank, IBR approved for §§60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, 60.251, and 60.5580.

(38) ASTM D396-78, Standard Specification for Fuel Oils, IBR approved for §§60.41b, 60.41c, 60.111(b), and 60.111a(b).

(39) ASTM D396-89, Standard Specification for Fuel Oils, IBR approved for §§60.41b, 60.41c, 60.111(b), and 60.111a(b).

(40) ASTM D396-90, Standard Specification for Fuel Oils, IBR approved for §§60.41b, 60.41c, 60.111(b), and 60.111a(b).

(41) ASTM D396-92, Standard Specification for Fuel Oils, IBR approved for §§60.41b, 60.41c, 60.111(b), and 60.111a(b).

(42) ASTM D396-98, Standard Specification for Fuel Oils, IBR approved for §§60.41b, 60.41c, 60.111(b), 60.111a(b), and 60.5580.

(43) ASTM D975-78, Standard Specification for Diesel Fuel Oils, IBR approved for §§60.111(b) and 60.111a(b).

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(44) ASTM D975-96, Standard Specification for Diesel Fuel Oils, IBR approved for §§60.111(b) and 60.111a(b).

(45) ASTM D975-98a, Standard Specification for Diesel Fuel Oils, IBR approved for §§60.111(b) and 60.111a(b).

(46) ASTM D975-08a, Standard Specification for Diesel Fuel Oils, IBR approved for §§60.41b 60.41c, and 60.5580.

(47) ASTM D1072-80, Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for §60.335(b).

(48) ASTM D1072-90 (Reapproved 1994), Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for §60.335(b).

(49) ASTM D1072-90 (Reapproved 1999), Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for §60.4415(a).

(50) ASTM D1137-53, Standard Method for Analysis of Natural Gases and Related Types of Gaseous Mixtures by the Mass Spectrometer, IBR approved for §60.45(f).

(51) ASTM D1137-75, Standard Method for Analysis of Natural Gases and Related Types of Gaseous Mixtures by the Mass Spectrometer, IBR approved for §60.45(f).

(52) ASTM D1193-77, Standard Specification for Reagent Water, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.3; Method 5E, Section 7.2.1; Method 5F, Section 7.2.1; appendix A-4 to part 60: Method 6, Section 7.1.1; Method 7, Section 7.1.1; Method 7C, Section 7.1.1; Method 7D, Section 7.1.1; Method 10A, Section 7.1.1; appendix A-5 to part 60: Method 11, Section 7.1.3; Method 12, Section 7.1.3; Method 13A, Section 7.1.2; appendix A-8 to part 60: Method 26, Section 7.1.2; Method 26A, Section 7.1.2; and Method 29, Section 7.2.2.

(53) ASTM D1193-91, Standard Specification for Reagent Water, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.3; Method 5E, Section 7.2.1; Method 5F, Section 7.2.1; appendix A-4 to part 60: Method 6, Section 7.1.1; Method 7, Section 7.1.1; Method 7C, Section 7.1.1; Method 7D, Section 7.1.1; Method 10A, Section 7.1.1; appendix A-5 to part 60: Method 11, Section 7.1.3; Method 12, Section 7.1.3; Method 13A, Section 7.1.2; appendix A-8 to part 60: Method 26, Section 7.1.2; Method 26A, Section 7.1.2; and Method 29, Section 7.2.2.

(54) ASTM D1266-87, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §§60.106(j) and 60.335(b).

(55) ASTM D1266-91, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §§60.106(j) and 60.335(b).

(56) ASTM D1266-98, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §§60.106(j) and 60.335(b).

(57) ASTM D1266-98 (Reapproved 2003)⁶⁻¹ Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §60.4415(a).

(58) ASTM D1475-60 (Reapproved 1980), Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for §60.435(d), appendix A-8 to part 60: Method 24, Section 6.1; and Method 24A, Sections 6.5 and 7.1.

(59) ASTM D1475-90, Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for §60.435(d), appendix A-8 to part 60: Method 24, Section 6.1; and Method 24A, §§6.5 and 7.1.

(60) ASTM D1552-83, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §§60.106(j), 60.335(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

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(61) ASTM D1552-95, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §§60.106(j), 60.335(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(62) ASTM D1552-01, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §§60.106(j), 60.335(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(63) ASTM D1552-03, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §60.4415(a).

(64) ASTM D1826-77, Standard Test Method for Calorific Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, IBR approved for §§60.45(f), 60.46(c), 60.296(b), and appendix A-7 to part 60: Method 19, Section 12.3.2.4.

(65) ASTM D1826-94, Standard Test Method for Calorific Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, IBR approved for §§60.45(f), 60.46(c), 60.296(b), and appendix A-7 to part 60: Method 19, Section 12.3.2.4.

(66) ASTM D1826-94 (Reapproved 2003), Standard Test Method for Calorific (Heating) Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, (Approved May 10, 2003), IBR approved for §60.107a(d).

(67) ASTM D1835-87, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§60.41Da, 60.41b, and 60.41c.

(68) ASTM D1835-91, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§60.41Da, 60.41b, and 60.41c.

(69) ASTM D1835-97, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§60.41Da, 60.41b, and 60.41c.

(70) ASTM D1835-03a, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§60.41Da, 60.41b, and 60.41c.

(71) ASTM D1945-64, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for §60.45(f).

(72) ASTM D1945-76, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for §60.45(f).

(73) ASTM D1945-91, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for §60.45(f).

(74) ASTM D1945-96, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for §60.45(f).

(75) ASTM D1945-03 (Reapproved 2010), Standard Method for Analysis of Natural Gas by Gas Chromatography, (Approved January 1, 2010), IBR approved for §§60.107a(d), 60.5413(d), 60.5413a(d).

(76) ASTM D1946-77, Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for §§60.18(f), 60.45(f), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

(77) ASTM D1946-90 (Reapproved 1994), Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for §§60.18(f), 60.45(f), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

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(78) ASTM D1946-90 (Reapproved 2006), Standard Method for Analysis of Reformed Gas by Gas Chromatography, (Approved June 1, 2006), IBR approved for §60.107a(d).

(79) ASTM D2013-72, Standard Method of Preparing Coal Samples for Analysis, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(80) ASTM D2013-86, Standard Method of Preparing Coal Samples for Analysis, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(81) ASTM D2015-77 (Reapproved 1978), Standard Test Method for Gross Calorific Value of Solid Fuel by the Adiabatic Bomb Calorimeter, IBR approved for §§60.45(f), 60.46(c), and appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(82) ASTM D2015-96, Standard Test Method for Gross Calorific Value of Solid Fuel by the Adiabatic Bomb Calorimeter, IBR approved for §§60.45(f), 60.46(c), and appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(83) ASTM D2016-74, Standard Test Methods for Moisture Content of Wood, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(84) ASTM D2016-83, Standard Test Methods for Moisture Content of Wood, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(85) ASTM D2234-76, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(86) ASTM D2234-96, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(87) ASTM D2234-97b, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(88) ASTM D2234-98, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(89) ASTM D2369-81, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-8 to part 60: Method 24, Section 6.2.

(90) ASTM D2369-87, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-8 to part 60: Method 24, Section 6.2.

(91) ASTM D2369-90, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-8 to part 60: Method 24, Section 6.2.

(92) ASTM D2369-92, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-8 to part 60: Method 24, Section 6.2.

(93) ASTM D2369-93, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-8 to part 60: Method 24, Section 6.2.

(94) ASTM D2369-95, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-8 to part 60: Method 24, Section 6.2.

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(95) ASTM D2382-76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for §§60.18(f), 60.485(g), 60.485a(g), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

(96) ASTM D2382-88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for §§60.18(f), 60.485(g), 60.485a(g), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

(97) ASTM D2504-67, Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved for §§60.485(g) and 60.485a(g).

(98) ASTM D2504-77, Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved for §§60.485(g) and 60.485a(g).

(99) ASTM D2504-88 (Reapproved 1993), Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved for §§60.485(g) and 60.485a(g).

(100) ASTM D2584-68(Reapproved 1985), Standard Test Method for Ignition Loss of Cured Reinforced Resins, IBR approved for §60.685(c).

(101) ASTM D2584-94, Standard Test Method for Ignition Loss of Cured Reinforced Resins, IBR approved for §60.685(c).

(102) ASTM D2597-94 (Reapproved 1999), Standard Test Method for Analysis of Demethanized Hydrocarbon Liquid Mixtures Containing Nitrogen and Carbon Dioxide by Gas Chromatography, IBR approved for §60.335(b).

(103) ASTM D2622-87, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §§60.106(j) and 60.335(b).

(104) ASTM D2622-94, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §§60.106(j) and 60.335(b).

(105) ASTM D2622-98, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §§60.106(j) and 60.335(b).

(106) ASTM D2622-05, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §60.4415(a).

(107) ASTM D2879-83 Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for §§60.111b(f)(3), 60.116b(e), 60.116b(f), 60.485(e), and 60.485a(e).

(108) ASTM D2879-96, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for §§60.111b(f)(3), 60.116b(e), 60.116b(f), 60.485(e), and 60.485a(e).

(109) ASTM D2879-97, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for §§60.111b(f)(3), 60.116b(e), 60.116b(f), 60.485(e), and 60.485a(e).

(110) ASTM D2880-78, Standard Specification for Gas Turbine Fuel Oils, IBR approved for §§60.111(b), 60.111a(b), and 60.335(d).

(111) ASTM D2880-96, Standard Specification for Gas Turbine Fuel Oils, IBR approved for §§60.111(b), 60.111a(b), and 60.335(d).

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(112) ASTM D2908-74, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, IBR approved for §60.564(j).

(113) ASTM D2908-91, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, IBR approved for §60.564(j).

(114) ASTM D2986-71, Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Diethyl Phthalate) Smoke Test, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.1; appendix A-5 to part 60: Method 12, Section 7.1.1; and Method 13A, Section 7.1.1.2.

(115) ASTM D2986-78, Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Diethyl Phthalate) Smoke Test, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.1; appendix A-5 to part 60: Method 12, Section 7.1.1; and Method 13A, Section 7.1.1.2.

(116) ASTM D2986-95a, Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Diethyl Phthalate) Smoke Test, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.1; appendix A-5 to part 60: Method 12, Section 7.1.1; and Method 13A, Section 7.1.1.2.

(117) ASTM D3173-73, Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(118) ASTM D3173-87, Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(119) ASTM D3176-74, Standard Method for Ultimate Analysis of Coal and Coke, IBR approved for §60.45(f)(5)(i) and appendix A-7 to part 60: Method 19, Section 12.3.2.3.

(120) ASTM D3176-89, Standard Method for Ultimate Analysis of Coal and Coke, IBR approved for §60.45(f)(5)(i) and appendix A-7 to part 60: Method 19, Section 12.3.2.3.

(121) ASTM D3177-75, Standard Test Method for Total Sulfur in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(122) ASTM D3177-89, Standard Test Method for Total Sulfur in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(123) ASTM D3178-73 (Reapproved 1979), Standard Test Methods for Carbon and Hydrogen in the Analysis Sample of Coal and Coke, IBR approved for §60.45(f).

(124) ASTM D3178-89, Standard Test Methods for Carbon and Hydrogen in the Analysis Sample of Coal and Coke, IBR approved for §60.45(f).

(125) ASTM D3246-81, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for §60.335(b).

(126) ASTM D3246-92, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for §60.335(b).

(127) ASTM D3246-96, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for §60.335(b).

(128) ASTM D3246-05, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for §60.4415(a)(1).

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(129) ASTM D3270-73T, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(130) ASTM D3270-80, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(131) ASTM D3270-91, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(132) ASTM D3270-95, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(133) ASTM D3286-85, Standard Test Method for Gross Calorific Value of Coal and Coke by the Isoperibol Bomb Calorimeter, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(134) ASTM D3286-96, Standard Test Method for Gross Calorific Value of Coal and Coke by the Isoperibol Bomb Calorimeter, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(135) ASTM D3370-76, Standard Practices for Sampling Water, IBR approved for §60.564(j).

(136) ASTM D3370-95a, Standard Practices for Sampling Water, IBR approved for §60.564(j).

(137) ASTM D3588-98 (Reapproved 2003), Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels, (Approved May 10, 2003), IBR approved for §§60.107a(d), 60.5413(d), and 60.5413a(d).

(138) ASTM D3699-08, Standard Specification for Kerosine, including Appendix X1, (Approved September 1, 2008), IBR approved for §§60.41b, 60.41c, and 60.5580.

(139) ASTM D3792-79, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for appendix A-7 to part 60: Method 24, Section 6.3.

(140) ASTM D3792-91, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for appendix A-7 to part 60: Method 24, Section 6.3.

(141) ASTM D4017-81, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A-7 to part 60: Method 24, Section 6.4.

(142) ASTM D4017-90, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A-7 to part 60: Method 24, Section 6.4.

(143) ASTM D4017-96a, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A-7 to part 60: Method 24, Section 6.4.

(144) ASTM D4057-81, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(145) ASTM D4057-95, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(146) ASTM D4057-95 (Reapproved 2000), Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for §60.4415(a).

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(147) ASTM D4084-82, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for §60.334(h).

(148) ASTM D4084-94, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for §60.334(h).

(149) ASTM D4084-05, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for §§60.4360 and 60.4415(a).

(150) ASTM D4177-95, Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.1.

(151) ASTM D4177-95 (Reapproved 2000), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, IBR approved for §60.4415(a).

(152) ASTM D4239-85, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(153) ASTM D4239-94, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(154) ASTM D4239-97, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(155) ASTM D4294-02, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §60.335(b).

(156) ASTM D4294-03, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §60.4415(a).

(157) ASTM D4442-84, Standard Test Methods for Direct Moisture Content Measurement in Wood and Wood-base Materials, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(158) ASTM D4442-92, Standard Test Methods for Direct Moisture Content Measurement in Wood and Wood-base Materials, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(159) ASTM D4444-92, Standard Test Methods for Use and Calibration of Hand-Held Moisture Meters, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(160) ASTM D4457-85 (Reapproved 1991), Test Method for Determination of Dichloromethane and 1,1,1-Trichloroethane in Paints and Coatings by Direct Injection into a Gas Chromatograph, IBR approved for appendix A-7 to part 60: Method 24, Section 6.5.

(161) ASTM D4468-85 (Reapproved 2000), Standard Test Method for Total Sulfur in Gaseous Fuels by Hydrogenolysis and Rateometric Colorimetry, IBR approved for §§60.335(b) and 60.4415(a).

(162) ASTM D4468-85 (Reapproved 2006), Standard Test Method for Total Sulfur in Gaseous Fuels by Hydrogenolysis and Rateometric Colorimetry, (Approved June 1, 2006), IBR approved for §60.107a(e).

(163) ASTM D4629-02, Standard Test Method for Trace Nitrogen in Liquid Petroleum Hydrocarbons by Syringe/Inlet Oxidative Combustion and Chemiluminescence Detection, IBR approved for §§60.49b(e) and 60.335(b).

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(164) ASTM D4809-95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for §§60.18(f), 60.485(g), 60.485a(g), 60.564(f), 60.614(d), 60.664(e), and 60.704(d).

(165) ASTM D4809-06, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), (Approved December 1, 2006), IBR approved for §60.107a(d).

(166) ASTM D4810-88 (Reapproved 1999), Standard Test Method for Hydrogen Sulfide in Natural Gas Using Length of Stain Detector Tubes, IBR approved for §§60.4360 and 60.4415(a).

(167) ASTM D4891-89 (Reapproved 2006) Standard Test Method for Heating Value of Gases in Natural Gas Range by Stoichiometric Combustion, (Approved June 1, 2006), IBR approved for §§60.107a(d), 60.5413(d), and 60.5413a(d).

(168) ASTM D5287-97 (Reapproved 2002), Standard Practice for Automatic Sampling of Gaseous Fuels, IBR approved for §60.4415(a).

(169) ASTM D5403-93, Standard Test Methods for Volatile Content of Radiation Curable Materials, IBR approved for appendix A-7 to part 60: Method 24, Section 6.6.

(170) ASTM D5453-00, Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence, IBR approved for §60.335(b).

(171) ASTM D5453-05, Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence, IBR approved for §60.4415(a).

(172) ASTM D5504-01, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Chemiluminescence, IBR approved for §§60.334(h) and 60.4360.

(173) ASTM D5504-08, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Chemiluminescence, (Approved June 15, 2008), IBR approved for §§60.107a(e) and 60.5413(d).

(174) ASTM D5762-02, Standard Test Method for Nitrogen in Petroleum and Petroleum Products by Boat-Inlet Chemiluminescence, IBR approved for §60.335(b).

(175) ASTM D5865-98, Standard Test Method for Gross Calorific Value of Coal and Coke, IBR approved for §§60.45(f) and 60.46(c), and appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(176) ASTM D5865-10, Standard Test Method for Gross Calorific Value of Coal and Coke, (Approved January 1, 2010), IBR approved for §§60.45(f), 60.46(c), and appendix A-7 to part 60: Method 19, section 12.5.2.1.3.

(177) ASTM D6216-98, Standard Practice for Opacity Monitor Manufacturers to Certify Conformance with Design and Performance Specifications, IBR approved for appendix B to part 60: Performance Specification 1.

(178) ASTM D6228-98, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Flame Photometric Detection, IBR approved for §60.334(h).

(179) ASTM D6228-98 (Reapproved 2003), Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Flame Photometric Detection, IBR approved for §§60.4360 and 60.4415.

(180) ASTM D6348-03, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, (Approved October 1, 2003), IBR approved for §60.73a(b), table 7 to subpart III, table 2 to subpart JJJJ, and §60.4245(d).

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(181) ASTM D6366-99, Standard Test Method for Total Trace Nitrogen and Its Derivatives in Liquid Aromatic Hydrocarbons by Oxidative Combustion and Electrochemical Detection, IBR approved for §60.335(b)(9).

(182) ASTM D6420-99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, (Approved October 1, 2004), IBR approved for §60.107a(d) and table 2 to subpart JJJJ.

(183) ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for §60.335(a).

(184) ASTM D6522-00 (Reapproved 2005), Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, (Approved October 1, 2005), IBR approved for table 2 to subpart JJJJ, §§60.5413(b) and (d), and 60.5413a(b).

(185) ASTM D6522-11 Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers (Approved December 1, 2011), IBR approved for §60.37f(a), 60.766(a).

(186) ASTM D6667-01, Standard Test Method for Determination of Total Volatile Sulfur in Gaseous Hydrocarbons and Liquefied Petroleum Gases by Ultraviolet Fluorescence, IBR approved for §60.335(b).

(187) ASTM D6667-04, Standard Test Method for Determination of Total Volatile Sulfur in Gaseous Hydrocarbons and Liquefied Petroleum Gases by Ultraviolet Fluorescence, IBR approved for §60.4415(a).

(188) ASTM D6751-11b, Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels, including Appendices X1 through X3, (Approved July 15, 2011), IBR approved for §§60.41b, 60.41c, and 60.5580.

(189) ASTM D6784-02, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), IBR approved for §60.56c(b) and appendix B to part 60: Performance Specification 12A, Section 8.6.2.

(190) ASTM D6784-02 (Reapproved 2008) Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), (Approved April 1, 2008), IBR approved for §§60.2165(j) and 60.2730(j), tables 1, 5, 6 and 8 to subpart CCCC, and tables 2, 6, 7, and 9 to subpart DDDD, §§60.4900(b), 60.5220(b), tables 1 and 2 to subpart LLLL, and tables 2 and 3 to subpart MMMM.

(191) ASTM D6911-15, Standard Guide for Packaging and Shipping Environmental Samples for Laboratory Analysis, approved January 15, 2015, IBR approved for appendix A-8: Method 30B.

(192) ASTM D7467-10, Standard Specification for Diesel Fuel Oil, Biodiesel Blend (B6 to B20), including Appendices X1 through X3, (Approved August 1, 2010), IBR approved for §§60.41b, 60.41c, and 60.5580.

(193) ASTM E168-67, General Techniques of Infrared Quantitative Analysis, IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(194) ASTM E168-77, General Techniques of Infrared Quantitative Analysis, IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(195) ASTM E168-92, General Techniques of Infrared Quantitative Analysis, IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), 60.632(f), 60.5400, 60.5400a(f).

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(196) ASTM E169-63, General Techniques of Ultraviolet Quantitative Analysis, IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), and 60.632(f) .

(197) ASTM E169-77, General Techniques of Ultraviolet Quantitative Analysis, IBR approved for §§60.485a(d), 60.593(b), and 60.593a(b), 60.632(f).

(198) ASTM E169-93, General Techniques of Ultraviolet Quantitative Analysis, (Approved May 15, 1993), IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), 60.632(f), 60.5400(f), and 60.5400a(f).

(199) ASTM E260-73, General Gas Chromatography Procedures, IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(200) ASTM E260-91, General Gas Chromatography Procedures, (IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(201) ASTM E260-96, General Gas Chromatography Procedures, (Approved April 10, 1996), IBR approved for §§60.485a(d), 60.593(b), 60.593a(b), 60.632(f), 60.5400(f), 60.5400a(f) 60.5406(b), and 60.5406a(b)(3).

(202) ASTM E617-13, Standard Specification for Laboratory Weights and Precision Mass Standards, approved May 1, 2013, IBR approved for appendix A-3: Methods 4, 5, 5H, 5I, and appendix A-8: Method 29.

(203) ASTM E871-82 (Reapproved 2013), Standard Test Method for Moisture Analysis of Particulate Wood Fuels, (Approved August 15, 2013), IBR approved for appendix A-8: method 28R.

(204) ASTM E1584-11, Standard Test Method for Assay of Nitric Acid, (Approved August 1, 2011), IBR approved for §60.73a(c).

(205) ASTM E2515-11, Standard Test Method for Determination of Particulate Matter Emissions Collected by a Dilution Tunnel, (Approved November 1, 2011), IBR approved for §60.534 and §60.5476.

(206) ASTM E2618-13 Standard Test Method for Measurement of Particulate Matter Emissions and Heating Efficiency of Outdoor Solid Fuel-Fired Hydronic Heating Appliances, (Approved September 1, 2013), IBR approved for §60.5476.

(207) ASTM E2779-10, Standard Test Method for Determining Particulate Matter Emissions from Pellet Heaters, (Approved October 1, 2010), IBR approved for §60.534.

(208) ASTM E2780-10, Standard Test Method for Determining Particulate Matter Emissions from Wood Heaters, (Approved October 1, 2010), IBR approved for appendix A: method 28R.

(209) ASTM UOP539-97, Refinery Gas Analysis by Gas Chromatography, (Copyright 1997), IBR approved for §60.107a(d).

(i) Association of Official Analytical Chemists, 1111 North 19th Street, Suite 210, Arlington, VA 22209.

(1) AOAC Method 9, Official Methods of Analysis of the Association of Official Analytical Chemists (AOAC), 11th edition, 1970, pp. 11-12, IBR approved for §§60.204(b), 60.214(b), 60.224(b), and 60.234(b).

(2) [Reserved]

(j) U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 272-0167, <http://www.epa.gov>.

SECTION 4. APPENDIX F
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(1) EPA-454/R-98-015, Office of Air Quality Planning and Standards (OAQPS) Fabric Filter Bag Leak Detection Guidance, September 1997, IBR approved for §§60.2145(r), 60.2710(r), 60.4905(b), and 60.5225(b).

(2) EPA-600/R-12/531, EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards, May 2012, IBR approved for §§60.5413(d) and 60.5413a(d).

(k) The Gas Processors Association, 6526 East 60th Street, Tulsa, OK 74145; also available through Information Handling Services, 15 Inverness Way East, PO Box 1154, Englewood, CO 80150-1154. You may inspect a copy at the EPA's Air and Radiation Docket and Information Center, Room 3334, 1301 Constitution Ave. NW., Washington, DC 20460.

(1) Gas Processors Association Standard 2172-09, Calculation of Gross Heating Value, Relative Density, Compressibility and Theoretical Hydrocarbon Liquid Content for Natural Gas Mixtures for Custody Transfer (2009), IBR approved for §60.107a(d).

(2) Gas Processors Association Standard 2261-00, Analysis for Natural Gas and Similar Gaseous Mixtures by Gas Chromatography (2000), IBR approved for §60.107a(d).

(3) Gas Processors Association Standard 2377-86, Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes, 1986 Revision, IBR approved for §§60.105(b), 60.107a(b), 60.334(h), 60.4360, and 60.4415(a).

(l) International Organization for Standardization (ISO) available through IHS Inc., 15 Inverness Way East, Englewood, CO 80112.

(1) ISO 8178-4: 1996(E), Reciprocating Internal Combustion Engines—Exhaust Emission Measurement—part 4: Test Cycles for Different Engine Applications, IBR approved for §60.4241(b).

(2) [Reserved]

(m) International Organization for Standardization (ISO), 1, ch. de la Voie-Creuse, Case postale 56, CH-1211 Geneva 20, Switzerland, + 41 22 749 01 11, <http://www.iso.org/iso/home.htm>.

(1) ISO 2314:2009(E), Gas turbines-Acceptance tests, Third edition (December 15, 2009), IBR approved for §60.5580.

(2) ISO 8316: Measurement of Liquid Flow in Closed Conduits—Method by Collection of the Liquid in a Volumetric Tank (1987-10-01)—First Edition, IBR approved for §60.107a(d).

(n) This material is available for purchase from the National Technical Information Services (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161. You may inspect a copy at the EPA's Air and Radiation Docket and Information Center (Docket A-91-61, Item IV-J-125), Room M-1500, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

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

(2) [Reserved]

(o) North American Electric Reliability Corporation, 1325 G Street NW., Suite 600, Washington, DC 20005-3801, <http://www.nerc.com>.

(1) North American Electric Reliability Corporation Reliability Standard EOP-002-3, Capacity and Energy Emergencies, updated November 19, 2012, IBR approved for §§60.4211(f) and 60.4243(d). Also available online: http://www.nerc.com/files/EOP-002-3_1.pdf.

(2) [Reserved]

SECTION 4. APPENDIX F
40 CFR 60, Subpart A - General Provisions

(p) The following material is available for purchase from the Technical Association of the Pulp and Paper Industry (TAPPI), 15 Technology Parkway South, Suite 115, Peachtree Corners, GA 30092, Telephone (800) 332-8686, and is also available at the following Web site: <http://www.tappi.org>.

(1) TAPPI Method T 624 cm-11, (Copyright 2011), IBR approved, for §§60.285(d) and 60.285a(d).

(2) [Reserved]

(q) Underwriter's Laboratories, Inc. (UL), 333 Pfingsten Road, Northbrook, IL 60062.

(1) UL 103, Sixth Edition revised as of September 3, 1986, Standard for Chimneys, Factory-built, Residential Type and Building Heating Appliance, IBR approved for appendix A-8 to part 60.

(2) [Reserved]

(r) Water Pollution Control Federation (WPCF), 2626 Pennsylvania Avenue NW., Washington, DC 20037.

(1) Method 209A, Total Residue Dried at 103-105 °C, in Standard Methods for the Examination of Water and Wastewater, 15th Edition, 1980, IBR approved for §60.683(b).

(2) [Reserved]

(s) West Coast Lumber Inspection Bureau, 6980 SW. Barnes Road, Portland, OR 97223.

(1) West Coast Lumber Standard Grading Rules No. 16, pages 5-21, 90 and 91, September 3, 1970, revised 1984, IBR approved for appendix A-8 to part 60.

(2) [Reserved]

(t) This material is available for purchase from the Canadian Standards Association (CSA), 5060 Spectrum Way, Suite 100, Mississauga, Ontario, Canada L4W 5N6, Telephone: 800-463-6727.

(1) CSA B415.1-10, Performance Testing of Solid-fuel-burning Heating Appliances, (March 2010), IBR approved for §60.534 and §60.5476. (The standard is also available at <http://shop.csa.ca/en/canada/fuel-burning-equipment/b4151-10/invt/27013322010>)

(2) [Reserved]

(u) This European National (EN) standards material is available for purchase at European Committee for Standardization, Management Centre, Avenue Marnix 17, B-1000 Brussels, Belgium, Telephone: + 32 2 550 08 11.

(1) DIN EN 303-5:2012E (EN 303-5), Heating boilers—Part 5: Heating boilers for solid fuels, manually and automatically stoked, nominal heat output of up to 500 kW—Terminology, requirements, testing and marking, (October 2012), IBR approved for §60.5476. (The standard is also available at http://www.en-standard.eu/csn-en-303-5-heating-boilers-part-5-heating-boilers-for-solid-fuels-manually-and-automatically-stoked-nominal-heat-output-of-up-to-500-kw-terminology-requirements-testing-and-marking/?gclid=CJXI2P_97MMCFdccbQodan8ATA)

(2) [Reserved]

[79 FR 11242, Feb. 27, 2014, as amended at 79 FR 18965, Apr. 4, 2014; 80 FR 13701, Mar. 16, 2015; 80 FR 64648, Oct. 23, 2015; 81 FR 35895, June 3, 2016; 81 FR 59313, 59368, Aug. 29, 2016; 81 FR 59809, Aug. 30, 2016; 82 FR 28562, June 23, 2017]

SECTION 4. APPENDIX F
40 CFR 60, Subpart A - General Provisions

§60.18 General control device and work practice requirements.

(a) *Introduction.* (1) This section contains requirements for control devices used to comply with applicable subparts of 40 CFR parts 60 and 61. The requirements are placed here for administrative convenience and apply only to facilities covered by subparts referring to this section.

(2) This section also contains requirements for an alternative work practice used to identify leaking equipment. This alternative work practice is placed here for administrative convenience and is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(b) *Flares.* Paragraphs (c) through (f) apply to flares.

(c)(1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) Flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).

(3) An owner/operator has the choice of adhering to either the heat content specifications in paragraph (c)(3)(ii) of this section and the maximum tip velocity specifications in paragraph (c)(4) of this section, or adhering to the requirements in paragraph (c)(3)(i) of this section.

(i)(A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity, V_{max} , as determined by the following equation:

$$V_{max} = (X_{H2} - K_1) * K_2$$

Where:

V_{max} = Maximum permitted velocity, m/sec.

K_1 = Constant, 6.0 volume-percent hydrogen.

K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.

X_{H2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in §60.17).

(B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (f)(4) of this section.

(ii) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (f)(3) of this section.

(4)(i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4) of this section, less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (c)(4) (ii) and (iii) of this section.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

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40 CFR 60, Subpart A - General Provisions

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than the velocity, V_{max} , as determined by the method specified in paragraph (f)(5), and less than 122 m/sec (400 ft/sec) are allowed.

(5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{max} , as determined by the method specified in paragraph (f)(6).

(6) Flares used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.

(d) Owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

(e) Flares used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(f)(1) Method 22 of appendix A to this part shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

(2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

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where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \frac{\text{Constant} \cdot 10^{-7}}{1.740} \left(\frac{1}{\text{ppm}} \right) \left(\frac{\text{g mole}}{\text{scm}} \right) \left(\frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for $\left(\frac{\text{g mole}}{\text{scm}} \right)$ is 20°C;

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C_i = Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994) (Incorporated by reference as specified in §60.17); and

H_i = Net heat of combustion of sample component i , kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in §60.17) if published values are not available or cannot be calculated.

(4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

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(5) The maximum permitted velocity, V_{\max} , for flares complying with paragraph (c)(4)(iii) shall be determined by the following equation.

$$\text{Log}_{10}(V_{\max}) = (H_T + 28.8)/31.7$$

V_{\max} = Maximum permitted velocity, M/sec

28.8 = Constant

31.7 = Constant

H_T = The net heating value as determined in paragraph (f)(3).

(6) The maximum permitted velocity, V_{\max} , for air-assisted flares shall be determined by the following equation.

$$V_{\max} = 8.706 + 0.7084 (H_T)$$

V_{\max} = Maximum permitted velocity, m/sec

8.706 = Constant

0.7084 = Constant

H_T = The net heating value as determined in paragraph (f)(3).

(g) *Alternative work practice for monitoring equipment for leaks.* Paragraphs (g), (h), and (i) of this section apply to all equipment for which the applicable subpart requires monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor, except for closed vent systems, equipment designated as leakless, and equipment identified in the applicable subpart as having no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background. An owner or operator may use an optical gas imaging instrument instead of a 40 CFR part 60, appendix A-7, Method 21 monitor. Requirements in the existing subparts that are specific to the Method 21 instrument do not apply under this section. All other requirements in the applicable subpart that are not addressed in paragraphs (g), (h), and (i) of this section apply to this standard. For example, equipment specification requirements, and non-Method 21 instrument recordkeeping and reporting requirements in the applicable subpart continue to apply. The terms defined in paragraphs (g)(1) through (5) of this section have meanings that are specific to the alternative work practice standard in paragraphs (g), (h), and (i) of this section.

(1) *Applicable subpart* means the subpart in 40 CFR parts 60, 61, 63, or 65 that requires monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(2) *Equipment* means pumps, valves, pressure relief valves, compressors, open-ended lines, flanges, connectors, and other equipment covered by the applicable subpart that require monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(3) *Imaging* means making visible emissions that may otherwise be invisible to the naked eye.

(4) *Optical gas imaging instrument* means an instrument that makes visible emissions that may otherwise be invisible to the naked eye.

(5) *Repair* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak.

(6) *Leak* means:

(i) Any emissions imaged by the optical gas instrument;

(ii) Indications of liquids dripping;

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40 CFR 60, Subpart A - General Provisions

(iii) Indications by a sensor that a seal or barrier fluid system has failed; or

(iv) Screening results using a 40 CFR part 60, appendix A-7, Method 21 monitor that exceed the leak definition in the applicable subpart to which the equipment is subject.

(h) The alternative work practice standard for monitoring equipment for leaks is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(1) An owner or operator of an affected source subject to CFR parts 60, 61, 63, or 65 can choose to comply with the alternative work practice requirements in paragraph (i) of this section instead of using the 40 CFR part 60, appendix A-7, Method 21 monitor to identify leaking equipment. The owner or operator must document the equipment, process units, and facilities for which the alternative work practice will be used to identify leaks.

(2) Any leak detected when following the leak survey procedure in paragraph (i)(3) of this section must be identified for repair as required in the applicable subpart.

(3) If the alternative work practice is used to identify leaks, re-screening after an attempted repair of leaking equipment must be conducted using either the alternative work practice or the 40 CFR part 60, appendix A-7, Method 21 monitor at the leak definition required in the applicable subpart to which the equipment is subject.

(4) The schedule for repair is as required in the applicable subpart.

(5) When this alternative work practice is used for detecting leaking equipment, choose one of the monitoring frequencies listed in Table 1 to subpart A of this part in lieu of the monitoring frequency specified for regulated equipment in the applicable subpart. Reduced monitoring frequencies for good performance are not applicable when using the alternative work practice.

(6) When this alternative work practice is used for detecting leaking equipment the following are not applicable for the equipment being monitored:

(i) Skip period leak detection and repair;

(ii) Quality improvement plans; or

(iii) Complying with standards for allowable percentage of valves and pumps to leak.

(7) When the alternative work practice is used to detect leaking equipment, the regulated equipment in paragraph (h)(1)(i) of this section must also be monitored annually using a 40 CFR part 60, appendix A-7, Method 21 monitor at the leak definition required in the applicable subpart. The owner or operator may choose the specific monitoring period (for example, first quarter) to conduct the annual monitoring. Subsequent monitoring must be conducted every 12 months from the initial period. Owners or operators must keep records of the annual Method 21 screening results, as specified in paragraph (i)(4)(vii) of this section.

(i) An owner or operator of an affected source who chooses to use the alternative work practice must comply with the requirements of paragraphs (i)(1) through (i)(5) of this section.

(1) Instrument Specifications. The optical gas imaging instrument must comply with the requirements in (i)(1)(i) and (i)(1)(ii) of this section.

(i) Provide the operator with an image of the potential leak points for each piece of equipment at both the detection sensitivity level and within the distance used in the daily instrument check described in paragraph (i)(2) of this section. The detection sensitivity level depends upon the frequency at which leak monitoring is to be performed.

(ii) Provide a date and time stamp for video records of every monitoring event.

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(2) Daily Instrument Check. On a daily basis, and prior to beginning any leak monitoring work, test the optical gas imaging instrument at the mass flow rate determined in paragraph (i)(2)(i) of this section in accordance with the procedure specified in paragraphs (i)(2)(ii) through (i)(2)(iv) of this section for each camera configuration used during monitoring (for example, different lenses used), unless an alternative method to demonstrate daily instrument checks has been approved in accordance with paragraph (i)(2)(v) of this section.

(i) Calculate the mass flow rate to be used in the daily instrument check by following the procedures in paragraphs (i)(2)(i)(A) and (i)(2)(i)(B) of this section.

(A) For a specified population of equipment to be imaged by the instrument, determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, within the distance to be used in paragraph (i)(2)(iv)(B) of this section, at or below the standard detection sensitivity level.

(B) Multiply the standard detection sensitivity level, corresponding to the selected monitoring frequency in Table 1 of subpart A of this part, by the mass fraction of detectable chemicals from the stream identified in paragraph (i)(2)(i)(A) of this section to determine the mass flow rate to be used in the daily instrument check, using the following equation.

$$E_{dic} = (E_{sds}) \sum_{i=1}^k x_i$$

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Where:

E_{dic} = Mass flow rate for the daily instrument check, grams per hour

x_i = Mass fraction of detectable chemical(s) i seen by the optical gas imaging instrument, within the distance to be used in paragraph (i)(2)(iv)(B) of this section, at or below the standard detection sensitivity level, E_{sds} .

E_{sds} = Standard detection sensitivity level from Table 1 to subpart A, grams per hour

k = Total number of detectable chemicals emitted from the leaking equipment and seen by the optical gas imaging instrument.

(ii) Start the optical gas imaging instrument according to the manufacturer's instructions, ensuring that all appropriate settings conform to the manufacturer's instructions.

(iii) Use any gas chosen by the user that can be viewed by the optical gas imaging instrument and that has a purity of no less than 98 percent.

(iv) Establish a mass flow rate by using the following procedures:

(A) Provide a source of gas where it will be in the field of view of the optical gas imaging instrument.

(B) Set up the optical gas imaging instrument at a recorded distance from the outlet or leak orifice of the flow meter that will not be exceeded in the actual performance of the leak survey. Do not exceed the operating parameters of the flow meter.

(C) Open the valve on the flow meter to set a flow rate that will create a mass emission rate equal to the mass rate specified in paragraph (i)(2)(i) of this section while observing the gas flow through the optical gas imaging instrument viewfinder. When an image of the gas emission is seen through the viewfinder at the required emission rate, make a record of the reading on the flow meter.

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(v) Repeat the procedures specified in paragraphs (i)(2)(ii) through (i)(2)(iv) of this section for each configuration of the optical gas imaging instrument used during the leak survey.

(vi) To use an alternative method to demonstrate daily instrument checks, apply to the Administrator for approval of the alternative under §60.13(i).

(3) Leak Survey Procedure. Operate the optical gas imaging instrument to image every regulated piece of equipment selected for this work practice in accordance with the instrument manufacturer's operating parameters. All emissions imaged by the optical gas imaging instrument are considered to be leaks and are subject to repair. All emissions visible to the naked eye are also considered to be leaks and are subject to repair.

(4) Recordkeeping. You must keep the records described in paragraphs (i)(4)(i) through (i)(4)(vii) of this section:

(i) The equipment, processes, and facilities for which the owner or operator chooses to use the alternative work practice.

(ii) The detection sensitivity level selected from Table 1 to subpart A of this part for the optical gas imaging instrument.

(iii) The analysis to determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, as specified in paragraph (i)(2)(i)(A) of this section.

(iv) The technical basis for the mass fraction of detectable chemicals used in the equation in paragraph (i)(2)(i)(B) of this section.

(v) The daily instrument check. Record the distance, per paragraph (i)(2)(iv)(B) of this section, and the flow meter reading, per paragraph (i)(2)(iv)(C) of this section, at which the leak was imaged. Keep a video record of the daily instrument check for each configuration of the optical gas imaging instrument used during the leak survey (for example, the daily instrument check must be conducted for each lens used). The video record must include a time and date stamp for each daily instrument check. The video record must be kept for 5 years.

(vi) Recordkeeping requirements in the applicable subpart. A video record must be used to document the leak survey results. The video record must include a time and date stamp for each monitoring event. A video record can be used to meet the recordkeeping requirements of the applicable subparts if each piece of regulated equipment selected for this work practice can be identified in the video record. The video record must be kept for 5 years.

(vii) The results of the annual Method 21 screening required in paragraph (h)(7) of this section. Records must be kept for all regulated equipment specified in paragraph (h)(1) of this section. Records must identify the equipment screened, the screening value measured by Method 21, the time and date of the screening, and calibration information required in the existing applicable subpart.

(5) Reporting. Submit the reports required in the applicable subpart. Submit the records of the annual Method 21 screening required in paragraph (h)(7) of this section to the Administrator via e-mail to *CCG-AWP@EPA.GOV*.

[51 FR 2701, Jan. 21, 1986, as amended at 63 FR 24444, May 4, 1998; 65 FR 61752, Oct. 17, 2000; 73 FR 78209, Dec. 22, 2008]

§60.19 General notification and reporting requirements.

(a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word “calendar” is absent, unless otherwise specified in an applicable requirement.

(b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a

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notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f)(1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[59 FR 12428, Mar. 16, 1994, as amended at 64 FR 7463, Feb. 12, 1998]

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Table 1 to Subpart A of Part 60—Detection Sensitivity Levels (grams per hour)

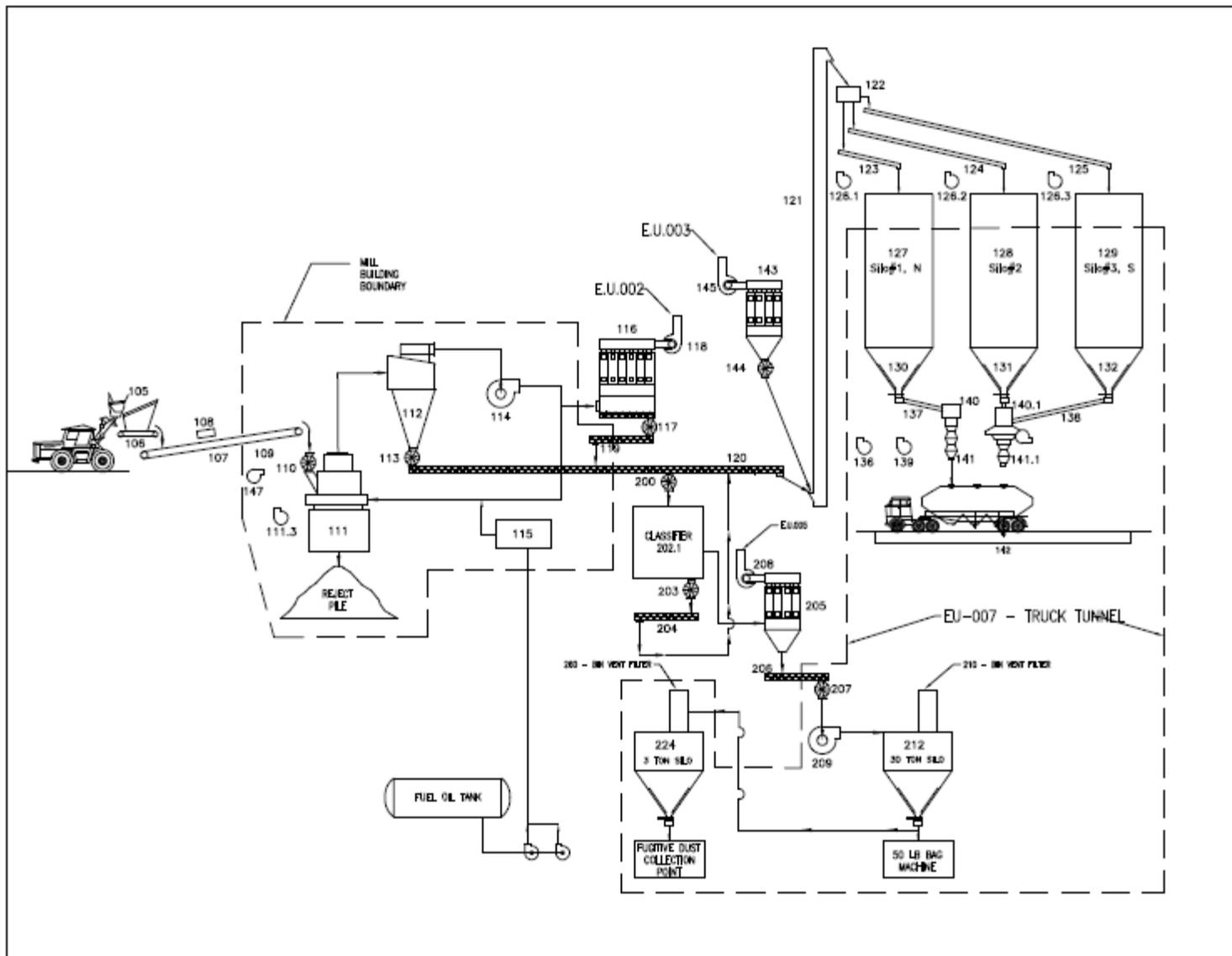
Monitoring frequency per subpart^a	Detection sensitivity level
Bi-Monthly	60
Semi-Quarterly	85
Monthly	100

^aWhen this alternative work practice is used to identify leaking equipment, the owner or operator must choose one of the monitoring frequencies listed in this table in lieu of the monitoring frequency specified in the applicable subpart. Bi-monthly means every other month. Semi-quarterly means twice per quarter. Monthly means once per month.

[73 FR 78211, Dec. 22, 2008]

SECTION 4. APPENDIX G

Process Flow Diagram



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Issue Date: 01/19/2019
Type: 07
Class: 08
County: Lee
License/Permit #: 116312-0001-2008
Expiration Date: 01/18/2020



Jimmy Patronis

Chief Financial Officer



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June 08, 2016

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Jacksonville, FL 32201-4667

Subject: **Notice of Intended Agency Action Letter -- Approval**
Water Use Permit No.: 20 000199.007
Project Name: Brooksville Quarry LLC
County: Hernando

Dear Sir/Madam:

The Southwest Florida Water Management District (District) has completed its review of the application for Water Use Permit No. 20 000199.007. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/Search/Search/SearchWupSimple.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

Darrin Herbst, P.G.
Bureau Chief
Water Use Permit Bureau

cc: Traci Johns



An Equal
Opportunity
Employer

Southwest Florida Water Management District

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

June 08, 2016

Brooksville Quarry, LLC/Attn: Scott McCaleb
Po Box 4667
Jacksonville, FL 32201-4667

Subject: **Notice of Agency Action -- Approval**
Water Use Permit No.: 20 000199.007
Project Name: Brooksville Quarry LLC
County: Hernando

Dear Sir/Madam:

The Southwest Florida Water Management District (District) is in receipt of your application for Water Use Permit No. 20 000199.007. Based upon a review of the information you submitted, the application is approved. A copy of the permit is enclosed for your records. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

Please be advised that the Governing Board has formulated a water shortage plan referenced in a Standard Water Use Permit Condition (Exhibit A) of your permit, and will implement such a plan during periods of water shortage. You will be notified during a declared water shortage of any change in the conditions of your Permit or any suspension of your Permit, or of any restriction on your use of water for the duration of any declared water shortage. Please further note that water conservation is a condition of your Permit and should be practiced at all times.

The ID tags for your withdrawals shall be installed by a District representative. This representative will attempt to contact you within 30 days to discuss placement of your tags. If you have any questions or concerns regarding your tags, please contact Frank Gargano at extension 4289, in the Brooksville Service Office. If you have any questions or concerns regarding your permit or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

Darrin Herbst, P.G.
Bureau Chief
Water Use Permit Bureau
Regulation Division

Encl: Permit
Notice of Rights

cc: Traci Johns

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 000199.007**

PERMIT ISSUE DATE: June 08, 2016

EXPIRATION DATE: July 22, 2019

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Modification
GRANTED TO: Brooksville Quarry, LLC/Attn: Scott McCaleb
Po Box 4667
Jacksonville, FL 32201-4667

PROJECT NAME: Brooksville Quarry LLC

WATER USE CAUTION AREA(S): Not in a WUCA

COUNTY: Hernando

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	111,400 gpd
PEAK MONTH ¹	298,200 gpd

¹ Peak Month: Average daily use during the highest water use month.

ABSTRACT:

This is a modification of an existing water use permit for mining/dewatering and agricultural use. This modification adds 26 acres of field nursery to the existing mining operations. The authorized quantities are an increase from those previously permitted. The Annual Average quantities increase from 21,400 gpd to 111,400 gpd; and, the Peak Month quantities increase from 24,400 gpd to 298,200 gpd. The increases in Annual Average and Peak Month quantities are due to adding 26 acres of agricultural use to the permit. Quantities are based on the District's irrigation allotment calculation program, Agmod. This permit currently does not utilize Alternative Water Supply (AWS) sources, as none are currently available. However, the Permittee is required to submit a reclaimed water feasibility analysis upon District request.

Special Conditions include those that require the Permittee to: continue to record and report groundwater levels from DID Nos. 23, 24, and 25/Permittee ID Nos. MW1, MW2, and MW3; begin recording and reporting surface water levels from DID No. 21/Permittee ID No. 21; continue to submit annual mining plan updates on May 1 of every year; and, implement irrigation and best water management practices.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Agricultural	90,000	273,800
Mining/Dewatering	21,400	24,400

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>
Nursery, Field	26.00	Drip Without Plastic	46.50"/yr.
Limestone Processing			
Personal Sanitary Use			
Water Entrained With Product			

WITHDRAWAL POINT QUANTITY TABLE

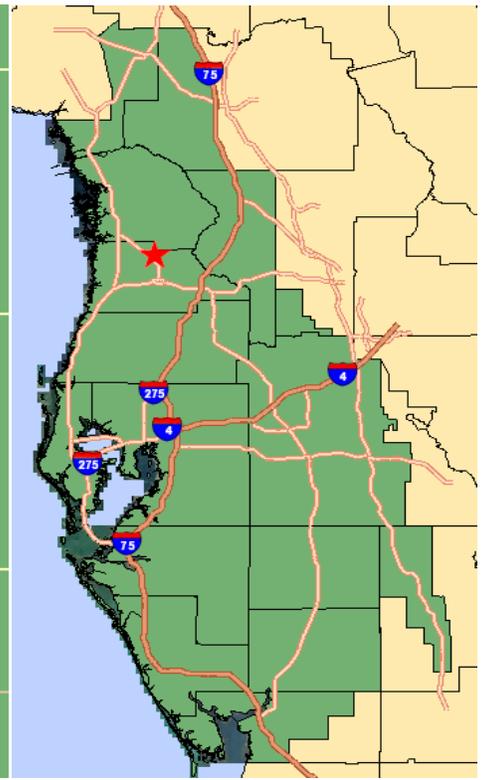
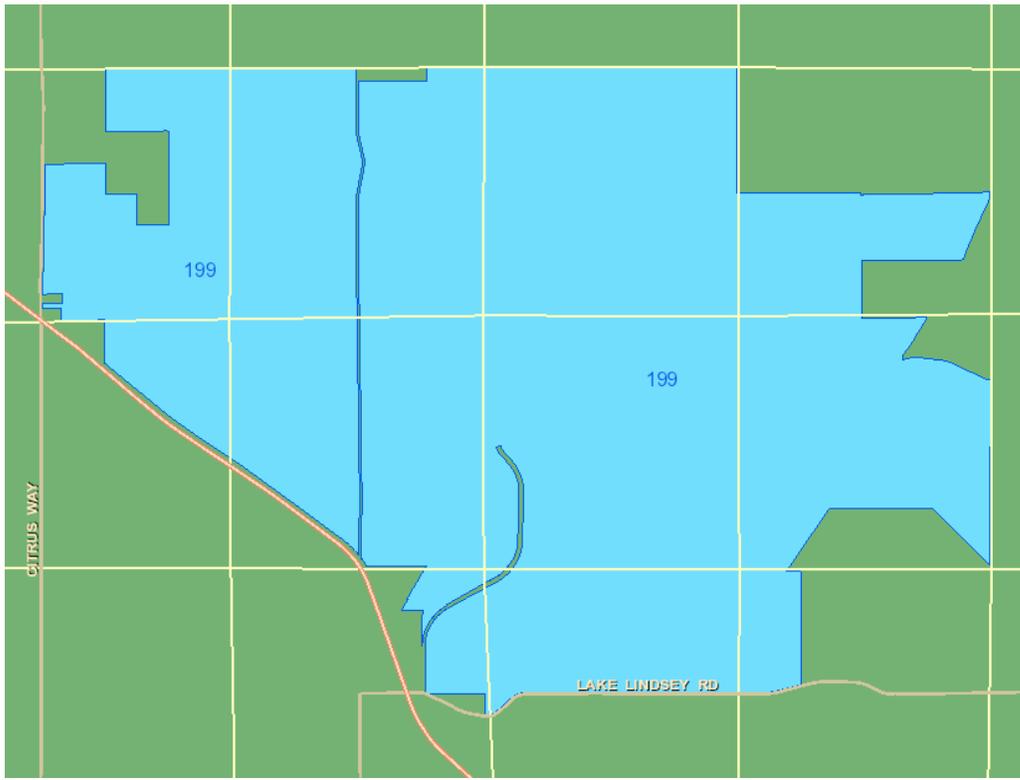
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
7 / 7	6	150 / UNK	Mining	4,000	7,000
8 / 8	4	UNK / UNK	Personal Sanitary	800	800
10 / 10	12	N/A / N/A	Mining	5,467	5,467
11 / 11	12	N/A / N/A	Mining	5,467	5,467
12 / 12	12	N/A / N/A	Mining	5,466	5,466
19 / 19	4	220 / 136	Personal Sanitary	200	200
20-20 / 26	12	UNK / UNK	Irrigation	90,000	273,800

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
7	28° 38' 59.10"/82° 25' 07.50"
8	28° 38' 53.10"/82° 25' 29.70"
10	28° 38' 27.90"/82° 25' 04.30"
11	28° 38' 27.80"/82° 25' 02.10"
12	28° 38' 25.59"/82° 25' 02.96"
19	28° 38' 56.20"/82° 25' 07.50"
26	28° 39' 44.17"/82° 26' 00.94"

Location Map
Brooksville Quarry, LLC/Attn: Scott McCaleb
WUP No. 20 000199.007



Legend

- DIDs
- WUP Boundary
- 2014 Natural Color Imagery

HERNANDO COUNTY

Southwest Florida
Water Management District

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.
(499)

2. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
3. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
4. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
5. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
6. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
7. The Permittee shall geophysically (caliper) or video log District ID Nos. 7, 8, and 26, Permittee ID No. 7, 8, and 20-20, if the pump assembly is removed for maintenance or replacement within the term of this permit. If the Permittee does not have to remove the pump assembly during the term of this permit, he or she shall notify the District in writing upon submittal of their application to renew their water use permit (WUP). Such notification will not prejudice the Permittee's application. The District does not require the Permittee to remove the well assembly for the single purpose of logging the well.

The geophysical or video log must clearly show the diameter and total depth of each well, and the casing depth and casing continuity in each well. If a video log is made of the well, it shall clearly show the WUP number, Permittee name, and well identification number on the tape itself. One copy of the log shall be submitted to the District within 30 days of the logging event. Upon sufficient notice (approximately two to three weeks), the District can caliper log the well(s) at no cost to the Permittee; however, the Permittee shall remove the pump assembly at their own cost and prior to the arrival of the District logging vehicle on location.

Until such time as the logging is performed, the District shall continue to assess withdrawal impacts, and credit existing use per aquifer based on the assumption that multiple aquifers are open in the well bore. If an analysis of the log with respect to geology or hydrogeology is made, the report must be signed and sealed by a Professional Geologist who is registered and in good standing with the Florida Department of Business and Professional Regulation.

(408)

8. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water.
(458)
9. The Permittee shall submit an annual mining plan update by May 1 of each year that includes the following information for the upcoming calendar year.
 - A. Areas to be mined or dewatered within the coming year as well as those mined in the previous year with an approximate time frame in months for each mining and dewatering cell.
 - B. The setback distance to be maintained.
 - C. Additions or deletions to outparcels. Additional outparcels are to be labeled and the names and addresses of the property owners are to be referenced to the outparcel.
 - D. All wells within areas to be mined and their future disposition.
 - E. Wetlands required to be preserved, including those wetlands created for mitigation, and any on-site wetlands that will not be mined.If the Permittee deviates from the mining plan for the upcoming calendar year during the calendar year, the Permittee shall provide a revised plan for that deviation for approval to the Water Use Permit Bureau Chief. No deviation is allowed without District approval.(478)
10. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
11. The Permittee shall continue to maintain the monitor well(s) or piezometer(s) listed below, monitor water levels, and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. Water levels shall be recorded relative to National Geodetic Vertical Datum 1929 and to the maximum extent possible, recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website (www.watermatters.org) or mailed in hardcopy on District-provided forms to the Water Use Permit Bureau on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource. The Permittee shall have the elevation of the measuring point on each well listed surveyed to the specified datum, and a copy of the certified survey report for the wells listed shall be included with the first data submittal.

Existing District ID Nos. 23, 24, and 25/Permittee ID Nos. MW1, MW2, and MW3 to monitor the Upper Floridan aquifer on a weekly basis.

(756)

12. The Permittee shall continue to maintain the District-approved staff gauge in the water bodies at the location(s) specified by latitude and longitude below and report measurements of water levels referenced to North American Vertical Datum 1988 at the frequency indicated. The Permittee shall have the elevation of each staff gauge surveyed to the specified datum, and a copy of the certified survey report for the wells listed shall be included with the first data submittal.

District ID No. 21, Permittee ID No. 21 in Orange Grove Pit recorded on a Quarterly basis at Lat. 28 39 09.72 Long. 82 24 08.37.

Quarterly = February, May, August, November

To the maximum extent possible, water levels shall be recorded on the same week of each month and reported to the Water Use Permit Bureau, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

(762)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner;
and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Darrin Herbst, P.G.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28.106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

APPENDIX B
THREATENED AND ENDANGERED SPECIES SURVEY RESULTS LETTER



August 26, 2019
Kleinfelder Project No.: 20200536.001A

Ms. Dawn Velsor
Lead Environmental Planner
Hernando County Planning Department
20 N Main St, Rom 262
Brooksville, FL 34601

**SUBJECT: FLORIDA ROCK INDUSTRIES – BROOKSVILLE FINE GRIND – 2019 MOPA
(ANTICIPATED MINING AREAS 2020-2024)
THREATENED AND ENDANGERED SPECIES**

Dear Ms. Velsor:

On August 7, 2019, Kleinfelder ecologists conducted a qualitative threatened and endangered (T&E) species survey for the 2020-2024 anticipated mining areas and immediate surrounding areas (survey areas) on the referenced \pm 3,531.55 acre site (the Property). The survey areas consist of the 2020-2024 anticipated mining areas (the Project) and a 400' foot buffer and totals approximately 579.79 acres (the survey areas) (**Figure 1**). The purpose of the T&E survey is to determine the potential for the occurrence of any protected flora and fauna within the anticipated mining areas and land adjoining to the 2020-2024 anticipated mining areas. The following provides information on the methodology and results of the T&E species survey conducted in August 2019.

METHODOLOGY

Database Search

A review of databases and available resources, including the Florida Natural Areas Inventory (FNAI) Biodiversity Index, Florida Fish and Wildlife Conservation Commission (FWC) Eagle Nest Locator, United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), and the species-specific resources listed below, was conducted in order to determine the likelihood of the presence of federal and state listed floral and/or faunal species within the survey areas. This likelihood was assessed given the known ranges, availability of suitable habitat, food sources, and nesting sites for listed species within the survey areas.

- FWC Eagle Nest Locator,
- USFWS 2008-2017 Woodstork Nesting Colony GIS information,
- USFWS Southeast Woodstork Active Florida Colonies Google Earth Files,
- FWC Quick Maps Habitats and Wildlife Google Earth Files,
- FWC Scrub-Jay Habitat Florida GIS information; and,
- FWC Black Bear Range Florida GIS information.

Copies of the FNAI report, FWC nest locator search, and USFWS IPaC are attached (**Attachments 1-3**).

Survey Area Conditions

In order to determine areas with the highest potential for the occurrence of threatened or endangered species and which listed species may occur onsite, existing land use and habitats for the survey areas were classified and mapped. The land uses and vegetative communities within the survey areas have been classified utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS, FDOT 1999).

Listed Species Field Assessment

Utilizing methodologies and guidelines established by the FWC and the USFWS, the survey areas were qualitatively surveyed for the presence and/or potential for occurrence of the flora and fauna listed by the FWC, the USFWS, or the Florida Department of Agriculture and Consumer Services (FDACS) that may have potential to utilize the survey areas based on the geography and site conditions. Field investigations were conducted throughout the entirety of the survey areas in order to identify and document evidence and utilization by listed species.

RESULTS

Database Search

The results of the FNAI Biodiversity Index search are listed below. The following are T&E fauna and flora have either been documented within or are 'likely' or have the 'potential' to occur within Matrix Units 25824, 25825, 25826, 26093, 26094, 26095, 26096, 26364, 26365, and 26366, which are the one (1) square-mile matrix units which the survey areas are located within in the FNAI Biodiversity Index database. Listing classifications such as 'likely' or 'potential' to occur means that there is a known presence of suitable habitat for these species within the vicinity of the matrix or the matrix falls within the vicinity of the predicted ranges of these species. A listing classification such as 'documented' means that there is a documented occurrence of the species within a matrix unit. Inclusion on the FNAI list does not confirm presence; however, this list is used to target likely species to evaluate for during the field surveys.

Group	Species	Status
Birds	Bald eagle (<i>Haliaeetus leucocephalus</i>)	-
	Florida burrowing owl (<i>Athene cunicularia floridana</i>)	ST
	Florida sandhill crane (<i>Grus canadensis pratensis</i>)	ST
	Red-cockaded woodpecker (<i>Picoides borealis</i>)	FE
	White ibis (<i>Eudocimis albus</i>)	FE
	Wood stork (<i>Mycteria americana</i>)	FT
Reptiles	Eastern indigo snake (<i>Drymarchon couperi</i>)	FT
	Gopher tortoise (<i>Gopherus polyphemus</i>)	ST
	Short-tailed snake (<i>Stilosoma extenuatum</i>)	ST
	American alligator (<i>Alligator mississippiensis</i>)	FT(S/A)
Flora	Brooksville bellflower (<i>Campanula robinsiae</i>)	FE
	Cooley's water-willow (<i>Justicia cooleyi</i>)	FE

FWC – Florida Fish and Wildlife Conservation Commission; Official Lists of Florida's Endangered Species, Threatened Species, and Species of Special Concern (Ch. 68A-27 F.A.C.; updated 12/2018) [ranking: ST - State-designated Threatened, FE - Federally-designated Endangered, FT - Federally-designated Threatened, FT(S/A) - Federally-designated Threatened by Similarity of Appearance]

Survey Area Conditions

In general, the survey areas consist of current and historic mining areas which are characterized by uneven topography. As such, limited natural habitat is located within the survey areas. The four (4) observed land covers associated with the survey areas are mapped (**Figure 2**) and summarized below.

Rock Quarries (FLUCFCS 163, 349.33 acres, 60.25%) – The 2020-2024 anticipated mining areas are referenced to as the Bell, Jones, and Orange Grove pits. These areas are located within previously mined regions of the Property. These areas are generally characterized by uneven topography, exposed rock outcroppings, and a lack of vegetation, in association with the former and current mining activities on the Property. The observed vegetation present within these areas is dominated by dense cogongrass (*Imperata cylindrica*) with scattered clumps of Jamaica swamp sawgrass (*Cladium jamaicense*). Additionally, scattered clusters of various shrub species are found throughout these areas and include species such as wax myrtle (*Myrica cerifera*) and Eastern false-willow (*Baccharis halimifolia*).

Temperate Forests (FLUCFCS 425, 104.05 acres, 17.95%) – Portions of the areas surrounding the Bell, Jones and Orange Grove pits are characterized by mixed hardwood forests. These areas include a conglomeration of tree species such as sweetgum (*Liquidambar styraciflua*), live oak (*Quercus virginiana*), red maple (*Acer rubrum*), slash pine (*Pinus elliotii*), Eastern red cedar (*Juniperus virginiana*), and American elm (*Ulmus americana*) and saw palmetto (*Serenoa repens*). The dominant ground vegetative cover within these areas is cogongrass (*Imperata cylindrica*). Other vegetation observed included danglepod (*Sesbania herbacea*), rattle-box (*Crotalaria spectabilis*), wax myrtle (*Myrica cerifera*), and Eastern false-willow (*Baccharis halimifolia*).

It appears that the majority of the forested areas are associated with historic overburden storage areas that have re-vegetated, as evidenced by the uneven topography and steep slopes observed.

Disturbed Land (FLUCFCS 740, 123.96 acres, 21.38%) – Portions of the disturbed land include both spoil areas and areas generally characterized by uneven topography related to activities associated with current or previous mining. The vegetation of these areas include spoil areas dominated by dense cogongrass and temperate forest.

Roads and Highways (FLUCFCS 814, 2.45 acres, 0.42%) – Brittle Road, a paved road, is located along the west boundary of the Bell Pit. The dominant vegetative cover located along this roadway was maintained grass, muscadine grape (*Vitis rotundifolia*) and sweetgum. Other vegetation observed adjacent to Brittle Road included red maple, Eastern false-willow, coastal plain willow (*Salix carolina*), and lantana (*Lantana spp.*).

Due to the observed onsite conditions, the likelihood for utilization of the survey areas by listed species is deemed low.

Listed Species Field Assessment

Protected Wildlife Species

Utilizing methodologies and guidelines established by the FWC and the USFWS, the survey areas were qualitatively surveyed for the presence and/or potential for occurrence of the following flora and fauna listed by the FWC, the USFWS, or the Florida Department of Agriculture and Consumer Services (FDACS). Meandering vehicular and pedestrian transects were completed throughout the survey areas.

No listed fauna were observed on the survey areas during the T&E evaluation. Based upon habitat preference, known geographic distribution, and the existing conditions identified within the survey areas, the following listed species were identified to have the potential to occur onsite:

Gopher Tortoise

The gopher tortoise (*Gopherus polyphemus*) is listed as “Threatened” by the FWC and permits are required to impact areas containing tortoises or their burrows. Suitable habitat includes dry upland areas, including sandhills, scrub, xeric oak hammock, and dry pine flatwoods. Although upland hardwood forested areas were identified within the survey areas, the density of canopy cover and general mesic nature observed within these areas is too high to be suitable for the gopher tortoise. No gopher tortoise burrows were observed during the T&E survey. Based on the lack of observed gopher tortoise burrows and suitable foraging habitat within the survey areas, there is a low likelihood for this species to utilize the survey areas.

If a gopher tortoise is found to occupy the anticipated mining areas, this species will need to be addressed through appropriate avoidance and/or permitting with the FWC prior to land disturbance.

American Alligator

The American Alligator (*Alligator mississippiensis*) (alligator) is found in mostly permanent bodies of fresh water that includes marshes, swamps, lakes, and rivers. It is listed as “Threatened” by the USFWS due to similarity of appearance to the American crocodile (*Crocodylus acutus*) which is listed as “Threatened” by the USFWS. Due to there being a body of water, or mine pit, within the Orange Grove Pit, and additionally, other natural wetlands or surface water bodies nearby on the Property, there is a potential for this species to occur within the survey areas, however, no alligators or alligator nests were observed within the survey areas during the site assessment.

Regulation of this species by the FWC is limited to the intentional harm, take, possession, or sale of individuals, nests, or eggs without appropriate licensing and permits; thus, no constraints are anticipated in association with this species.

Bald Eagle

The bald eagle (*Haliaeetus leucocephalus*) is protected by the USFWS under authority of the Migratory Bird Treaty Act and the Bald Eagle Protection Act. The bald eagle typically nests in mature pine trees located near large, open water bodies. The USFWS has established guidelines regarding activities within a 330-foot zone and 660-foot zone surrounding bald eagle nests. Due

to the survey areas' proximity to Simmons Prairie Lake and Stafford Lake, a search of the current FWC Eagle Nest Locator database was conducted to determine if nests have previously been recorded on the survey areas or on adjacent properties. According to the FWC records, no bald eagle nests are known to be located within the survey areas; however, one eagle nest (HN-010), is located offsite approximately 3.4 miles west of the survey areas, however, no eagles or eagle nests were observed within the survey areas during the site visit and the likelihood of nesting within the survey areas is deemed low due to the lack of ideal nesting habitat within the survey areas. Therefore, at this time there does not appear to be any constraints involving this species.

Protected Plant Species

Based on a review of the USFWS IPaC for Hernando County and the FNAI Biodiversity Index, there are three (3) protected plant species that occur within Hernando County: Cooley's water willow (*Justicia cooley*), Brooksville bellflower (*Campanula robinsiae*), Britton's beargrass (*Nolina brittoniana*). No plant species protected by the FDACS were observed during the field investigation. Based on known geographic distribution, habitat preference, and existing land uses, there is a low probability of listed floral species to occur within the survey areas.

No threatened or protected species were observed during the onsite assessment. Based upon habitat preference, known geographic distribution, and the existing conditions identified within the survey areas, the potential for listed species to occur on the survey areas has been deemed low.

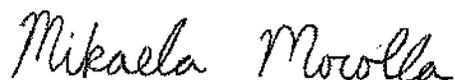
LIMITATIONS

Our work has been performed in a manner consistent with that level of care and skill ordinarily exercised by other members of Kleinfelder's profession practicing in the same locality, under similar conditions and at the date the services are provided. Our conclusions, opinions and recommendations are based on a limited number of observations and data. It is possible that conditions could vary between or beyond the data evaluated. Kleinfelder makes no guarantee or warranty, express, or implied, regarding the services, communication (oral or written), report, opinion, or instrument or service provided.

Should you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,

KLEINFELDER

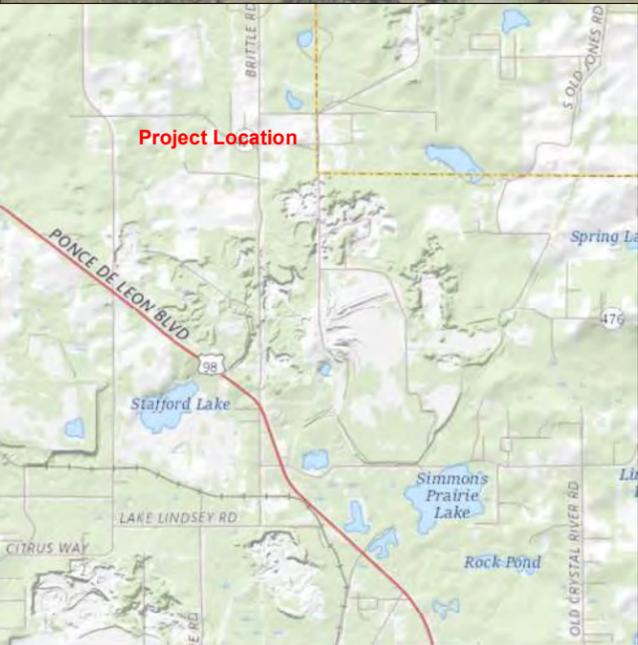
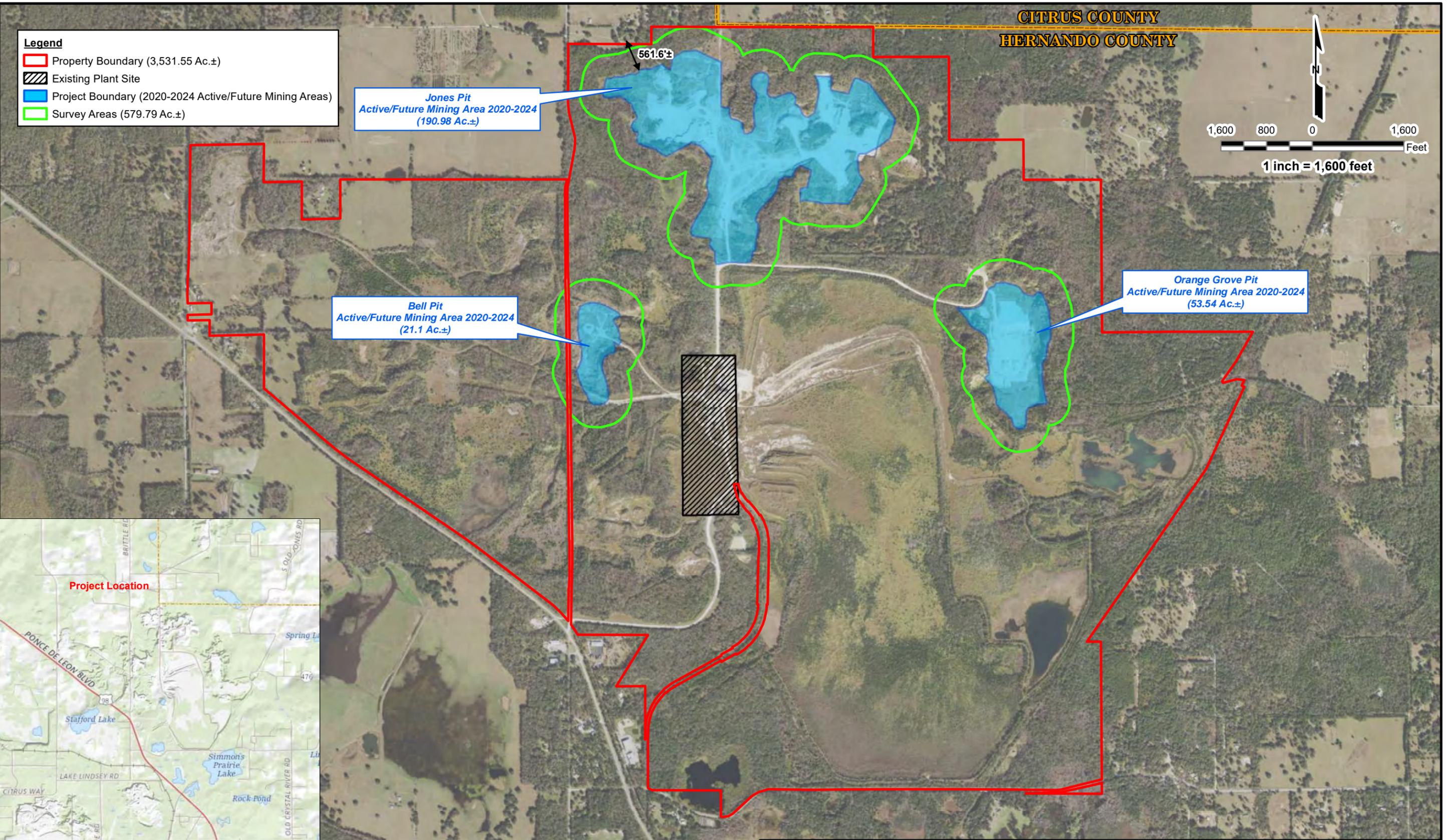


Mikaela Morolla
Ecologist

- Enc. Figure 1 – Location Map
- Figure 2 – Land Use Map
- Attachment 1 – FNAI Biodiversity Matrix Query Results
- Attachment 2 – FWC Eagle Nest Locator Results
- Attachment 3 – USFWS Information for Planning and Consultation (Hernando County)

cc: Ms. Traci Johns, Florida Rock Industries
Ms. Lisa F. Daugherty, Kleinfelder
File

Document Path: G:\Vulcan-FRI_2019\20200536.001A_VMC FL-Brooksville FG County Permits\01-0000 MOPA Renewal\19-0812--Brooksville FG MOPA T&E-Location.mxd. Plotted: 8/26/2019, 1:14:43 PM, ASeecharan



**Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East**

Source: World Imagery was obtained from ESRI Basemap. Image origin: State of Florida.
Date: 2/10/2017.
USA Topo Maps was obtained from ESRI Basemap. Back Drop to Project Boundary represents 7.5 Minute Quadrangle sheet for Brooksville NW, Florida.

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PROJECT NO.	20200536.001A
DRAWN:	8/12/2019
DRAWN BY:	NL
CHECKED BY:	MMM
FILE NAME:	19-0812--Brooksville FG MOPA T&E-Location.mxd

Location Map		FIGURE 1
Florida Rock Industries, Inc. Brooksville Fine Grind Plant Hernando County, Florida Mine Operation Plan Approval		

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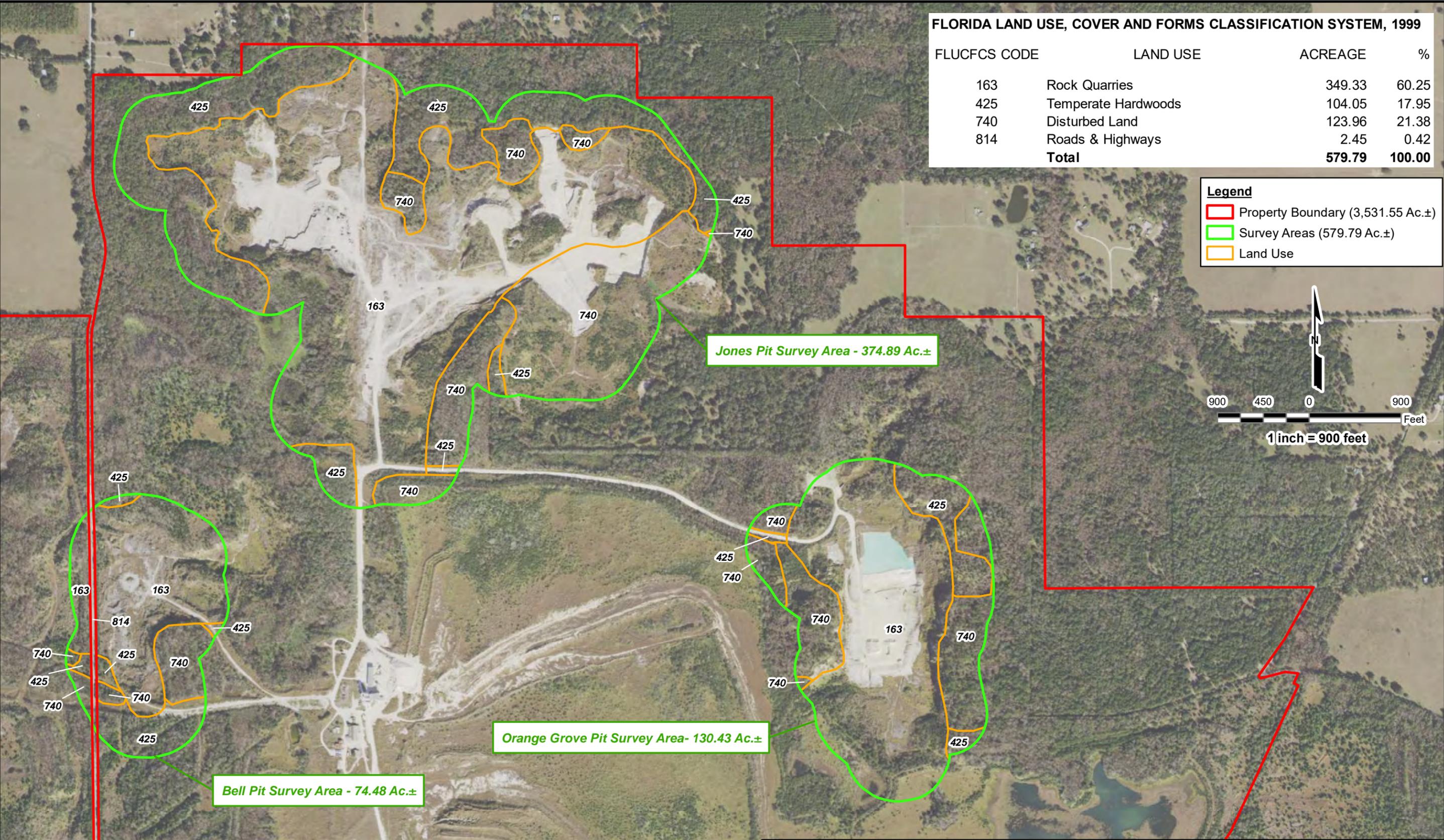
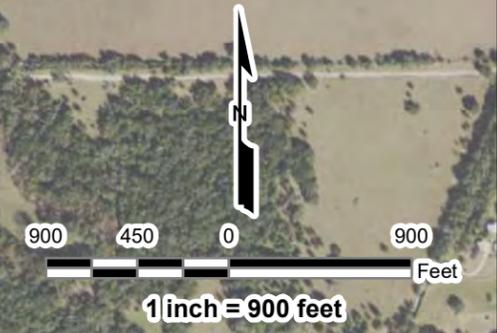
Document Path: G:\Vulcan-FRI_2019\20200536.001A_VMC FL-Brooksville FG County Permits\01-0000 MOPA Renewal\19-0812--Brooksville FG MOPA T&E-LandUse.mxd. Plotted: 8/24/2019, 1:17:09 PM, ASeecharan

FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM, 1999

FLUCFCS CODE	LAND USE	ACREAGE	%
163	Rock Quarries	349.33	60.25
425	Temperate Hardwoods	104.05	17.95
740	Disturbed Land	123.96	21.38
814	Roads & Highways	2.45	0.42
Total		579.79	100.00

Legend

- ▭ Property Boundary (3,531.55 Ac.±)
- ▭ Survey Areas (579.79 Ac.±)
- ▭ Land Use



**Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East**



PROJECT NO. 20200536.001A
 DRAWN: 8/12/2019
 DRAWN BY: NL
 CHECKED BY: MMM
 FILE NAME: 19-0812--Brooksville
 FG MOPA T&E-LandUse.mxd

Land Use Map

**Florida Rock Industries, Inc.
 Brooksville Fine Grind Plant
 Hernando County, Florida
 Mine Operation Plan Approval**

FIGURE
2

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Source: Land Use and Land Cover information prepared by Kleinfelder. The Florida Land Use, Cover and Forms Classification System Handbook, January 1999, was utilized to determine the specific land use classifications.



Florida Natural Areas Inventory

Biodiversity Matrix Query Results

UNOFFICIAL REPORT

Created 5/29/2019

(Contact the FNAI Data Services Coordinator at 850.224.8207 or kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

Report for 10 Matrix Units: 25824 , 25825 , 25826 , 26093 , 26094 , 26095 , 26096 , 26364 , 26365 , 26366

Descriptions

DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.

DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.

LIKELY - The species or community is *known* to occur in this vicinity, and is considered likely within this Matrix Unit because:

1. documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; *or*
2. there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit.

POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.

Matrix Unit ID: 25824

0 **Documented** Elements Found

1 **Documented-Historic** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Blechnum occidentale</i> Sinkhole Fern	G5	S1	N	E

3 Likely Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Mycteria americana Wood Stork	G4	S2	LT	FT
<i>Sandhill</i>	G3	S2	N	N

Matrix Unit ID: 25825**0 Documented** Elements Found**1 Documented-Historic** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Justicia cooleyi Cooley's Water-willow	G2	S2	LE	E

3 Likely Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Mycteria americana Wood Stork	G4	S2	LT	FT
<i>Upland hardwood forest</i>	G5	S3	N	N

Matrix Unit ID: 25826**2 Documented** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Gopherus polyphemus Gopher Tortoise	G3	S3	C	ST
<i>Upland hardwood forest</i>	G5	S3	N	N

1 Documented-Historic Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Justicia cooleyi Cooley's Water-willow	G2	S2	LE	E

2 Likely Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Mycteria americana Wood Stork	G4	S2	LT	FT

Matrix Unit ID: 26093

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

2 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Mycteria americana Wood Stork	G4	S2	LT	FT

Matrix Unit ID: 26094

3 **Documented** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Blechnum occidentale</i> Sinkhole Fern	G5	S1	N	E
Pecluma dispersa Widespread Polypody	G5	S2	N	E
<i>Upland hardwood forest</i>	G5	S3	N	N

0 **Documented-Historic** Elements Found

2 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Mycteria americana Wood Stork	G4	S2	LT	FT

Matrix Unit ID: 26095

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

3 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Justicia cooleyi Cooley's Water-willow	G2	S2	LE	E
<i>Upland hardwood forest</i>	G5	S3	N	N

Matrix Unit ID: 26096

1 **Documented** Element Found

Scientific and Common Names

	Global Rank	State Rank	Federal Status	State Listing
Gopherus polyphemus Gopher Tortoise	G3	S3	C	ST

0 **Documented-Historic** Elements Found

6 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Justicia cooleyi Cooley's Water-willow	G2	S2	LE	E
Mycteria americana Wood Stork	G4	S2	LT	FT
Picooides borealis Red-cockaded Woodpecker	G3	S2	LE	FE
<i>Sandhill</i>	G3	S2	N	N
<i>Upland hardwood forest</i>	G5	S3	N	N

Matrix Unit ID: 26364

0 **Documented** Elements Found

1 **Documented-Historic** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Neofiber alleni Round-tailed Muskrat	G3	S3	N	N

2 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Mycteria americana Wood Stork	G4	S2	LT	FT

Matrix Unit ID: 26365

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

3 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Mycteria americana Wood Stork	G4	S2	LT	FT
<i>Upland hardwood forest</i>	G5	S3	N	N

Matrix Unit ID: 263660 **Documented** Elements Found0 **Documented-Historic** Elements Found5 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Drymarchon couperi Eastern Indigo Snake	G3	S3	LT	FT
Justicia cooleyi Cooley's Water-willow	G2	S2	LE	E
<i>Mesic flatwoods</i>	G4	S4	N	N
Mycteria americana Wood Stork	G4	S2	LT	FT
<i>Upland hardwood forest</i>	G5	S3	N	N

Matrix Unit IDs: 25824 , 25825 , 25826 , 26093 , 26094 , 26095 , 26096 , 26364 , 26365 , 2636637 **Potential** Elements Common to Any of the 10 Matrix Units

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Adiantum tenerum</i> Brittle Maidenhair Fern	G5	S3	N	E
<i>Agrimonia incisa</i> Incised Groove-bur	G3	S2	N	T
Asplenium heteroresiliens Wagner's Spleenwort	GNA	S1	N	N
Asplenium plenum Ruffled Spleenwort	G1Q	S1	N	N
Asplenium x curtissii Curtiss' Spleenwort	GNA	S1	N	N
Athene cunicularia floridana Florida Burrowing Owl	G4T3	S3	N	SSC
Calopogon multiflorus Many-flowered Grass-pink	G2G3	S2S3	N	T
Centrosema arenicola Sand Butterfly Pea	G2Q	S2	N	E
Corynorhinus rafinesquii Rafinesque's Big-eared Bat	G3G4	S2	N	N
<i>Digitaria floridana</i> Florida Fingergrass	G1	S1	N	N
Egretta caerulea Little Blue Heron	G5	S4	N	SSC
Egretta thula Snowy Egret	G5	S3	N	SSC
Eudocimus albus White Ibis	G5	S4	N	SSC
Forestiera godfreyi Godfrey's Swampprivet	G2	S2	N	E
Gopherus polyphemus Gopher Tortoise	G3	S3	C	ST
Heterodon simus Southern Hognose Snake	G2	S2	N	N
Justicia cooleyi Cooley's Water-willow	G2	S2	LE	E
Lampropeltis extenuata Short-tailed Snake	G3	S3	N	ST
	G3	S3	N	SSC

Lithobates capito Gopher Frog				
Matelea floridana Florida Spiny-pod	G2	S2	N	E
Monotropsis reynoldsiae Pygmy Pipes	G1Q	S1	N	E
Mustela frenata peninsulæ Florida Long-tailed Weasel	G5T3	S3	N	N
Myotis austroriparius Southeastern Bat	G3G4	S3	N	N
Nemastylis floridana Celestial Lily	G2	S2	N	E
Neofiber alleni Round-tailed Muskrat	G3	S3	N	N
Nolina brittoniana Britton's Beargrass	G3	S3	LE	E
Notophthalmus perstriatus Striped Newt	G2G3	S2	C	N
Picoides borealis Red-cockaded Woodpecker	G3	S2	LE	FE
Podomys floridanus Florida Mouse	G3	S3	N	SSC
Pteroglossaspis ecristata Giant Orchid	G2G3	S2	N	T
Pycnanthemum floridanum Florida Mountain-mint	G3	S3	N	T
Sciurus niger shermani Sherman's Fox Squirrel	G5T3	S3	N	SSC
Spigelia loganioides Pinkroot	G2Q	S2	N	E
Triphora craigheadii Craighead's Nodding-caps	G1	S1	N	E
Tylocerus fulvocinctus Yellow-banded Tylocerus Long-horned Beetle	G2G3	S2S3	N	N
Ursus americanus floridanus Florida Black Bear	G5T2	S2	N	N

Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a [Standard Data Request](#) option for those needing certifiable data.

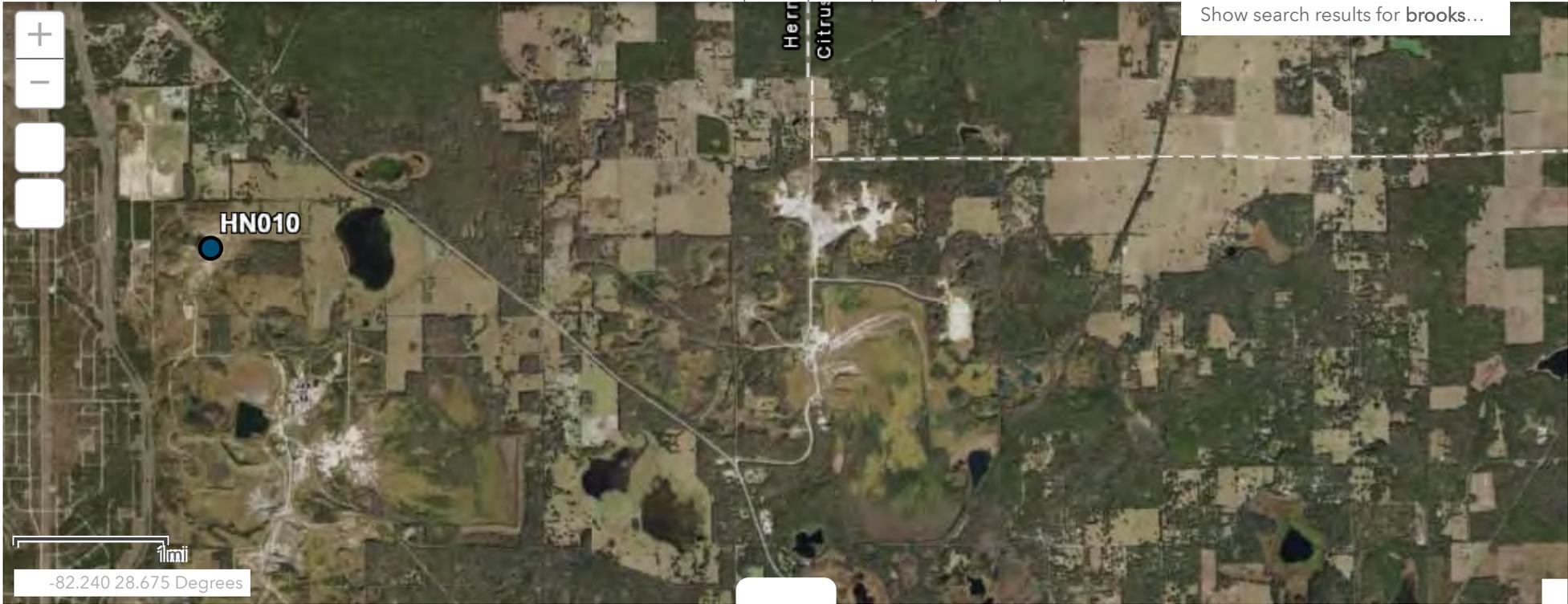


MyFV



brooksville X Q

Show search results for brooks...



EagleNests2017

Options Filter by map extent Zoom to Clear selection Refresh

NestID	County	LatDec	LonDec	LastKnownActive	LastSurvey
HN010	Hernando	28.65733	-82.48233	2014	2014
SU026	Sumter	28.63433	-82.23233	2014	2014

2 features 0 selected

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Hernando County, Florida



Local office

North Florida Ecological Services Field Office

☎ (904) 731-3336

📅 (904) 731-3045

7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME

STATUS

West Indian Manatee *Trichechus manatus*

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/4469>

Threatened
Marine mammal

Birds

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/10477	Proposed Threatened
Florida Scrub-jay <i>Aphelocoma coerulescens</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6174	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1864	Threatened
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7614	Endangered
Wood Stork <i>Mycteria americana</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8477	Threatened

Reptiles

NAME	STATUS
Eastern Indigo Snake <i>Drymarchon corais couperi</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/646	Threatened
Gopher Tortoise <i>Gopherus polyphemus</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6994	Candidate
Loggerhead Sea Turtle <i>Caretta caretta</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/1110	Threatened

Fishes

NAME	STATUS
<p>Atlantic Sturgeon (gulf Subspecies) <i>Acipenser oxyrinchus</i> (=oxyrinchus) <i>desotoi</i></p> <p>There is final critical habitat for this species. Your location is outside the critical habitat.</p> <p>https://ecos.fws.gov/ecp/species/651</p>	Threatened

Flowering Plants

NAME	STATUS
<p>Brooksville Bellflower <i>Campanula robinsiae</i></p> <p>No critical habitat has been designated for this species.</p> <p>https://ecos.fws.gov/ecp/species/5809</p>	Endangered
<p>Cooley's Water-willow <i>Justicia cooleyi</i></p> <p>No critical habitat has been designated for this species.</p> <p>https://ecos.fws.gov/ecp/species/4653</p>	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>

- Nationwide conservation measures for birds

<http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the [FAQ below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

American Kestrel *Falco sparverius paulus*

Breeds Apr 1 to Aug 31

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Bachman's Sparrow *Aimophila aestivalis*

Breeds May 1 to Sep 30

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/6177>

Bald Eagle *Haliaeetus leucocephalus*

Breeds Sep 1 to Jul 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

<p>Common Ground-dove <i>Columbina passerina exigua</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Feb 1 to Dec 31
<p>Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941</p>	Breeds elsewhere
<p>Least Tern <i>Sterna antillarum</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Apr 20 to Sep 10
<p>Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679</p>	Breeds elsewhere
<p>Limpkin <i>Aramus guarauna</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Jan 15 to Aug 31
<p>Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 1 to Jul 31
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Sep 10
<p>Reddish Egret <i>Egretta rufescens</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/7617</p>	Breeds Mar 1 to Sep 15
<p>Swallow-tailed Kite <i>Elanoides forficatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8938</p>	Breeds Mar 10 to Jun 30
<p>Yellow Warbler <i>Dendroica petechia gundlachi</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds May 20 to Aug 10

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

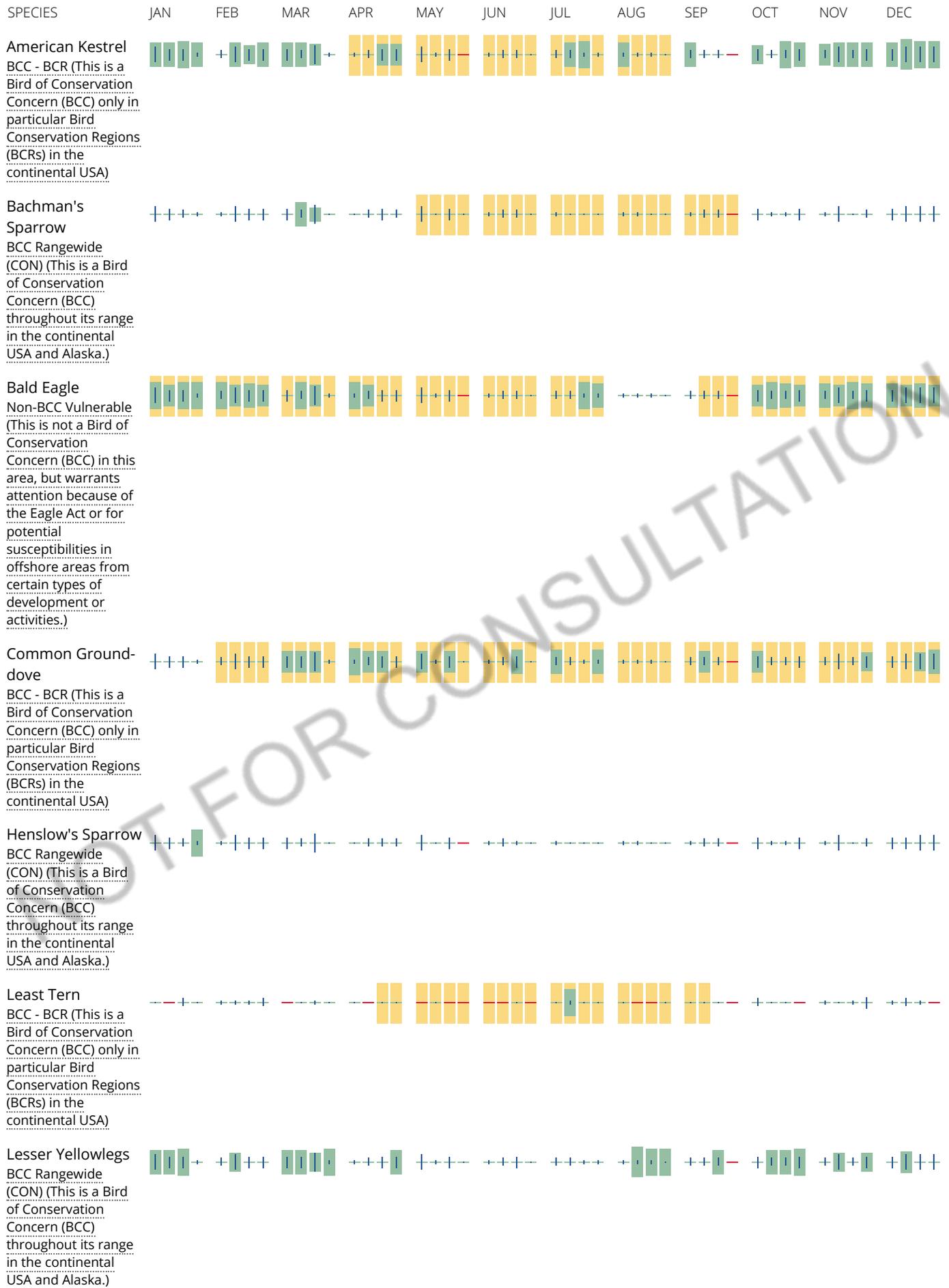
No Data (—)

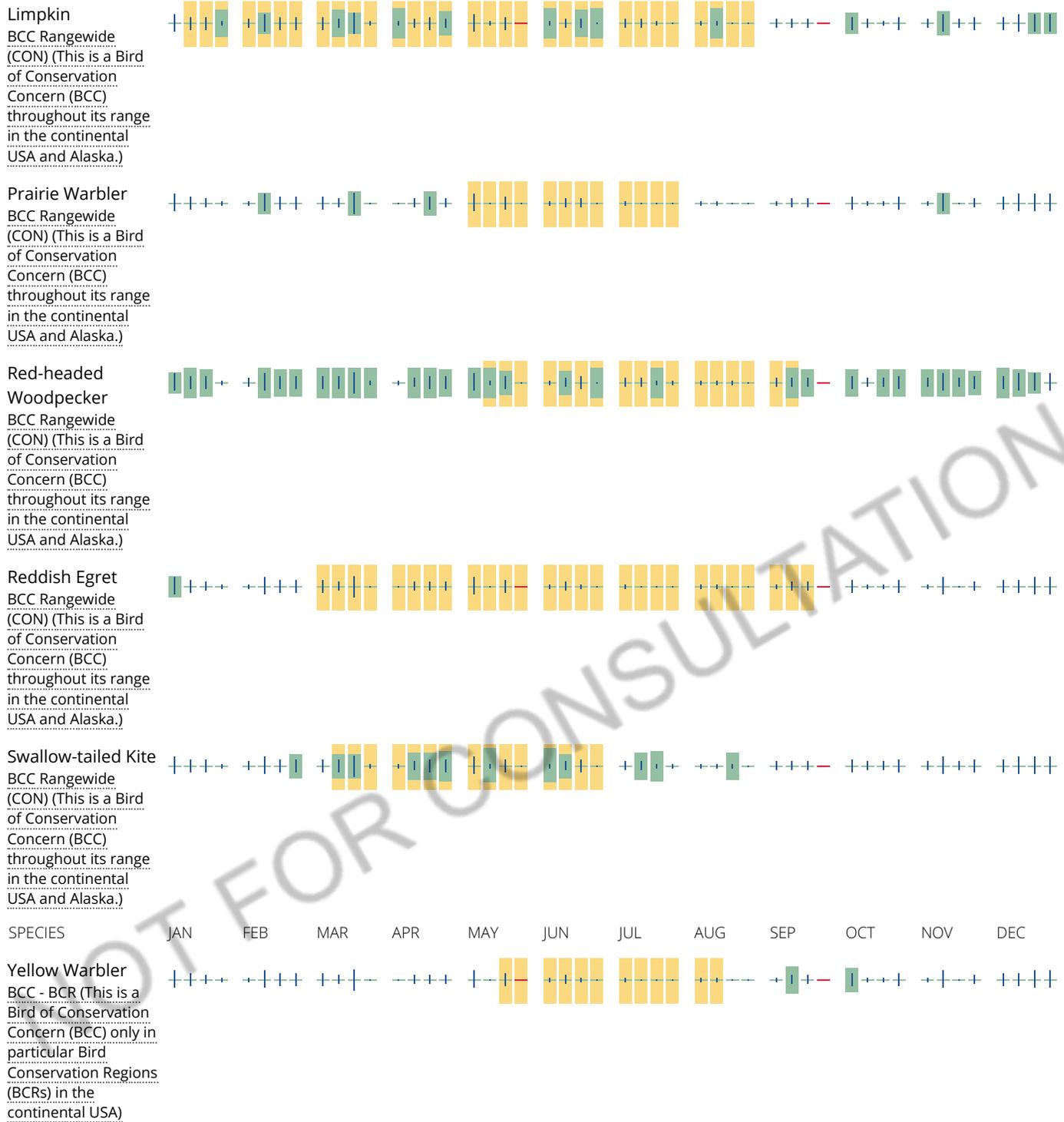
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence ■ breeding season | survey effort — no data





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review.

Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee *Trichechus manatus*
<https://ecos.fws.gov/ecp/species/4469>

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

[PEM1F](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PFO2F](#)

FRESHWATER POND

[PUBHx](#)

[PUBH](#)

[PAB3H](#)

[PUSCx](#)

RIVERINE

[R4SBC](#)

[R5UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION



October 8, 2019
Kleinfelder Project No.: 20200536.001A

Ms. Terri Stokes
Department of Planning and Zoning
Zoning Division
789 Providence Boulevard
Brooksville, Florida 34601

**SUBJECT: FLORIDA ROCK INDUSTRIES, INC. – BROOKSVILLE FINE GRIND
MINE OPERATION PLAN APPROVAL (MOPA) APPLICATION
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

Dear Ms. Stokes:

The following and enclosed information is being submitted to the County in response to the Review Comments provided by the Hernando County Planning & Zoning departments, dated September 25, 2019.

Planning Department Comments

1. Mining: Since most of the mining has shifted to softrock and processing for hardrock on-site dismantled, please explain where and how hardrock is processed as discussed on pg. 3 of 7 of the report? Minor typo pg. 5 of 7 – MOPA timeframe.

Response: Approximately twelve (12) years ago, the mining operation shifted from a predominantly “hardrock” excavation operation to a predominantly “softrock” limestone excavation for the Brooksville Fine Grind mining operation. Due to this shift in mining the quarry’s aggregate crushing and processing plant was dismantled. However, there are still some limited areas of hardrock remaining within the 2020-2024 Active/Future Mining Areas (the Project). When hardrock is encountered it is removed mechanically by bulldozer or excavator, processed in a portable crusher and loaded into customer trucks.

2. Proposed Plan: Provide depiction (figures) of existing and proposed contour lines in areas of planned excavation during the next 5 years.

Response: Existing topographic contours for the entire Brooksville Fine Grind property (the Property) based on an August 2019 topographic survey of the Project is included as **Figure 5**. The depth of mining within the Project over the next five (5) years is dependent on market demand and cannot be accurately estimated; however, the approved post-mining contours and cross sections from the Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP) No. 231362-006 for the Project is provided for reference as an attachment. The depth of mining within the Project over the next five (5) years will be within the depth permitted by the FDEP.

3. Under Environmental Assessment: A report on the mining operator's exploration and intended use of new technology to reduce adverse human response to mining [Sec 19-32 (a)(1)(j)].

Response: Florida Rock Industries, Inc. (FRI) continually looks for new technology to maximize efficiency of mining and minimize impacts to the surroundings and humans. There have been no new technological changes to the mining process to date. Best Management Practices (BMPs) are utilized during the mining and reclamation processes to provide safeguards to public health, safety, and welfare and protect undisturbed natural resources. Specific BMPs utilized on the Project are provided as an attachment and include the following:

- There are setbacks established from all the Brooksville Fine Grind Property (the Property) lines to avoid potential impacts to adjoining properties or individuals.
- Potential emissions of dust from processing equipment are controlled using water spray bars installed on equipment.
- Fugitive dust from haul roads is controlled through regular application of water using a water truck.
- Dust suppression equipment is routinely inspected to ensure that is in working order.

These methods are considered acceptable industry standards for dust control and no new dust control technologies are feasible for this facility.

4. Minimizing the spread of invasive plant species beyond the mining boundary should be addressed in the MOPA with techniques and BMPs listed (example, equipment cleaning/checking before leaving site).

Response: Invasive plant species, including cogon grass, were identified during the Environmental Assessment (EA). Techniques and BMPs associated with reclamation and equipment inspection and cleaning are utilized to minimize the spread of invasive plants.

According to Section 19-72 (b) of the Hernando County Ordinance provides final reclamation standards for mining areas subject to the 1993 Mining Ordinance. According to Part 1(e) of this section, "if nuisance exotic vegetative species have occurred naturally in the area and the effects are determined by the department to be hazardous to reclamation efforts, the operator must use acceptable control mechanisms to eliminate the nuisance species."

The reclamation process utilized by FRI, involves the placement of fill materials from onsite sources on the existing grade in order to achieve the required sloping. In this method, any invasive plant species are essentially buried under the fill material. Upon completion of the sloping, the area is either sodded or planted with grass seed, to help control erosion and sedimentation of the slopes.

Additionally, in order to further prevent the spread of cogon grass offsite, FRI will wash equipment prior to removal from the Property, including transport to another facility to prevent the spread of invasive plant species to other sites.

5. There are archaeological sites on the property. Site HE00259 (FMSF) appears to overlap Mining Area 2.

Response: Pursuant to the FDEP ERP No. 231362-006 for the Property there are several archaeological sites on the Property, however the only archaeological sites of significance pursuant to the State are listed in ERP Specific Condition 25. According to this condition, construction is not authorized in or near archaeological sites 8HE605, 8HE606, 8HE611, and 8HE614, as shown on the attached **RAI Figure 10, Archaeological Areas Map**.

6. Conceptual Reclamation Plan: Please explain what is meant by “Not Released” for the mandatory reclamation areas on Fig 4. Using standards within Chapter 19, sec 19-72 (Hernando County Code), update conceptual reclamation plan (as example, see previous MAMPA reclamation sheet 3 of 3 dated 4/15/1994).

Response: The current reclamation plan approved by the FDEP is provided as **Figure 4 – Conceptual Reclamation Plan**. Areas labelled as “Not released” on **Figure 4 – Conceptual Reclamation Plan** are those areas which have been reclaimed however they have not met success criteria by the FDEP per Chapter 62C-36, Florida Administrative Code (F.A.C.) or Hernando County. The Post-Mining Contours and Cross Sections are also provided to illustrate how sloping after mining is consistent with the Hernando County code.

Zoning Department Comments

1. Provide maps showing/labeling the following information:
 - a. Wetlands and wetland areas to be disturbed within the next 5 years
 - b. Utility lines
 - c. Existing residential structures within 500 feet of proposed blasting areas and proposed reclamation areas
 - d. Setbacks, buffers, & berms to meet requirements under mining ordinance sec. 19-51

Response: No natural wetlands are proposed for disturbance over the next five (5) years. A total of 3.53 acres of the Orange Grove Pit is holding water due to inundation from rain and however it is not a natural wetland. A map of wetlands and surface waters on Brooksville Fine Grind (the Property) and within the Project has been included as **Figure 6**. There are no residential structures within 500 feet of the Project. The closest residential structure to the Project is shown on **Figure 2 – 2019 Mine Operation Plan**. It is located approximately 561 feet to the north of the Jones Pit. Pursuant to Hernando County Mining Code, Chapter 19, Section 19-51, a minimum setback of 100’ shall be maintained from the mining areas to the permitted property lines. Setbacks and the distances from the proposed mining areas to the closest residential structures have been added to **Figure 2 – 2019 Mine Operation Plan**.

2. Provide a list of property owners within 150 feet of areas to be mined during the proposed MOPA.

Response: A list of property owners within 150 feet of the anticipated mining areas as well as a map of the properties is provided as **Appendix C**.

3. Provide a copy of updated/renewed SWFWMD permit for our file.

Response: A Water Use Permit (WUP) renewal application is currently being reviewed by the Southwest Florida Water Management District (SWFWMD). The application was submitted to SWFWMD in July 2019; however, a permit has not yet been received. Once

the permit has been received by FRI for the Project a copy will be provided to Hernando County.

4. Provide a complete reclamation plan to meet all requirements under sec. 19-71 of the mining ordinance.

Response: The current reclamation plan approved by the FDEP is provided as **Figure 4 – Conceptual Reclamation Plan**. The Post-Mining Contours and Cross Sections are also provided to illustrate how sloping after mining is consistent with the Hernando County code.

Should you require any additional information, please do not hesitate to contact me at ldaugherty@kleinfelder.com or 352.554.8089.

Sincerely,
KLEINFELDER



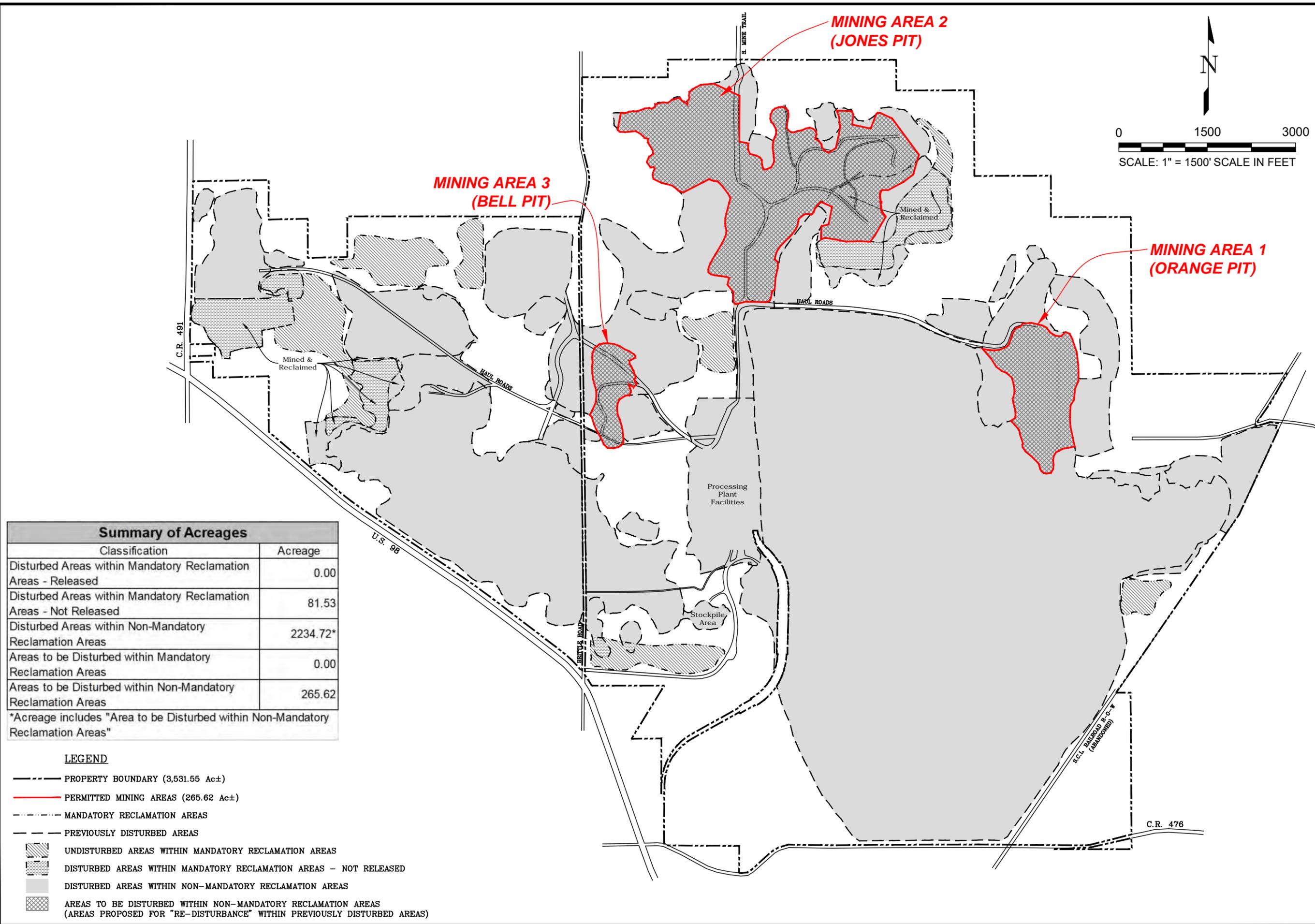
Lisa F. Daugherty
Project Manager

Enc: Revised Figure 2 – 2019 Mine Operation Plan
Figure 4 – Conceptual Reclamation Plan
Figure 5 – Topographic Contour Map
Best Management Practices for Brooksville Fine Grind
Figure 6 – Wetland Location Map
Post-Mining Contours and Cross Sections
RAI Figure 10, Archaeological Areas Map
Appendix C – List of Property Owners within 150 feet of the anticipated mining areas

cc: Ms. Traci Johns, Florida Rock Industries Inc.
File



ATTACHMENTS



Summary of Acreages	
Classification	Acreage
Disturbed Areas within Mandatory Reclamation Areas - Released	0.00
Disturbed Areas within Mandatory Reclamation Areas - Not Released	81.53
Disturbed Areas within Non-Mandatory Reclamation Areas	2234.72*
Areas to be Disturbed within Mandatory Reclamation Areas	0.00
Areas to be Disturbed within Non-Mandatory Reclamation Areas	265.62

*Acreage includes "Area to be Disturbed within Non-Mandatory Reclamation Areas"

- LEGEND**
- PROPERTY BOUNDARY (3,531.55 Ac±)
 - PERMITTED MINING AREAS (265.62 Ac±)
 - MANDATORY RECLAMATION AREAS
 - PREVIOUSLY DISTURBED AREAS
 - ▨ UNDISTURBED AREAS WITHIN MANDATORY RECLAMATION AREAS
 - ▩ DISTURBED AREAS WITHIN MANDATORY RECLAMATION AREAS - NOT RELEASED
 - ▧ DISTURBED AREAS WITHIN NON-MANDATORY RECLAMATION AREAS
 - ▦ AREAS TO BE DISTURBED WITHIN NON-MANDATORY RECLAMATION AREAS (AREAS PROPOSED FOR "RE-DISTURBANCE" WITHIN PREVIOUSLY DISTURBED AREAS)

FIGURE 4

Conceptual Reclamation Plan

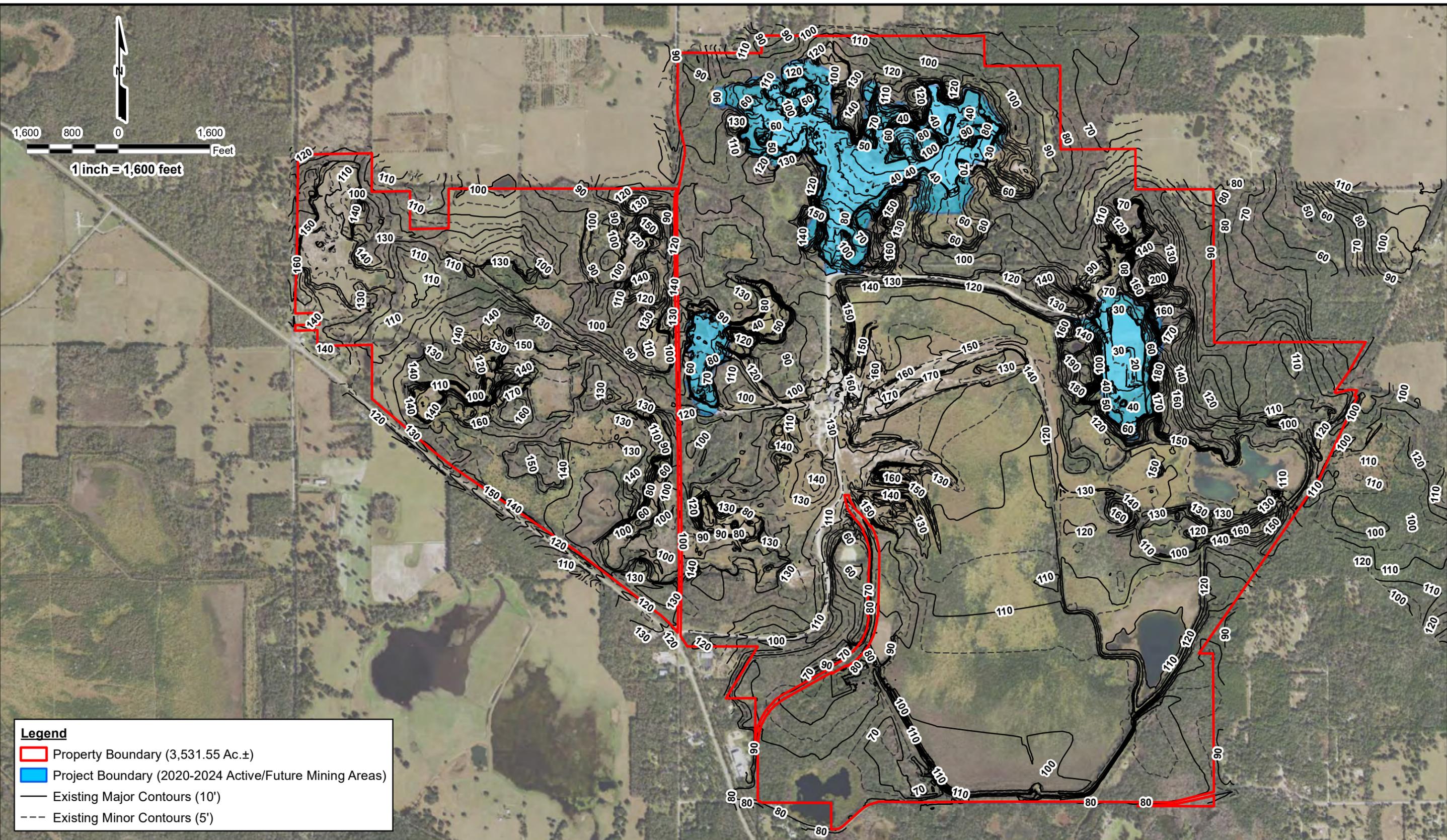
PROJECT NO. 20200536.001A
 DRAWN: 9/5/2019
 DRAWN BY: NL
 CHECKED BY: ANS
 FILE NAME: Brooksville FG MAMPA-RecPlan.dwg

Brooksville Fine Grind
 Hernando County, Florida

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Document Path: \\mountain\MOUNTDORA\DATA\GIS\CAD\Valcan-FRL_2019\2020\0536\001A_WMFC_FL_Brooksville_FC County Permits\01-0000 MOPA_Renewal\19-0930-Brooksville_FC MOPA-Topo-5ft.mxd - Plotted: 9/30/2019, 9:18:40 AM, ND\epiest



Legend

- Property Boundary (3,531.55 Ac.±)
- Project Boundary (2020-2024 Active/Future Mining Areas)
- Existing Major Contours (10')
- - - Existing Minor Contours (5')

Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East

Source: Existing contours provided by Geospatial Consulting Services. Date: August 2019.



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PROJECT NO.	20200536.001A
DRAWN:	9/30/2019
DRAWN BY:	NCD
CHECKED BY:	ANS
FILE NAME:	19-0930-Brooksville FG MOPA-Topo-5ft.mxd

Topographic Contour Map
Brooksville Fine Grind Hernando County, Florida

FIGURE
5

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**FLORIDA ROCK INDUSTRIES, INC.
BROOKSVILLE FINE GRIND**

BEST MANAGEMENT PRACTICES (BMP) PLAN

INTRODUCTION

Florida Rock Industries' Brooksville Fine Grind is located in Hernando County, Florida, approximately seven (7) miles north of Brooksville on U.S. 98. Beginning in August 1958, the location mined and processed limestone products used in the construction industry. The construction aggregates (hardrock) portion of the mining operation was gradually phased out due to the depletion of this type of material. A grinding plant, which processes softrock, is located at the facility and provides raw material for various industries. This is the principal operation at the site since the construction aggregates operation was phased out. The project boundary for the facility currently encompasses approximately 3,531 acres.

MINING OPERATION

Material supplied to the grinding plant (softrock), is mined from the pit floors that remain after excavation of the hardrock. In the Orange Grove Pit, mining occurs below the water table. The softrock deposit is drilled and blasted; ripped with bulldozers, excavators or dragline; and loaded into off-road haul trucks for transport to the grinding plant.

Material processing at the grinding plant does not utilize water and does not generate wastewater. A water truck is used to apply water to haul roads for dust suppression. Well #7 supplies water for the water truck. Well #17 provides water to the grinding plant for sanitary purposes and general clean up around the plant.

The Brooksville Quarry retains all stormwater on site in its limestone pits and settling ponds. The settling ponds located on the property are inactive relics of the former construction aggregates operation. The perimeters of the large limestone excavations are cut into ridgelines formed by small hills and topographically higher areas on site. A majority of the surrounding land surface slopes away from the limestone excavations.

Petroleum storage at the site consists of a 10,000 gallon double wall, above ground storage tank for diesel and the drum storage area. The diesel tank is located near the grinding mill and is installed on a concrete slab with bollards surrounding the tank. The quantity of drums in the drum storage area typically ranges between 30-45 drums, consisting of fresh and used oils, used petroleum absorbents and grease. The drum storage area is located under cover to prevent storm water contact and all drums are stored on top of spill containment pallets. The ground surface of the drum storage area is a poured concrete slab.

The property is fenced to preclude entry by unauthorized personnel and is routinely inspected to check for unauthorized entry.

MAINTENANCE PLAN

At least monthly and immediately after heavy rains, the Plant Manager or designated representative, shall inspect the dikes surrounding the settling ponds. The return water canal, holding pond and all associated structures shall also be inspected. The system will also be inspected and certified annually by a registered professional engineer. During these inspections, the system will be checked for cracks, breaches in containment, excessive seepage or other visual signs that they are not able to function as designed. Any deficiencies noted which could potentially compromise the ability of the system to retain the stored material will be corrected immediately. Less serious problems will be scheduled for correction. The earthen structures shall remain vegetated to minimize erosion and the possibility of slope failure. In addition, the dikes surrounding the east impoundment addition shall be routinely maintained to preclude the growth of large trees and shrubs that could potentially cause a breach in containment.

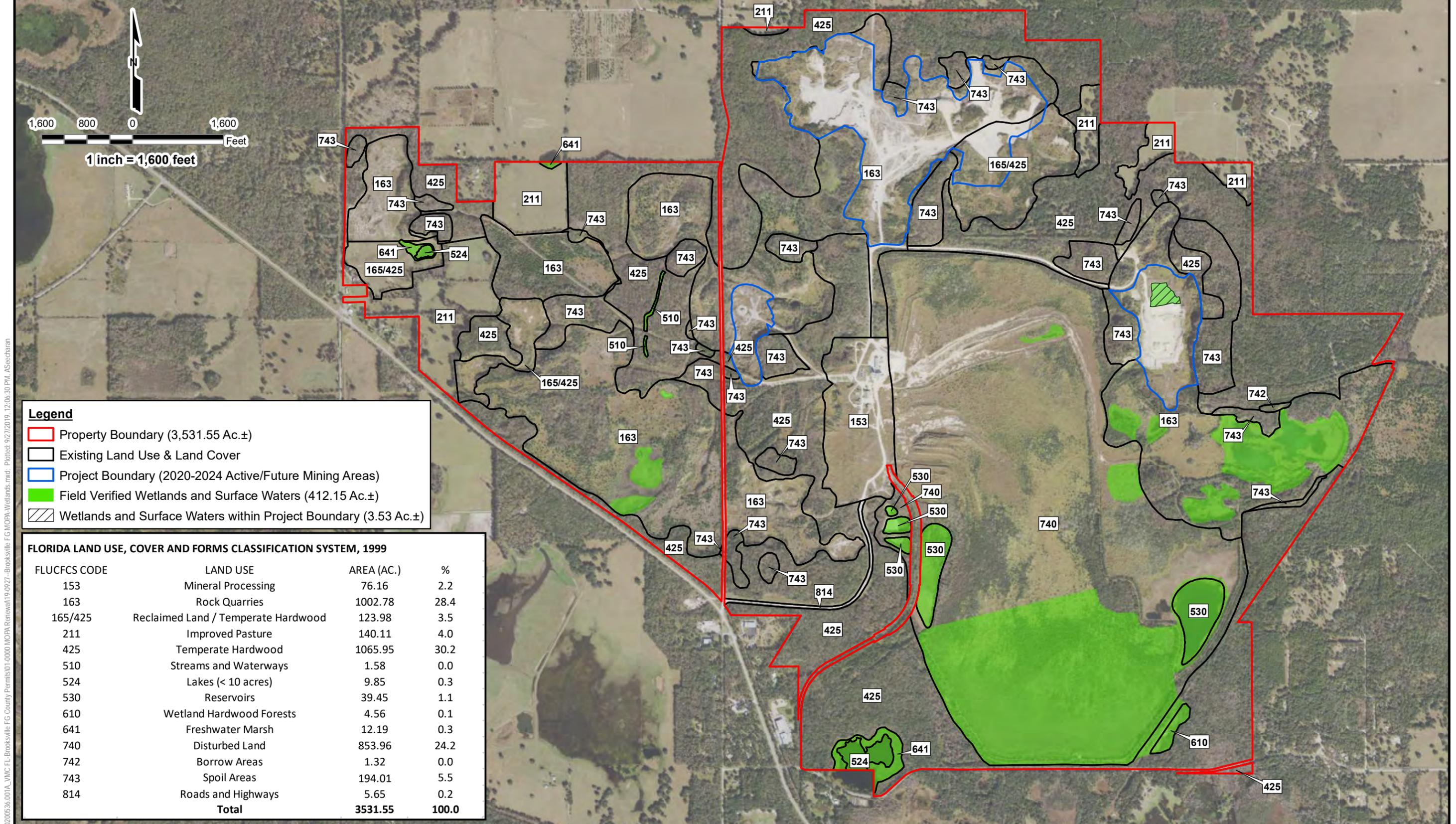
The diesel tank and drum storage area shall be inspected at least monthly to check for spills or leaks and to ensure containment and spill prevention equipment is sound, intact and able to function as designed. Any problems noted with the diesel tank, drums, containment or spill prevention equipment will be corrected as soon as possible. Any spillage of petroleum will be collected and stored until properly disposed of by a licensed contractor.

POTENTIAL FOR FAILURE

The potential for failure associated with the fuel tank and drum storage area is considered minimal because they are routinely inspected for damage and leakage and sufficient containment has been provided to prevent a release from reaching the environment. Additionally, the drum storage area is located under cover, on an impervious surface. In order for the diesel tank to present a problem, both the primary and secondary tank shells would have to fail simultaneously.

REMEDIAL MEASURES

Personnel and equipment are available to correct any deficiencies noted during inspections of the settling pond system and fuel containment area. An emergency spill response contractor is available at all times to assist in spill response and clean up.



- Legend**
- Property Boundary (3,531.55 Ac.±)
 - Existing Land Use & Land Cover
 - Project Boundary (2020-2024 Active/Future Mining Areas)
 - Field Verified Wetlands and Surface Waters (412.15 Ac.±)
 - Wetlands and Surface Waters within Project Boundary (3.53 Ac.±)

FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM, 1999

FLUCFCS CODE	LAND USE	AREA (AC.)	%
153	Mineral Processing	76.16	2.2
163	Rock Quarries	1002.78	28.4
165/425	Reclaimed Land / Temperate Hardwood	123.98	3.5
211	Improved Pasture	140.11	4.0
425	Temperate Hardwood	1065.95	30.2
510	Streams and Waterways	1.58	0.0
524	Lakes (< 10 acres)	9.85	0.3
530	Reservoirs	39.45	1.1
610	Wetland Hardwood Forests	4.56	0.1
641	Freshwater Marsh	12.19	0.3
740	Disturbed Land	853.96	24.2
742	Borrow Areas	1.32	0.0
743	Spoil Areas	194.01	5.5
814	Roads and Highways	5.65	0.2
	Total	3531.55	100.0

Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East

Source: Land Use and Land Cover information prepared by Kleinfelder. The Florida Land Use, Cover and Forms Classification System Handbook, January 1999, was utilized to determine the specific land use classifications.



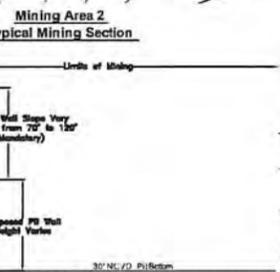
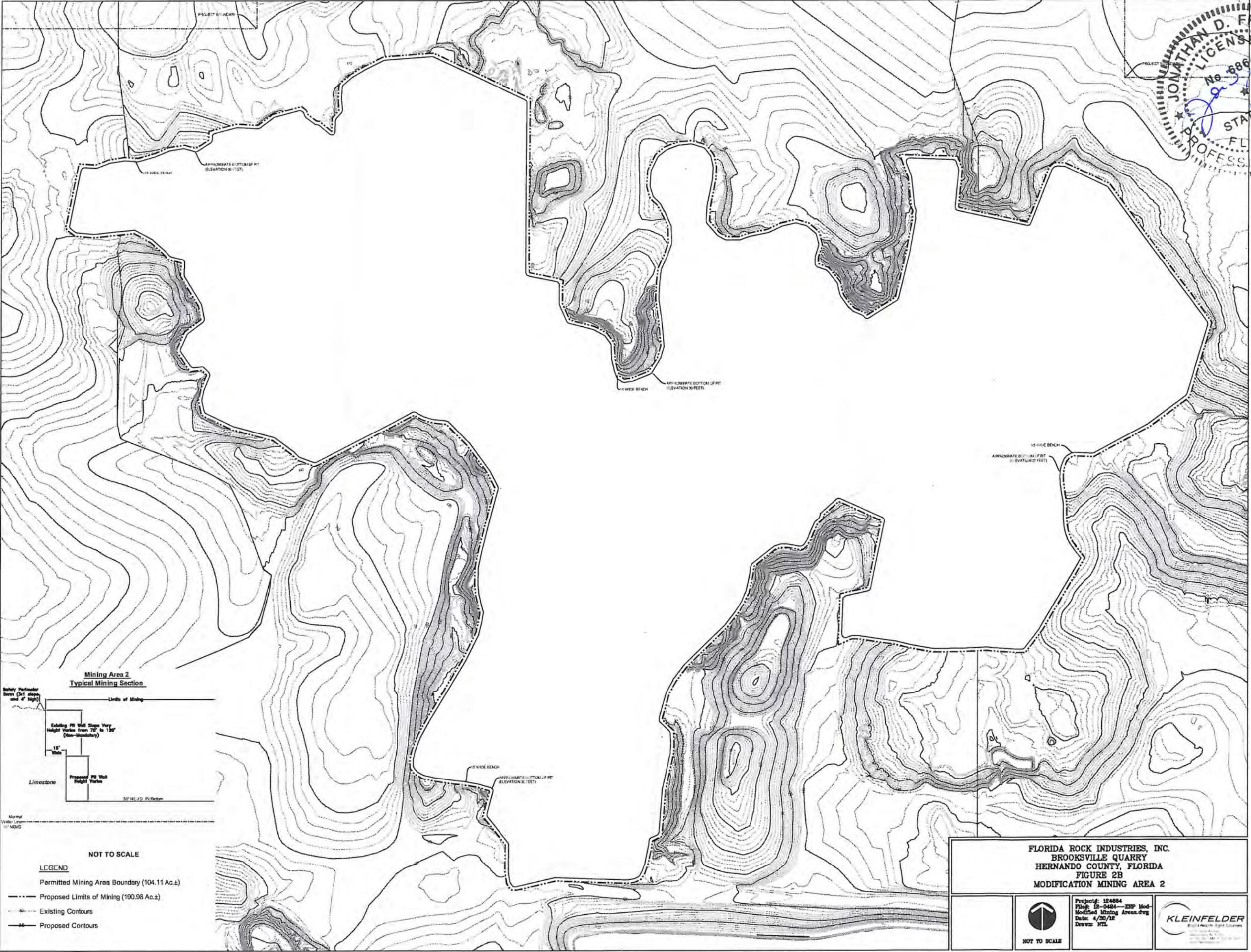
PROJECT NO. 20200536.001A
 DRAWN: 9/27/2019
 DRAWN BY: NL/NC/D/AS
 CHECKED BY: ANS
 FILE NAME: 19-0927-Brooksville
 FG MOPA-Wetlands.mxd

Wetland Location Map
 Brooksville Fine Grind
 Hernando County, Florida

FIGURE
 6

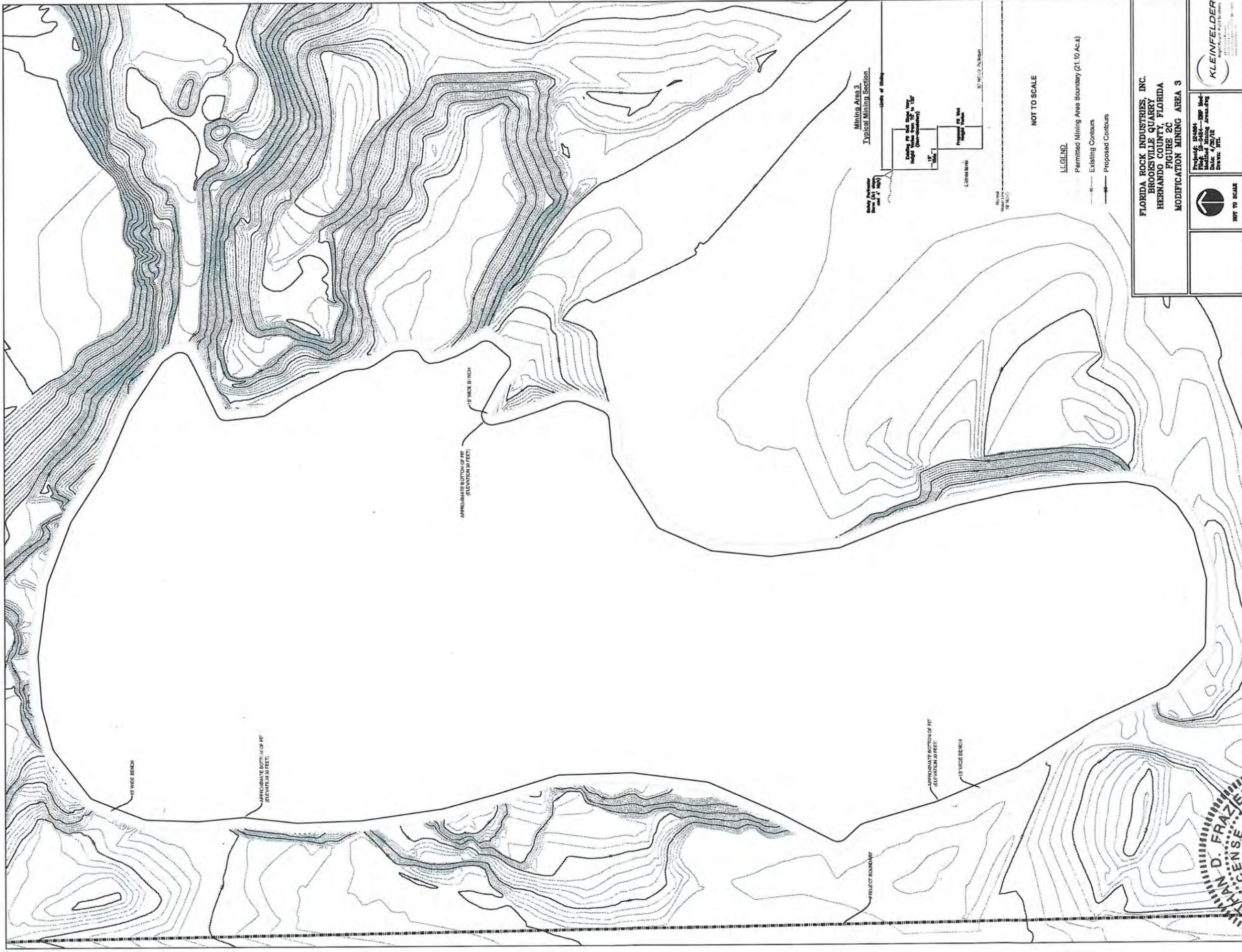
Document Path: G:\Vulcan-FRIL_2019\20200536.001A_VMC-FL-Brooksville FG County Permits\01-0000 MOPA Renewal\19-0927-Brooksville FG MOPA-Wetlands.mxd - Plotted: 9/27/2019, 12:06:30 PM, ASeecharan

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- NOT TO SCALE**
- LEGEND**
- Permitted Mining Area Boundary (104.11 Ac.±)
 - Proposed Limits of Mining (190.98 Ac.±)
 - Existing Contours
 - Proposed Contours

FLORIDA ROCK INDUSTRIES, INC. BROOKVILLE QUARRY HERNANDO COUNTY, FLORIDA FIGURE 2B MODIFICATION MINING AREA 2		
	Project: 124884 File: 12-0484-207 Mod- Modified Mining Areas.dwg Date: 4/30/12 Drawn: WFL	
NOT TO SCALE		



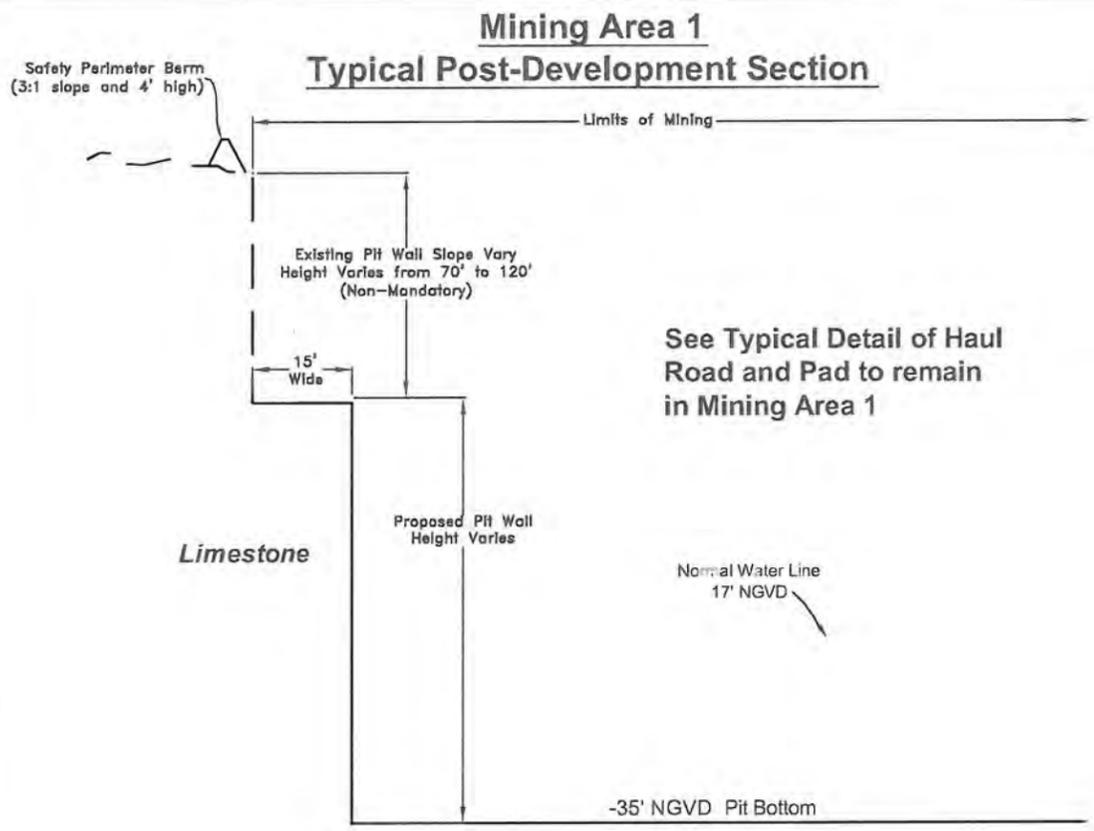
FLORIDA ROCK INDUSTRIES, INC.
 BROOKSVILLE QUARRY
 HERNANDO COUNTY, FLORIDA
FIGURE 2C
MODIFICATION MINING AREA 3

Project#: 19-0004
 Plan#: 15-0441-200 Mod
 Revision: 01/21
 Date: 07/21

KLEINFELDER
 10000 W. US Highway 90
 Fort Lauderdale, FL 33322
 Phone: (954) 341-1100
 Fax: (954) 341-1101
 Website: www.kleinfelder.com

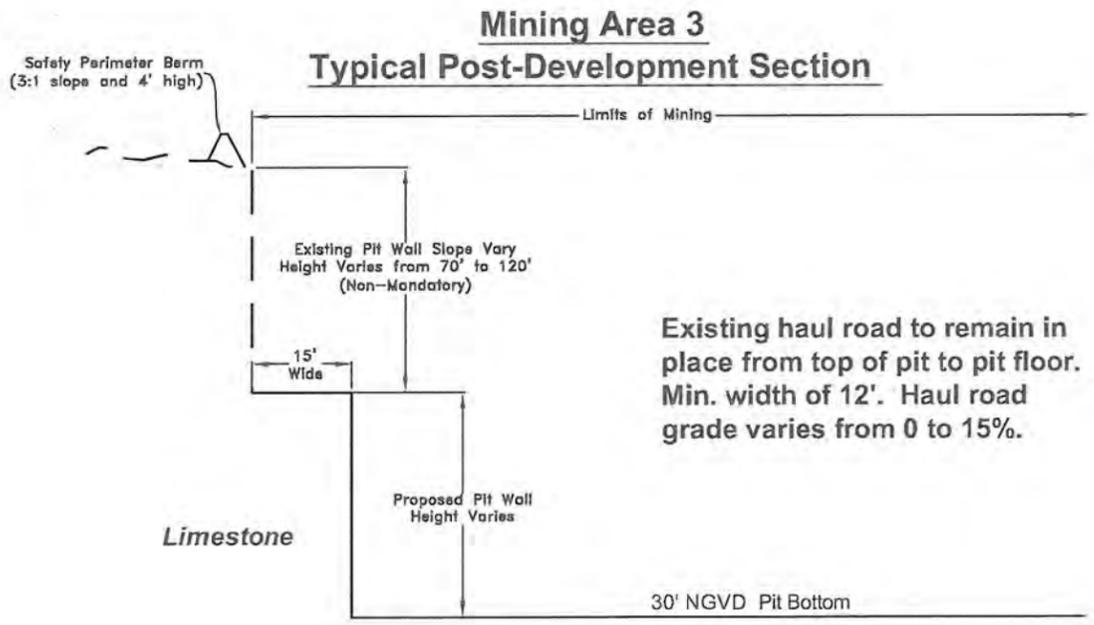
Received
 FDEP
 AUG - 17 2017
 BMMF
 Tallahassee, FL

HAN D. FRAZIER
 LICENSE NO. 68961
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER



See Typical Detail of Haul Road and Pad to remain in Mining Area 1

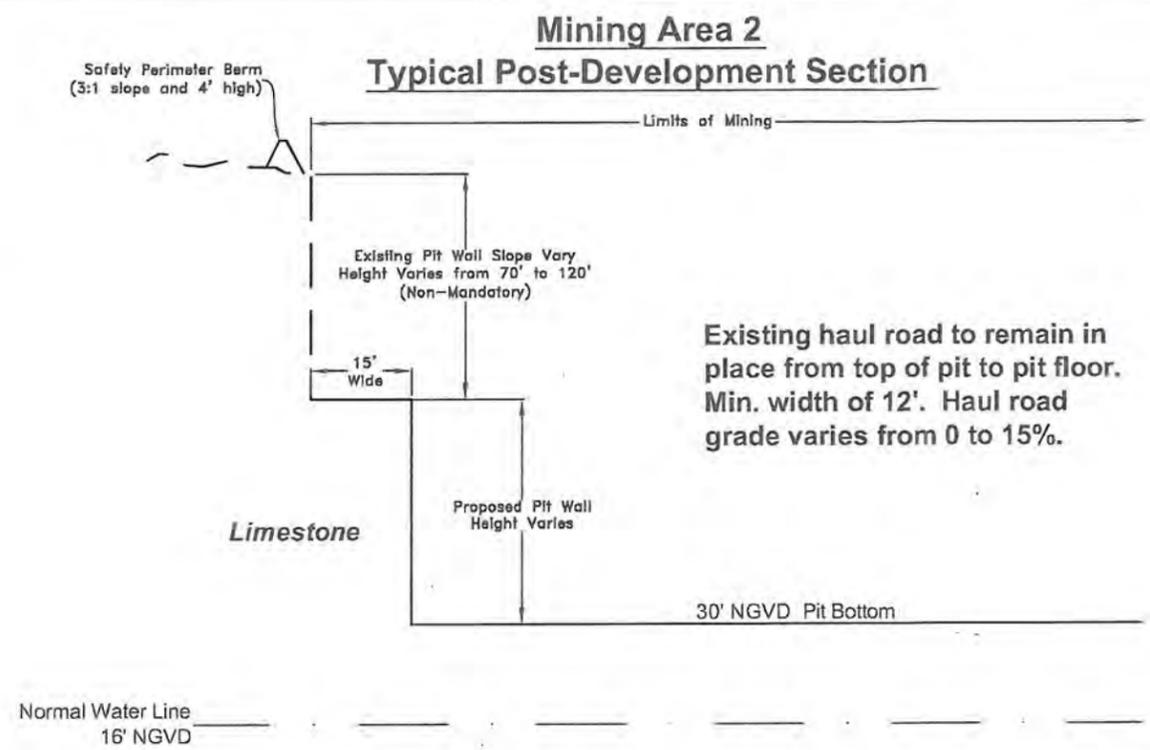
NOT TO SCALE



Existing haul road to remain in place from top of pit to pit floor. Min. width of 12'. Haul road grade varies from 0 to 15%.

NOT TO SCALE

Normal Water Line 16' NGVD

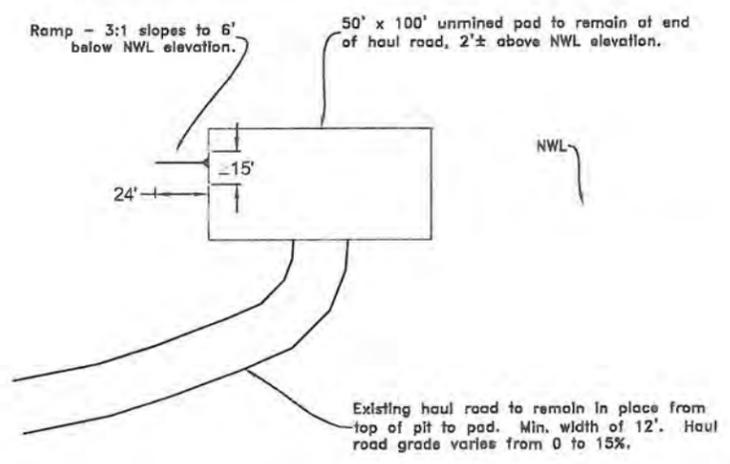


Existing haul road to remain in place from top of pit to pit floor. Min. width of 12'. Haul road grade varies from 0 to 15%.

NOT TO SCALE

Normal Water Line 16' NGVD

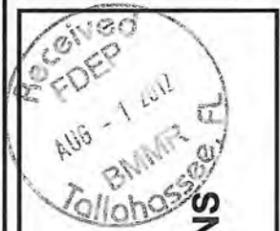
Typical Detail of Haul Road and Pad



NOTE: Location and orientation of haul road, pad and ramp to be determined during mining.

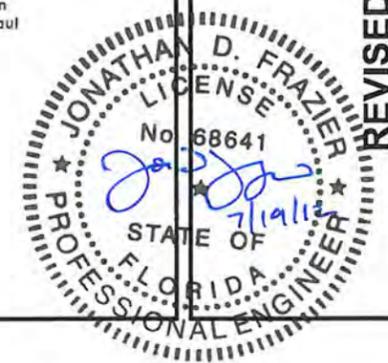
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1174 Camp Avenue
Mount Dora, FL 32757
Tel: 352.383.1444, FL 352.383.3877
www.kleinfelder.com



FLORIDA ROCK INDUSTRIES, INC.
BROOKSVILLE QUARRY
HERNANDO COUNTY, FLORIDA
FIGURE 3

REVISED TYPICAL POST-DEVELOPMENT SECTIONS OF MINING AREAS 1, 2, AND 3



Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East

Archaeological Area ID# 8HE811



Modification
Mining Area 2
(Jones Pit)



Modification
Mining Area 3
(Bell Pit)



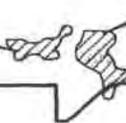
Modification
Mining Area 1
(Orange Pit)



Archaeological Area ID# 8HE814



Archaeological Area ID# 8HE805



Archaeological Area ID# 8HE806



PERMIT # 0175273-006

Environmental & Permitting
Services, Inc.

1174 Camp Avenue MountDora, FL 32757
(352) 383-1444 (352) 383-3877 Fax



1 Inch = 1,500 feet

BUREAU OF MINING
FDEP
MAR 13 2009
RECEIVED
AND MINERALS REGULATION

FLORIDA ROCK INDUSTRIES, INC.
BROOKSVILLE QUARRY
HERNANDO COUNTY, FLORIDA
RAI FIGURE 10
ARCHAEOLOGICAL AREAS MAP

12/4/2008, Revised: 3/6/2009, Created by: F.CENTL

Legend

- Modified Project Boundary: 3,531.53 Ac±
- Modified Mining Areas
- Archaeological Areas

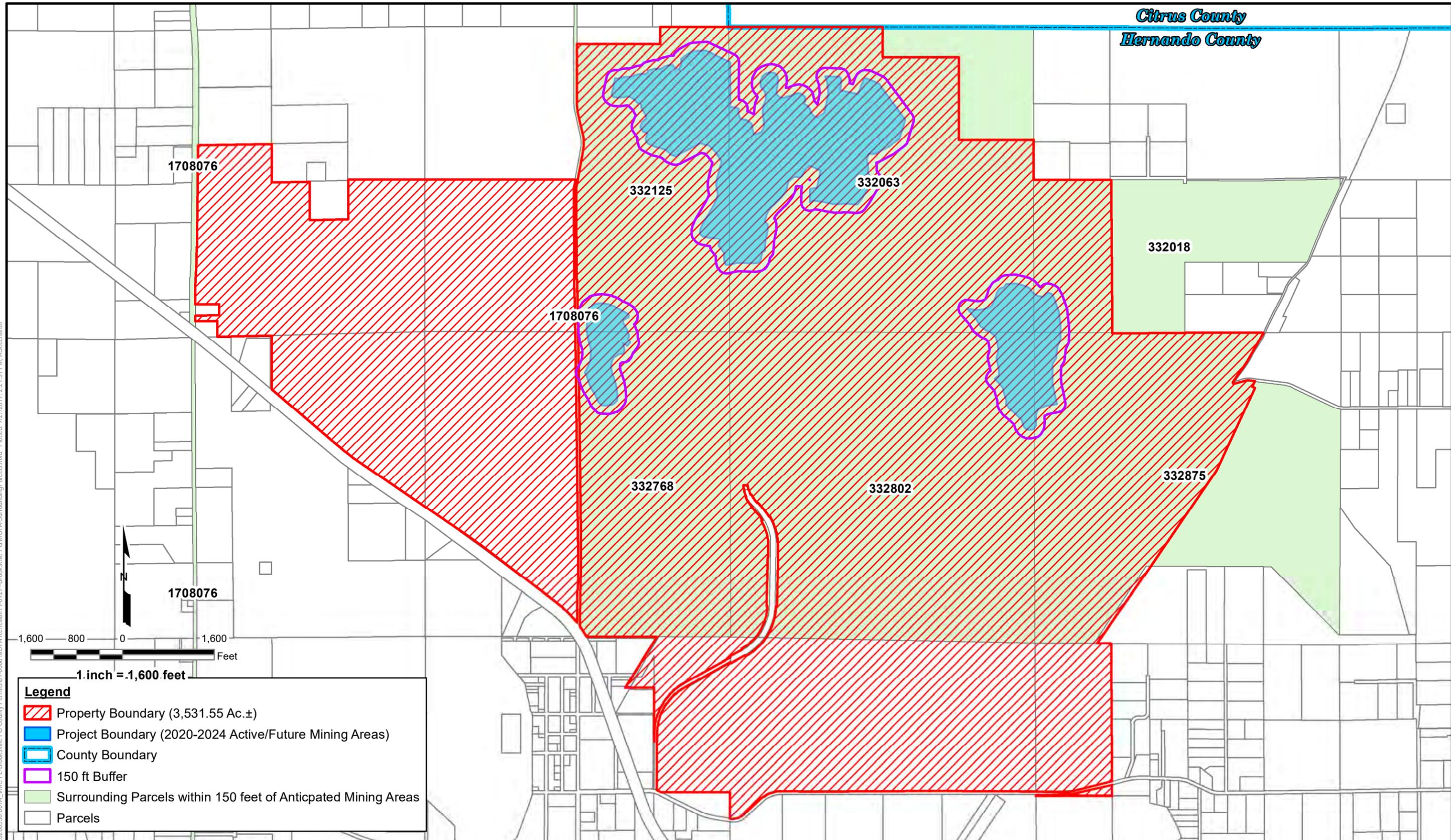
Betty Cole
3-6-2009
BETTY COLE P.E.
880 ALBERTA STREET
LONGWOOD, FL 32750
PH. P.E. #63845

Project No.: 463-211; File Name: 08-0712-041-EP-10-Archaeological

APPENDIX C
LIST OF PROPERTY OWNERS WITHIN 150 FEET OF THE ANTICIPATED MINING AREAS

<i>Parcel Number</i>	<i>Parcel ID</i>	<i>Alt Key</i>	<i>Owners Name</i>	<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>Physical Address</i>	<i>City</i>	<i>Zip Code</i>
R01 421 18 0000 0000 000A	R01 421 18 0000 0000 000A	1708076	HERNANDO COUNTY	21S	19E	29	CITRUS WAY	BROOKSVILLE	34601
R20 421 19 0000 0050 0000	R20 421 19 0000 0050 0000	332768	BROOKSVILLE QUARRY LLC	21S	19E	20	14556 PONCE DE LEON BLVD	BROOKSVILLE	34601
R21 421 19 0000 0010 0000	R21 421 19 0000 0010 0000	332802	BROOKSVILLE QUARRY LLC	21S	19E	21	LAKE LINDSEY RD	BROOKSVILLE	34601
R22 421 19 0000 0010 0000	R22 421 19 0000 0010 0000	332875	BROOKSVILLE QUARRY LLC	21S	19E	22	SNOW HILL RD	BROOKSVILLE	34601
R15 421 19 0000 0050 0000	R15 421 19 0000 0050 0000	332018	BROOKSVILLE QUARRY LLC	21S	19E	15	JONES RD	BROOKSVILLE	34601
R16 421 19 0000 0010 0000	R16 421 19 0000 0010 0000	332063	BROOKSVILLE QUARRY LLC	21S	19E	16	JONES RD	BROOKSVILLE	34601
R17 421 19 0000 0010 0000	R17 421 19 0000 0010 0000	332125	BROOKSVILLE QUARRY LLC	21S	19E	17	BRITTLE RD	BROOKSVILLE	34601

Citrus County
Hernando County



Legend

- Property Boundary (3,531.55 Ac.±)
- Project Boundary (2020-2024 Active/Future Mining Areas)
- County Boundary
- 150 ft Buffer
- Surrounding Parcels within 150 feet of Anticipated Mining Areas
- Parcels

Sections 15 thru 22 and 27 thru 29
Township 21 South, Range 19 East

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PROJECT NO.	20200536.001A
DRAWN:	8/12/2019
DRAWN BY:	NL
CHECKED BY:	ANS
FILE NAME:	19-0927--Brooksville FG MOPA-SurroundingParcels.mxd

Surrounding Parcels Map

**Brooksville Fine Grind
Hernando County, Florida**

FIGURE
-

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Document Path: G:\Vulcan-FRL_2019\20200536.001A_VMC FL-Brooksville FG County Permits\01-0000 MOPA Renewal\19-0927--Brooksville FG MOPA-SurroundingParcels.mxd. Plotted: 9/27/2019, 2:21:51 PM, ASecharan



November 19, 2019
Kleinfelder Project No.: 20200536.001A

Ms. Terri Stokes
Department of Planning and Zoning
Zoning Division
789 Providence Boulevard
Brooksville, Florida 34601

**SUBJECT: FLORIDA ROCK INDUSTRIES, INC. – BROOKSVILLE FINE GRIND
MINE OPERATION PLAN APPROVAL (MOPA) APPLICATION
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

Dear Ms. Stokes:

The following and enclosed information is being submitted to the County in response to the Review Comments provided by the Hernando County Planning & Zoning departments, dated October 23, 2019.

Zoning Department Comments

1. Must provide a copy of updated/renewed SWFWMD permit prior to MOPA approval.

Response: The Southwest Florida Water Management District (SWFWMD) Water Use Permit (WUP) 20 000199.008 was renewed on November 15, 2019. This permit will expire on November 15, 2039. A copy of the renewed SWFWMD WUP permit for the Project is attached.

Environmental Planning Department Comments

1. #2 Proposed contour lines: What datum was used for the topographic contour map provided (Figure 5)? What is the current base elevation (NGVD) of each pit (August 2019)? Provide a rough estimate of proposed mining depth (maximum) for each pit for the next 5 years in leu of proposed contour lines.

Response: The datum used for the topographic contour map provided (Figure 5) in association with the October 4, 2019 RAI response is NAVD 88. Based on August 2019 topography, the current elevations within each pit are variable, with a range in NGVD as listed below:

- Orange Grove Pit (Area 1) - approximately 1 foot NGVD to approximately 170 feet NGVD
- Jones Pit (Area 2) - approximately 30 feet NGVD to approximately 150 feet NGVD
- Bell Pit (Area 3) – approximately 36 feet NGVD to approximately 60 feet NGVD

The estimated maximum mining depth in each of the pits over the next five years, will be within the depth permitted by the FDEP, as follows:

- Orange Grove Pit (Area 1) – (-)35 feet NGVD
 - Jones Pit (Area 2) - 30 feet NGVD
 - Bell Pit (Area 3) – 30 feet NGVD
2. #6 Conceptual Reclamation Plan: Areas not fully reclaimed (referred to as “Not Released”) on Figure 4 need to be relabeled for future clarification (figure and legend); suggest “Not Fully Reclaimed”, “Reclamation Not Complete”, or some equivalent language conveying that reclamation criteria has not been met.

Response: Figure 4 has been revised per the County’s comment. The labeling on the areas that have been reclaimed but not released has been edited and is not “Disturbed Areas within Mandatory Reclamation Areas – Not Fully Reclaimed.” A copy of this revised figure is attached.

3. Maintenance: Is the Engineer’s annual certification for dikes, water control structures, etc., available upon request?

Response: The annual Engineer’s certification for the dike and associated water control structures is submitted to Hernando County on an annual basis. Should the County require copies of these they are available upon request.

Should you require any additional information, please do not hesitate to contact me at lbaugherty@kleinfelder.com or 352.554.8089.

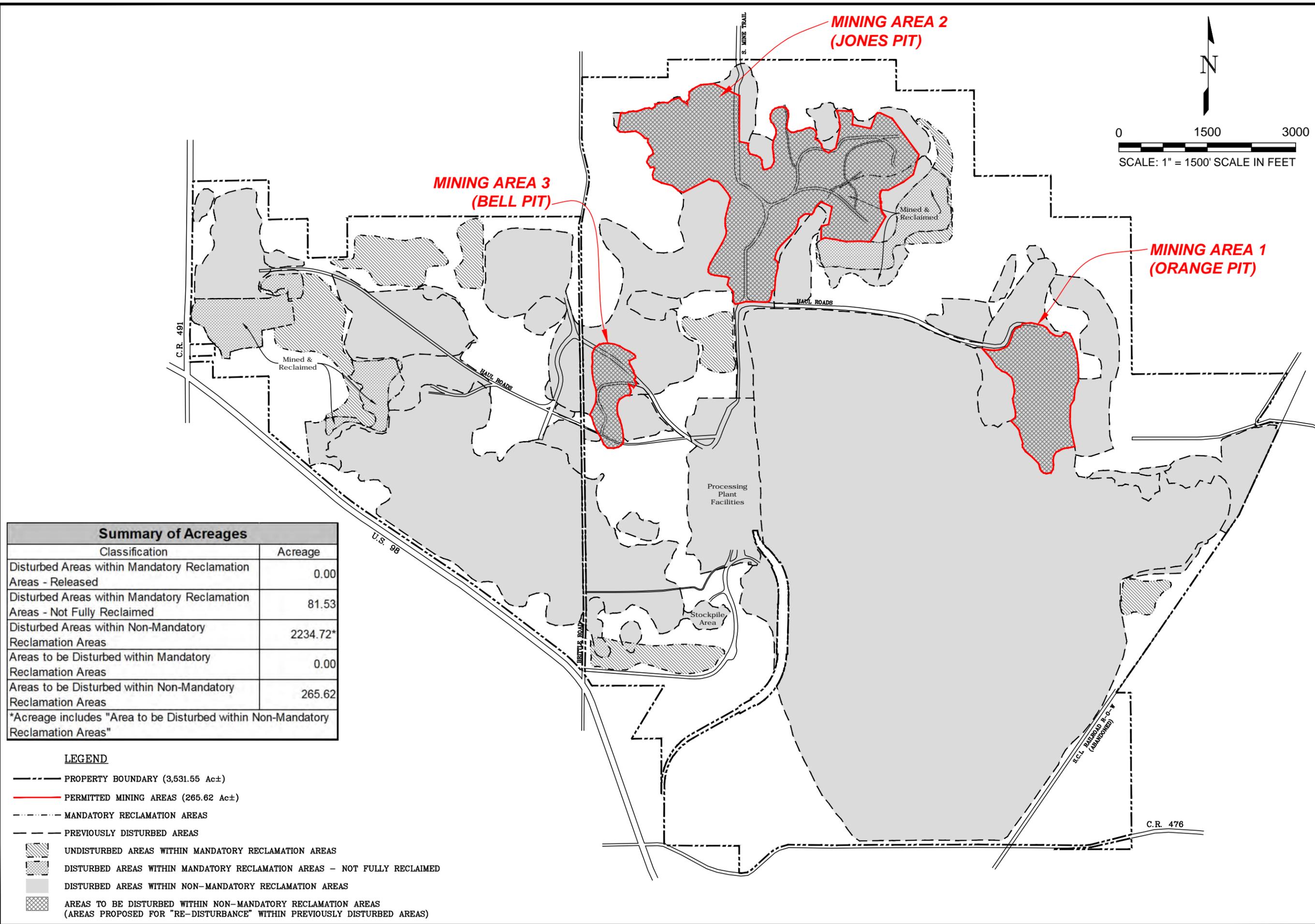
Sincerely,
KLEINFELDER



Lisa F. Daugherty
Project Manager

Enc: Revised Figure 4 – Conceptual Reclamation Plan
SWFWMD WUP Permit

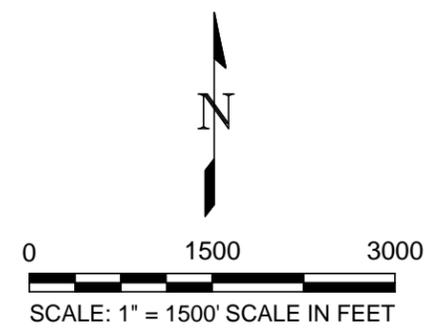
cc: Ms. Traci Johns, Florida Rock Industries, Inc.
File



Summary of Acreages	
Classification	Acreage
Disturbed Areas within Mandatory Reclamation Areas - Released	0.00
Disturbed Areas within Mandatory Reclamation Areas - Not Fully Reclaimed	81.53
Disturbed Areas within Non-Mandatory Reclamation Areas	2234.72*
Areas to be Disturbed within Mandatory Reclamation Areas	0.00
Areas to be Disturbed within Non-Mandatory Reclamation Areas	265.62

*Acreage includes "Area to be Disturbed within Non-Mandatory Reclamation Areas"

- LEGEND**
- PROPERTY BOUNDARY (3,531.55 Ac±)
 - PERMITTED MINING AREAS (265.62 Ac±)
 - MANDATORY RECLAMATION AREAS
 - PREVIOUSLY DISTURBED AREAS
 - ▨ UNDISTURBED AREAS WITHIN MANDATORY RECLAMATION AREAS
 - ▩ DISTURBED AREAS WITHIN MANDATORY RECLAMATION AREAS - NOT FULLY RECLAIMED
 - ▧ DISTURBED AREAS WITHIN NON-MANDATORY RECLAMATION AREAS
 - ▦ AREAS TO BE DISTURBED WITHIN NON-MANDATORY RECLAMATION AREAS (AREAS PROPOSED FOR "RE-DISTURBANCE" WITHIN PREVIOUSLY DISTURBED AREAS)



PROJECT NO. 20200536.001A
 DRAWN: 11/18/2019
 DRAWN BY: NL
 CHECKED BY: ANS
 FILE NAME: Brooksville FG MOPA-RecPlan.dwg

FIGURE **4**

Conceptual Reclamation Plan

Brooksville Fine Grind
 Hernando County, Florida

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Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

An Equal
Opportunity
Employer

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

November 15, 2019

Brooksville Quarry, LLC/Attn: Scott McCaleb
10151 Deerwood Park Blvd
Bldg. 100, Suite 120
Jacksonville, FL 32256

Subject: **Notice of Intended Agency Action Letter -- Approval**
Water Use Permit No.: 20 000199.008
Project Name: Brooksville Quarry LLC
County: Hernando

Dear Sir/Madam:

The Southwest Florida Water Management District (District) has completed its review of the application for Water Use Permit No. 20 000199.008. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/Search/Search/SearchWupSimple.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

Darrin W. Herbst, P.G.
Bureau Chief
Water Use Permit Bureau

cc: Traci Johns



Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

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Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
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Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

November 15, 2019

Brooksville Quarry, LLC/Attn: Scott McCaleb
10151 Deerwood Park Blvd
Bldg. 100, Suite 120
Jacksonville, FL 32256

Subject: **Notice of Agency Action -- Approval**
Water Use Permit No.: 20 000199.008
Project Name: Brooksville Quarry LLC
County: Hernando

Dear Sir/Madam:

The Southwest Florida Water Management District (District) is in receipt of your application for Water Use Permit No. 20 000199.008. Based upon a review of the information you submitted, the application is approved. A copy of the permit is enclosed for your records. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

Please be advised that the Governing Board has formulated a water shortage plan referenced in a Standard Water Use Permit Condition (Exhibit A) of your permit, and will implement such a plan during periods of water shortage. You will be notified during a declared water shortage of any change in the conditions of your Permit or any suspension of your Permit, or of any restriction on your use of water for the duration of any declared water shortage. Please further note that water conservation is a condition of your Permit and should be practiced at all times.

If you have any questions or concerns regarding your permit or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

Darrin W. Herbst, P.G.
Bureau Chief
Water Use Permit Bureau
Regulation Division

Encl: Permit
Notice of Rights

cc: Traci Johns

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 000199.008**

PERMIT ISSUE DATE: November 15, 2019

EXPIRATION DATE: November 15, 2039

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal
GRANTED TO: Brooksville Quarry, LLC/Attn: Scott McCaleb
10151 Deerwood Park Blvd
Bldg. 100, Suite 120
Jacksonville, FL 32256

PROJECT NAME: Brooksville Quarry LLC

WATER USE CAUTION AREA(S): Not in a WUCA

COUNTY: Hernando

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	38,200 gpd
PEAK MONTH ¹	50,500 gpd

¹ Peak Month: Average daily use during the highest water use month.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Agricultural	30,900	43,200
Mining/Dewatering	7,300	7,300

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>
Nursery, Field	26.00	Low Volume Spray	16.00"/yr.
Mining Other Uses			
Personal Sanitary Use			

WITHDRAWAL POINT QUANTITY TABLE

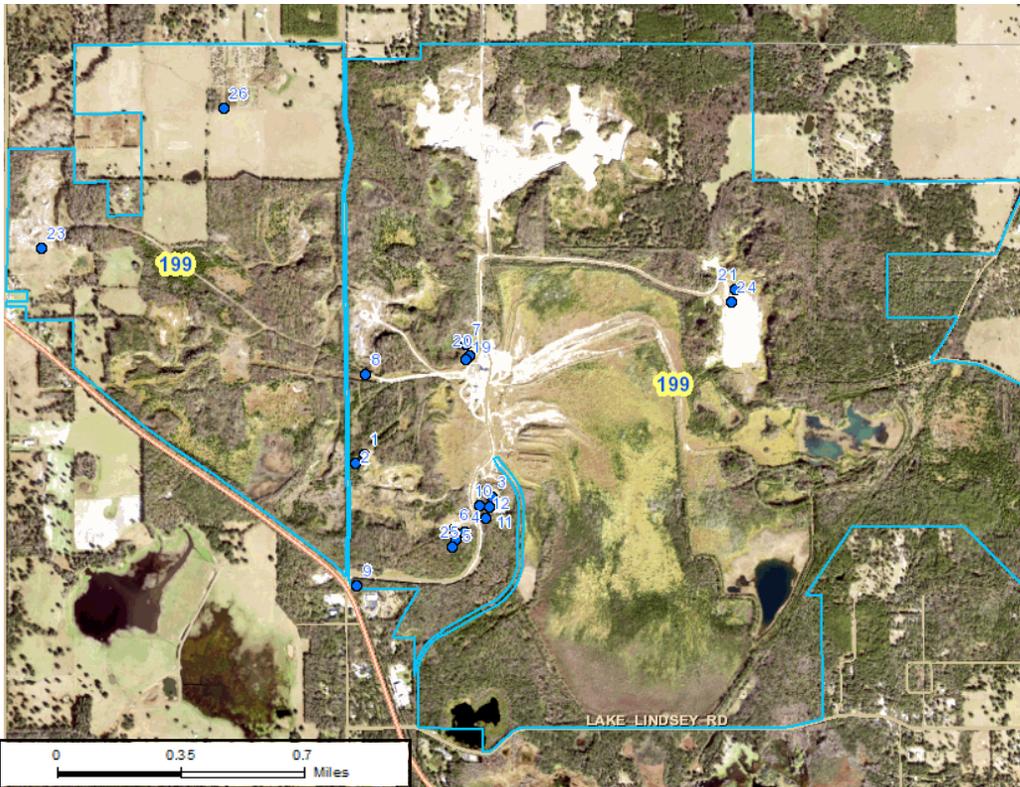
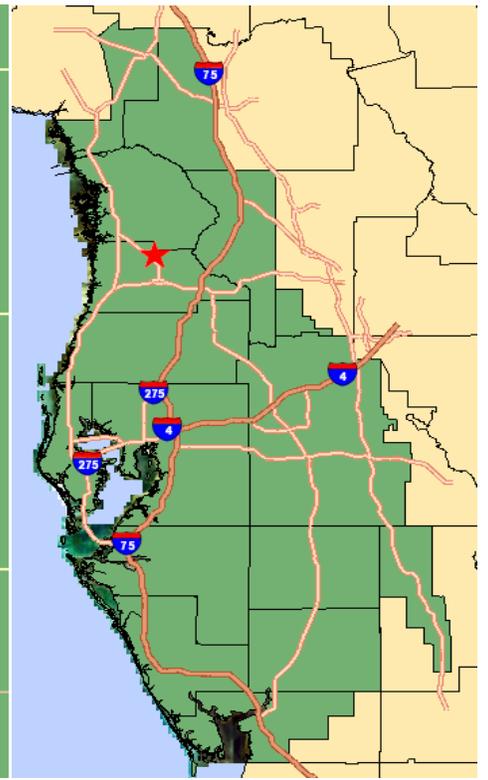
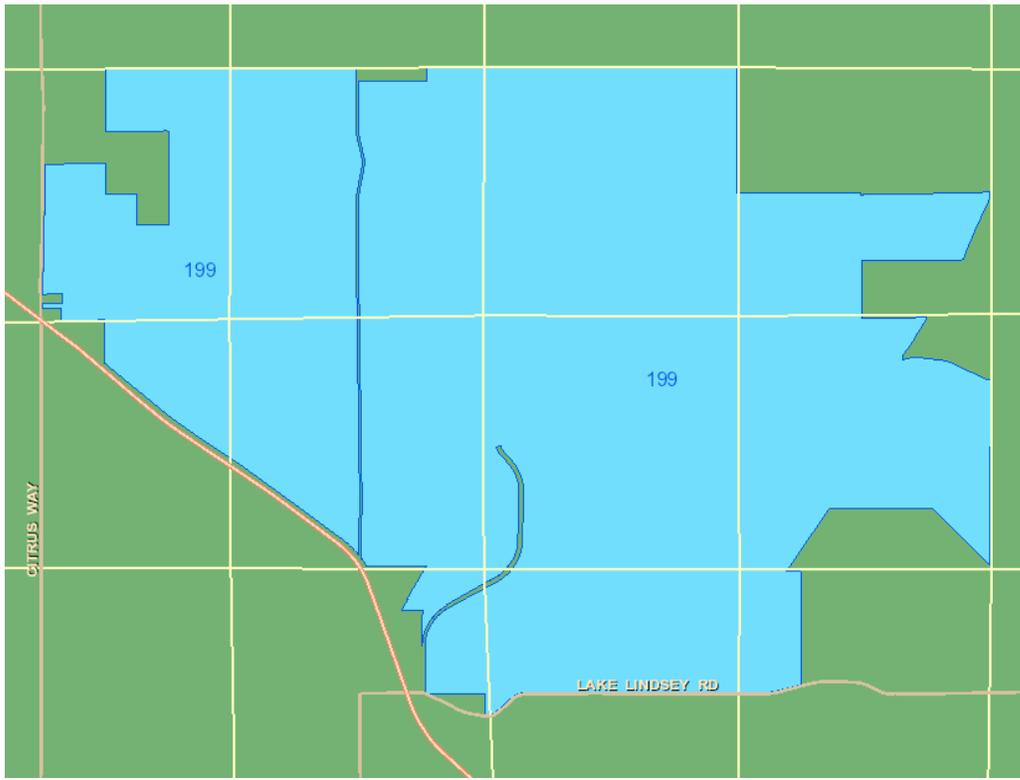
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO.</u> <u>PERMITTEE/ DISTRICT</u>	<u>DIAM</u> <u>(in.)</u>	<u>DEPTH</u> <u>TTL./CSD.FT.</u> <u>(feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE</u> <u>(gpd)</u>	<u>PEAK</u> <u>MONTH</u> <u>(gpd)</u>
7 / 7	6	150 / UNK	Cleaning/Maintenance	7,000	70,000
8 / 8	4	UNK / UNK	Personal Sanitary	300	300
20-20 / 26	12	UNK / UNK	Irrigation	30,900	43,200

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
7	28° 38' 59.10"/82° 25' 07.50"
8	28° 38' 53.10"/82° 25' 29.70"
26	28° 39' 44.17"/82° 26' 00.94"

Location Map
Brooksville Quarry, LLC/Attn: Scott McCaleb
WUP No. 20 000199.008



Legend

- DIDs
- WUP Boundary

2017 Natural Color Imagery

HERNANDO COUNTY

Southwest Florida
Water Management District

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.
(499)

2. The Permittee shall implement all water conservation measures that are economically, technically, and environmentally feasible, including:
 1. Incorporation of water conservation best management practices.
 2. Limiting daytime irrigation to the greatest extent practicable to reduce water losses.
 3. Implementation of a leak detection and repair program as part of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per season.
 4. Evaluation of the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.
 5. Implementation of an irrigation schedule that maximizes the efficiency of delivering the correct quantity of water to the root zone at the time it is needed. This practice shall include the use of tools to determine when and how much irrigation water is needed. Examples of these tools include soil moisture sensors, weather/climatic measuring devices, or piezometers to monitor the water table elevation.(286)
3. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water.

(458)

4. The Permittee shall control mining operations according to the plan submitted to the Florida Department of Environmental Protection in support of Environmental Resource Permit 0231362-004 and approved on October 15, 2009. The Permittee shall submit an annual mining plan update by May 1 of each year that includes the following information for the upcoming calendar year.

A. Areas to be mined or dewatered within the coming year as well as those mined in the previous year with an approximate time frame in months for each mining and dewatering cell.

B. The setback distance to be maintained.

C. Additions or deletions to outparcels. Additional outparcels are to be labeled and the names and addresses of the property owners are to be referenced to the outparcel.

D. All wells within areas to be mined and their future disposition.

E. Wetlands required to be preserved, including those wetlands created for mitigation, and any on-site wetlands that will not be mined.

If the Permittee deviates from the mining plan for the upcoming calendar year during the calendar year, the Permittee shall provide a revised plan for that deviation for approval to the Water Use Permit Bureau Chief. No deviation is allowed without District approval.(478)

5. The Permittee shall continue to maintain the monitor well(s) or piezometer(s) listed below, monitor water levels and report them to the District at the frequency listed for the aquifer listed. Water levels shall be recorded relative to North American Vertical Datum 1988 and to the maximum extent possible, recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website (www.watermatters.org) or mailed in hardcopy on District-provided forms to the Water Use Permit Bureau on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource. The Permittee shall have the elevation of the measuring point on each well listed surveyed to the specified datum, and a copy of the certified survey report for the wells listed shall be included with the first data submittal.

Existing District ID Nos. 23, 24, and 25/Permittee ID Nos. MW1, MW2, and MW3, to monitor the Upper Floridan aquifer on a weekly basis.

(756)

6. The Permittee shall continue to maintain the District-approved staff gauge in the water bodies at the location(s) specified by latitude and longitude below and report measurements of water levels referenced to North American Vertical Datum 1988 at the frequency indicated. The Permittee shall have the elevation of each staff gauge surveyed to the specified datum, and a copy of the certified survey report for the wells listed shall be included with the first data submittal.

District ID No. 21, Permittee ID No. 21 in Orange Grove Pit recorded on a Quarterly basis at Lat 28 39 03.72 Long. 82 24 08.37.

Quarterly = February, May, August, November

To the maximum extent possible, water levels shall be recorded on the same week of each month and reported to the Water Use Permit Bureau, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

(762)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner;
and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Darrin W. Herbst, P.G.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28.106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.



December 4, 2019
Kleinfelder Project No.: 20200536.001A

Ms. Terri Stokes
Department of Planning and Zoning
Zoning Division
789 Providence Boulevard
Brooksville, Florida 34601

**SUBJECT: FLORIDA ROCK INDUSTRIES, INC. – BROOKSVILLE FINE GRIND
MINE OPERATION PLAN APPROVAL (MOPA) APPLICATION
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

Dear Ms. Stokes:

The following and enclosed information is being submitted to the County in response to the Review Comments provided by the Hernando County Environmental Planning department, dated December 3, 2019.

Environmental Planning Department Comments

1. #2 In response to a rough estimate of proposed mining depth for the next 5-year plan (in lieu of the required proposed contour lines in areas planned excavation), the maximum permitted mining depths were provided instead. Based on this information, has the maximum mining depth in Jones pit been reached (at least where the deposits is concerned)? If it has been reached, then verify that continued mining will be by lateral expansion of the pit area. Is there adequate resource within the limits of the previous 5-year MOPA boundary for Jones pit or does this result in an expansion of the mining area compared to the last MOPA.

Question regarding the datum provided for clarification- were the contours for the fig 5 (NAVD 88), converted to NGVD for the #2 response or should they have been reported as NAVD 88?

Response: The maximum mining depth in the Jones pit has been reached in isolated areas. Mining will continue in depth in areas where the maximum depth has not been reached and will also continue laterally. All mining will occur within the previous 5-year MOPA boundary for the Jones pit. No expansion to the limits of the Jones pit are being requested.

Additionally, with regards to the information provided in the previous #2 response, the elevations provided were converted from NAVD 88 to NGVD.

Should you require any additional information, please do not hesitate to contact me at ldaugherty@kleinfelder.com or 352.554.8089.

Sincerely,
KLEINFELDER

A handwritten signature in black ink, appearing to read "L. Daugherty". The signature is fluid and cursive, with the first letter "L" being particularly large and stylized.

Lisa F. Daugherty
Project Manager

cc: Ms. Traci Johns, Florida Rock Industries, Inc.
File