**A Tale of Two Agencies:**

**The Quest for Developing a Health Data Sharing Agreement**

# 2007 - 2008

# Environmental Public Health Leadership Institute Fellow:

# Greg Kearney; Dr.P.H., M.P.H., R.S.

*Environmental Epidemiologist;Florida Department of Health*

*4052 Bald Cypress Way,*

*Tallahassee, Florida 32399*

*(850) 245-4577*

*Greg\_Kearney@doh.state.fl.us*

# Mentor:

### CAPT Steve Inserra, REHS, MPH

*Environmental Epidemiologist;* Agency for Toxic Substances and Disease Registry

Department of Homeland Security,

Health Investigations Branch

# Acknowledgements:

### Meade Grigg

### *Director and State Registrar, Florida Department of Health, Office of Planning, Evaluation, Data Analysis and Statistics*

### Carina Blackmore, DVM., Ph.D.

*State Public Health Veterinarian, Florida Department of Health, Division of Environmental Health*

### Denise Love

### *National Association of Health Data Organization*

### Carolyn Turner

### *Agency for Health Care Administration*

### Judith Qualters, Ph.D.

*Chief, Health Tracking Branch, Centers for Disease Control and Prevention,*

# EXECUTIVE SUMMARY:

Hospital data can be used by epidemiologists and public health officials to monitor the health status of a community and to perform disease surveillance. Although primarily used for medical billing purposes, hospital data can serve as a rich source of health information providing valuable insight for evaluating selected chronic and acute diseases, and establishing and reporting health trends in the population.

In Florida, the Agency for Health Care Administration (AHCA) collects and manages all hospital data for the entire state. Hospital data is considered confidential, and to receive this data, all applicants, including the Florida Department of Health (FDOH) must submit an annual “request for data” application. From a state health department’s perspective, requesting this data has proven to be a repetitive, lengthy and time consuming process. This leadership project utilizes methods focused on recognizing, describing and identifying barriers in an attempt to facilitate a process to overcome a cumbersome, annual renewal application process. The goal is to work towards developing a multi-year data sharing agreement (DSA) between the Florida Department of Health and the Florida, Agency for Health Care Administration.

The “shifting the burden” and “fixes that backfire” archetypes were selected, a casual loop developed, role-playing dialogue was constructed and an action plan developed. Other methods included interviews with data administrators and attorneys among the two agencies and internal meetings with stakeholders.

The short term benefits include, an interagency application being developed, and a January 2008 meeting scheduled with the new AHCA leadership to propose a DSA. As a result of this project, FDOH senior leadership is now cognizant of the situation and intends to pursue this idea. The EPHLI has improved my knowledge and abilities to strategize and frame the discussions for FDOH with AHCA for enabling a continuing this dialogue into 2008. In addition, this project has improved my negotiation approaches and skills For collaborating with other agencies. Long term, these AHCA negotiations may prove to have long lasting benefits to the Division of Environmental Health as well as other Divisions within the Florida Department of Health.

A policy determination has yet to be made of why a DSA can not be developed, however the recent change of leadership at AHCA may prove to be an opportunity for securing a DSA. Also, the National Association of Health Data Organization had developed a national-level work group to develop a uniform DSA that can be used by all states. Florida has been participating in these efforts, which may prove beneficial not only to Florida, but at the national level.

# INTRODUCTION/BACKGROUND:

Hospital data plays an important role in public health surveillance. In Florida, hospitals and medical care facilities are required by Florida Statutes to report patient health data to the Agency for Health Care Administration. Throughout time, the Florida Department of Health (FDOH), Office of Planning, Evaluation, Data Analysis and Statistics (Vital Stats) has been the primary users of AHCA data to cross verify vital birth and death records. AHCA provides non-confidential health data to the Office of Vital Stats on an annual basis.

Besides using hospital data for tracking and producing vital statistics reports, there are many other important uses for the data, including public health surveillance. Currently, FDOH is being funded by CDC to help develop an environmental public health tracking network (EPHTN). One of the primary goals of EPHTN project is to link selected hospital health data with data on environmental hazards, to help identify patterns and trends of chronic diseases in the population. For example, linking asthma hospitalization data with outdoor air pollution data to identify if there are certain times of the year when there is an increase in rates.

Obtaining confidential hospital data on an on-going, un-interrupted, electronic basis is crucial for the project to succeed. Confidential data differs from non-confidential data by the variable contained in the dataset. The confidential hospital data needed for the project includes obtaining these selected identifiers within the data, such as social security number and zip codes. The Office of Vital Statistics does not get this detailed (low-level resolution) therefore; they receive a non-confidential, public-use CD, in a time efficient, non rigorous manner.

AHCA has an annual renewal application process for confidential information that has been both cumbersome and time consuming to complete. As a “sister” agency, FDOH is still required to complete many application forms, obtain multiple signatures, and proceed through a lengthy, often time-delayed process of obtaining recurring data.

A request for confidential information to AHCA, from any state agency, Division or Bureau within government, requires the applicant to complete a formal application, and a hierarchy of upper management signatures from both Agencies. Despite the importance of obtaining data from AHCA, there has never been an “official” agreement between the two agencies that would allow Division’s, Bureau’s at FDOH to obtain confidential data in an easy manner.

According to sources within FDOH, the Department has been actively pursuing a health data sharing agreement (DSA) from the Agency for Health Care Administration for a number of years. However, a DSA has never transpired.

The primary stakeholders of this project are those epidemiologists with FDOH, and 16 other state and city health departments federally funded for the Environmental Public Health Tracking grant. As mentioned, the primary focus of the grant is to integrate data from health and environmental agencies to evaluate adverse chronic disease outcomes, such as cancers and birth defects. Other stakeholders include other state health departments, county health departments (CHD’s), Agencies for Health Care, Department’s of Environmental Protection (DEP’s), Federal agencies (i.e, US EPA, ATSDR), not-for-profit agencies and professional organizations. The Tracking states must partner with stakeholders, with the goal of bringing health and environmental data sets together for the purposes of exploring potential health risk relationships.

The majority of state health and environmental agencies collect data as a regulatory means. Health agencies collect health data for billing purposes, and environmental agencies collect data to assure compliance of air, water, sewage, etc.., Both, health and environmental agencies are typically stove-piped with data, and rarely do the two meet; state health agencies would benefit by having hospital data that could be “linked” with environmental hazard data to analyze and determine trends of health outcomes (i.e., asthma, myocardial heart infarctions and birth defects) in the population-at-risk.

Health and environmental data will continue to be stored and under utilized for the purposes of research or public health surveillance. It is unknown at this point if either the environmental or health agencies perceive change. Some agencies, for example, the US EPA, are making a paradigm shift for sharing their data for accountability, others may potentially follow suit.

***Problem Statement:***

*In Florida, the Agency for Health Care Administration (AHCA) requires the Florida Dept. of Health (FDOH) to proceed through a lengthy and time consuming application process to receive health data. As a “sister” governmental agency, bound by similar health care protection laws and regulations as AHCA, FDOH receives no special consideration or expedited review in the data request process. This process presents concerns for surveillance purposes. This process appears to be similar at the national level, and needs to be streamlined, so that health data can be more easily retrieved by state (environmental) health departments*.

***Behavior Over Time Graph:***

***Causal Loop Diagrams and applicable archetypes:***

***10 Essential Environmental Health Services:***

This project, “The Quest to Develop a Data Sharing Agreement” fulfills six (6) of the objectives identified in the Institute of Medicine (IOM) Report, including Assessment, Policy Development and Assurance including;

**ASSESSMENT:**

Monitor Health: This project is primarily built on the need for conducting surveillance using hospital data linked with environmental data.

Diagnose and Investigate: result of this project will be to use data to help better understand the relationship between health and environmental hazards

**ASSURANCE:**

Evaluate Effectiveness: Having a DSA will enable the Florida EPHTN to evaluate and measure progress of intervention and prevention efforts

**POLICY DEVELOPMENT:**

Inform, Educate and Empower: By using the data from this project, will be used to inform stakeholders, communities about how their health may be impacted by environmental hazards.

Mobilizing Community Partnerships: The end results after formalizing a DSA and providing researchers with data needed to produce results in a more timely fashion may help to mobilize and engage community partnerships, particularly stakeholders to identify environmental hazards and the need of environmental interventions.

Develop Policies: With a successful project, a data sharing agreement may spur a national policy effort for all state health care administration agencies to share data with their Department of Health.

Figure 1: Picture courtesy of Carl Osaki, MSPH, RS

Department of Environmental & Occupational Health, Northwest Center of Public Health Practice

University of Washington

***National Goals Supported***

1. CDC Health Protection Goals

This project supports the primary CDC Health Protection Goal: “Healthy People in Healthy Places.” As a result of implementing the data sharing agreement, health department’s capacity will increase by having data partners and a more efficient and increased way of conducting surveillance on a routine basis, promoting the health and safety of communities.

2. Healthy People 2010

In addition, this project also meets the following Health People 2010 objectives:

**23-2.** Increase the proportion of Federal, Tribal, State, and local health agencies that have made information available to the public in the past year on the leading health indicators, and priority needs.

**23-12.** Increase the proportion of Tribal, State, and local public health agencies that provide or assure comprehensive epidemiology services to support essential public health services.

**8-27.** Increase or maintain the number of Territories, Tribes, and States, and the District of Columbia that monitor diseases or conditions that can be caused by exposure to environmental hazards.

3. National Strategy to Revitalize Environmental Public Health Services

This project support four (4)goals outlined to support revitalizing environmental public health services.

**Goal I**. Build Capacity. Enlighten policy makers and other state agencies to Environmental Public Health and Data Sharing, and an opportunity to coordinate and collaborate with policy development.

**Goal II**. Support Research to define Effective Approaches to Enhance Environmental Public Health Services. Linking research with health and environmental data.

**Goal III**. Foster Leadership to Enhance Environmental Public Health Service. Enhance EPH by developing strong working relationships, specifically, among stakeholders,

**Goal IV**. Communicate and Market. Improve communication, information and data sharing among health care administration and public health agencies.

4. Environmental Health Competency Project: Recommendation for Core Competencies for Local Environmental Health Practitioners

This project supports two (2) recommendation for Core Competencies for Local Environmental Health Practitioners.

A2. Data Analysis and Interpretation: The capacities to analyze data, recognize meaningful test results, interpret results, and present the results in a meaningful way to different types of audiences. This project supports data sharing for public health surveillance.

B7 Partnering: The capacity to form partnerships and alliances with other individuals and organizations in order to enhance performance on the job. This project recognizes the need for state agencies to share data and form partnerships so that epidemiologists and other public health authorities enhance findings.

***Project Logic Model:***

# PROJECT OBJECTIVES/DESCRIPTION/DELIVERABLES:

**Program Goal:** To increase inter-agency collaboration between the FDOH and AHCA, and develop a data sharing agreement (DSA) between FDOH and AHCA to share (confidential) hospitalization data in a timely and consistent manner.

**Health Problem:** Increasing rates of chronic diseases and lack of public health surveillance of adverse health conditions associated with environmental hazards.

**Outcome Objective:** Develop a data needs assessment group, and establish a joint DSA agreement between the AHCA and FDOH.

**Determinant:** Hospital data is not being used to full potential - a lengthy application process to obtain confidential health information contributes to a gap in proactive public health surveillance.

**Impact Objective:** By 2008, one (1) Division or Bureau within the FDOH should be obtaining confidential hospitalization data and using it for public health surveillance purposes.

**Contributing Factors:**

There has never been a coordinated effort from FDOH, Divisions or Bureaus to

obtain confidential hospitalizaCHAPTER 62-210 STATIONARY SOURCES - GENERAL REQUIREMENTS62-210.100Purpose and Scope. (Effective 1/10/07)62-210.200Definitions. (Effective 3/16/08)62-210.220Small Business Assistance Program. (Effective 2/11/99)62-210.300Permits Required. (Effective 3/16/08)62-210.310Air General Permits. (Effective 5/9/07)62-210.350Public Notice and Comment. (Effective 2/2/06)62-210.360Administrative Permit Corrections. (Effective 3/16/08)62-210.370Emissions Computation and Reporting. (Effective 7/3/08)62-210.550Stack Height Policy. (Effective 11/23/94)62-210.650Circumvention. (Effective 8/26/1981)62-210.700Excess Emissions. (Effective 11/23/94)62-210.900Forms and Instructions. (Effective 7/3/08)62-210.920Registration Forms for Air General Permits. (Effective 5/9/07)62-210.100 Purpose and Scope.The Department of Environmental Protection adopts this chapter to establish general requirements for stationary sources of air pollutant emissions and definitions for use in this chapter as well as Chapters 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C. This chapter provides criteria for determining the need for an owner or operator to obtain Department authorization, by individual air permit, or by air general permit, to conduct certain activities involving sources of air pollutant emissions. It provides procedures to apply for an air construction or non-Title V air operation permit, or to register for use of an air general permit. It establishes public notice requirements, reporting requirements, and requirements relating to estimating emissions and using air quality models. This chapter also sets forth special provisions related to compliance monitoring, stack heights, circumvention of pollution control equipment, and excess emissions.Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History–New 2-9-93, Formerly 17-210.100, Amended 11-23-94, 1-10-07.62-210.200 Definitions.The following words and phrases when used in this chapter and in Chapters 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C., shall, unless the context clearly indicates otherwise, have the following meanings:(1) “Acid Mist” – Liquid drops of any size of any acid including sulfuric acid and sulfur trioxide, hydrochloric acid, and nitric acid as measured by EPA test method 8, adopted by reference at Rule 62-204.800, F.A.C., and listed at Rule 62-297.401, F.A.C.(2) “Acid Rain Compliance Option” – A method of compliance available to an Acid Rain unit under the Federal Acid Rain Program.(3) “Acid Rain Compliance Plan” – That portion of an Acid Rain Part application submitted by the designated representative of an Acid Rain source which specifies the methods, or compliance options, by which each Acid Rain unit at the source will meet the applicable Acid Rain emissions limitation and Acid Rain emissions reduction requirements.(4) “Acid Rain Compliance Schedule” – An enforceable sequence of actions, measures, or operations designed to achieve or maintain compliance, or correct noncompliance, with an applicable requirement of the Acid Rain Program, including any applicable Acid Rain Part permit requirement.(5) “Acid Rain Emissions Limitation” – The EPA-established sulfur dioxide and nitrogen oxides emissions limitations under the Federal Acid Rain Program.(6) “Acid Rain Part” – That separate portion of the Title V source permit specifying the Federal Acid Rain Program requirements for an Acid Rain source, and for the owners, operators and the designated representative of the Acid Rain source or the Acid Rain unit.(7) “Acid Rain Program or Federal Acid Rain Program” – The national sulfur dioxide and nitrogen oxides air pollution control and emissions reduction program established pursuant to 42 U.S.C. sections 7651-7651o and 40 C.F.R. Parts 72, 73, 75, 76, 77, and 78, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(8) “Acid Rain Source” – A Title V source with one or more Acid Rain units.(9) “Acid Rain Unit” – A fossil fuel-fired combustion device listed as subject to any Acid Rain emissions reduction requirement or Acid Rain emissions limitation at 40 C.F.R. 72.6 or 79.2, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(10) “Acrylonitrile” – An organic chemical, formula C3H3N, used in the production of various resins, polymers and acrylic fibers. Synonyms for acrylonitrile are: 2-propenitrile, acrylon, acrylonitrile monomer, cyanoethylene, AN, VCN, and vinyl cyanide. The Chemical Abstract Service registration number is 107-13-1.(11) “Actual Emissions” – The actual rate of emission of a pollutant from an emissions unit as determined in accordance with the following provisions:(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a consecutive 24-month period which precedes the particular date and which is representative of the normal operation of the emissions unit. The Department shall allow the use of a different time period upon a determination that it is more representative of the normal operation of the emissions unit. Actual emissions shall be calculated using the emissions unit’s actual operating hours, production rates and types of materials processed, stored, or combusted during the selected time period.(b) The Department may presume that unit-specific allowable emissions for an emissions unit are equivalent to the actual emissions of the emissions unit provided that such unit-specific allowable emissions limits are federally enforceable.(c) For any emissions unit that has not begun normal operations on a particular date, actual emissions shall equal the potential emissions of the emissions unit on that date.(12) “Administrator” – The Administrator of the United States Environmental Protection Agency or the Administrator’s designee.(13) “Adverse Impact on Visibility” – An impairment to visibility which interferes with the management, protection, preservation, or enjoyment of the visitor’s visual experience of a Federal Class I area. This determination shall be made during the permitting process, utilizing EPA-approved methods of visibility impairment analysis and taking into account such factors as the geographic extent, intensity, duration, frequency, and time of visibility impairments, and how these factors correlate with the time of visitor use of the Federal Class I area and the frequency and timing of natural conditions that reduce visibility.(14) “Affected Pollutant” – In a nonattainment area or area of influence for any pollutant other than ozone, the pollutant for which the area is designated nonattainment. In the case of an ozone nonattainment area classified as marginal or higher, the affected pollutants are volatile organic compounds (VOC) and nitrogen oxides (NOx). For a transitional ozone nonattainment area, the affected pollutant is VOC only. A pollutant is no longer an affected pollutant upon redesignation of the nonattainment area to an attainment area by the U.S. Environmental Protection Agency.(15) “Affected States” – All states, specifically, Alabama, Georgia, or Mississippi or any combination thereof, whose air quality may be affected by the operation of, or that are within 50 miles of, a Title V source for which a permit, permit revision, or permit renewal is being proposed under Chapter 62-213, F.A.C.(16) “Air Curtain Incinerator” – A portable or stationary combustion device that directs a plane of high velocity forced draft air through a manifold head into a pit with vertical walls in such a manner as to maintain a curtain of air over the surface of the pit and a recirculating motion of air under the curtain.(17) “Air Dried Coating” – Coatings which are dried by the use of air or forced warm air at temperatures up to 194 degrees Fahrenheit (90 degrees Celsius).(18) “Air Emissions Bubble” or “Bubble” – An air pollution control strategy wherein a facility complies with a multi-unit aggregate emissions limit or cap, in lieu of unit-specific limits, on a pollutant-specific basis for carbon monoxide, nitrogen oxides, sulfur dioxide, particulate matter, PM10, or volatile organic compounds (VOCs).(19) “Air General Permit” – An authorization by rule as described in subsection 62-210.300(4), F.A.C., to construct or operate an air pollutant emitting facility. Use of such authorization by any individual facility does not require agency action.(20) “Air Pollutant” – Any substance (particulate, liquid, gaseous, organic or inorganic) which if released, allowed to escape, or emitted, whether intentionally or unintentionally, into the outdoor atmosphere may result in or contribute to air pollution.(21) “Air Pollution” – The presence in the outdoor atmosphere of the state of any one or more substances or pollutants in quantities which are or may be harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property, including outdoor recreation.(22) “Air Pollution Control Equipment” – Equipment, including that used to separate entrained particulate matter or organic vapors from gases, gas separation equipment, thermal oxidation equipment, and chemical reaction/conversion equipment, which is designed and used to reduce the discharge of a specific air pollutant to the atmosphere.(a) “Destructive Control Device” – Any device intended and designed for the reduction of VOC pollutant emissions from an emissions unit which alters the chemical composition of the pollutant flowing through the device.(b) “Non-Destructive Control Device” – Any device intended and designed for the reduction of VOC pollutant emissions from an emissions unit which does not alter the chemical composition of the pollutant flowing through the device.(23) “Air Quality Control Region” – Any air quality control region designated pursuant to Section 107 of the Clean Air Act. The boundaries of the air quality control regions in Florida are set forth in 40 C.F.R. Part 81, Sections 81.49, 81.68, 81.91, 81.95, 81.96 and 81.97, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(24) “Allowable Emissions” – The emission rate calculated using the maximum rated capacity of the emissions unit, as limited or modified by any state or federally enforceable restrictions on the operating rate or hours of operation, or both, and the most stringent state or federal emission limiting standard applicable to the emissions unit; or the maximum allowable emission rate specified by any state or federally enforceable permit conditions.(25) “Alternate Designated Representative” – (a) For the purposes of the Acid Rain Program, alternate designated representative shall mean “alternate designated representative” as described in 40 CFR 72.22, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(b) For the purposes of the CAIR Program, alternate designated representative shall mean “alternate CAIR designated representative” as defined in 40 CFR 96.102, 96.202, or 96.302, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(c) For the purposes of the Hg Budget Trading Program, alternate designated representative shall mean “alternate Hg designated representative” as defined in 40 CFR 60.4102, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(26) “Alternative Control Techniques Document” or “ACT” – A guidance document issued by the U.S. Environmental Protection Agency under the Clean Air Act (42 U.S.C. s. 7511b) which identifies control alternatives for sources of volatile organic compounds (VOC) and nitrogen oxides (NOx) that emit more than 25 tons per year.(27) “Ambient Air Quality Standard” or “Ambient Standard” – A restriction established to limit the quantity or concentration of an air pollutant that may be allowed to exist in the ambient air for any specific period of time.(a) “National Ambient Air Quality Standard” means an ambient standard established by EPA and specified at 40 C.F.R. Part 50, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(b) “Primary Standard” means an ambient standard established to protect public health.(c) “Secondary Standard” means an ambient standard established to protect the public welfare including the protection of animal and plant life, property, visibility and atmospheric clarity, and the enjoyment of life and property.(d) “State Ambient Air Quality Standard” means an ambient standard established or adopted by the Department.(28) “Animal Crematory” – Any combustion apparatus used solely for the cremation of animal remains.(29) “Applicable Requirement” –(a) For purposes of the permitting requirements of Chapter 62-213, F.A.C., all of the following as they apply to a Title V source or any emissions unit at such source:1. Any standard or other requirement provided for in the state implementation plan;2. Any term or condition of any preconstruction permit issued by the Environmental Protection Agency pursuant to 40 C.F.R. 52.21 or by the Department pursuant to subparagraph 62-204.800(11)(d)2., F.A.C. (formerly 62-204.800(10)(d)2.); Rule 62-212.300, F.A.C. (formerly 17-212.300, formerly 17-2.520); Rule 62-212.400, F.A.C. (formerly 17-212.400, formerly 17-2.500); Rule 62-212.500, F.A.C. (formerly 17-212.500, formerly 17-2.510); Rule 62-212.720, F.A.C.; Rule 17-2.17, F.A.C. (repealed); or Rule 62-4.210, F.A.C. (formerly 17-4.210, formerly 17-4.21);3. Any term or condition of any air operation permit issued pursuant to paragraph 62-210.300(2)(b), F.A.C.;4. Any standard or other requirement under Chapter 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-252, 62-256, 62-257, 62-281, 62-296, or 62-297, F.A.C.;5. Any standard or other requirement under the Federal Acid Rain Program;6. Any standard or other requirement under 42 U.S.C. Section 7411 or 7412, as published in “United States Code, 2000 Edition, Supplements 1 and 2,” available online at http://www.gpoaccess.gov/uscode/index.html;7. If incorporated into the Specific Operating Agreement with the Department, any standard or other requirement adopted by a local air pollution control program having geographical jurisdiction over the emission unit, unless such standard or requirement conflicts with the provisions of the Federal Acid Rain Program or the Florida Electrical Power Plant Siting Act;8. Any standard or other requirement of 40 C.F.R. Part 55, adopted by reference in Rule 62-204.800, F.A.C.;9. Any applicable standard or other requirement of Subpart B, C, or D of 40 C.F.R. Part 59, adopted by reference in Rule 62-204.800, F.A.C.;10. Any applicable standard or other requirement of 40 C.F.R. Part 64, adopted by reference in Rule 62-204.800, F.A.C.;11. Any applicable standard or other requirement of Subpart A, B, C, D, E, F, or G of 40 C.F.R. Part 65, adopted by reference in Rule 62-204.800, F.A.C.;12. Any applicable standard or other requirement of Subpart A, B, C, E, F, or G of 40 C.F.R. Part 82, adopted by reference in Rule 62-204.800, F.A.C.(b) For purposes of the permitting and exemption requirements of Chapters 62-210 and 62-212, F.A.C., all of the following as they apply to any facility or to any emissions unit within such facility:1. Any standard or other requirement provided for in the State Implementation Plan;2. Any term or condition of any preconstruction permit issued by the Environmental Protection Agency pursuant to 40 C.F.R. 52.21 or by the Department pursuant to subparagraph 62-204.800(11)(d)2., F.A.C. (formerly 62-204.800(10)(d)2.); Rule 62-212.300, F.A.C. (formerly 17-212.300, formerly 17-2.520); Rule 62-212.400, F.A.C. (formerly 17-212.400, formerly 17-2.500); Rule 62-212.500, F.A.C. (formerly 17-212.500, formerly 17-2.510); Rule 62-212.720, F.A.C.; Rule 17-2.17, F.A.C. (repealed); or Rule 62-4.210, F.A.C. (formerly 17-4.210, formerly 17-4.21);3. Any term or condition of any air operation permit;4. Any standard or other requirement under Chapter 62-4, 62-204, 62-210, 62-212, 62-252, 62-256, 62-257, 62-281, 62-296, or 62-297, F.A.C.5. Any standard or other requirement under 42 U.S.C. Section 7411 or 7412, as published in “United States Code, 2000 Edition, Supplements 1 and 2,” available online at http://www.gpoaccess.gov/uscode/index.html; and6. If incorporated into the Specific Operating Agreement with the Department, any standard or other requirement adopted by a local air pollution control program having geographical jurisdiction over the emission unit, unless such standard or requirement conflicts with the provisions of the Federal Acid Rain Program or the Florida Electrical Power Plant Siting Act.(30) “Application Area” – The area where a coating is applied by spraying, dipping, or flowcoating techniques.(31) “Approved Conditional Compliance Option” – A conditional compliance option which has been incorporated into the Acid Rain Part.(32) “Area of Influence” – An area which is outside the boundary of a nonattainment or air quality maintenance area but within the locus of all points that are fifty kilometers outside of the boundary of the nonattainment or air quality maintenance area.(33) “Asphalt” – A dark brown to black cementitious material (solid, semi-solid, or liquid in consistency) in which the predominating constituents are bitumens which occur in nature as such or which are obtained as a residue in refining petroleum.(34) “Asphalt Concrete Plant” or “Hot Mix Asphalt Plant” – Any facility that produces hot mix asphalt by heating and drying aggregate and mixing with asphalt cements.(35) “Base Emission Limit” – The maximum emission offset that any emissions unit is eligible to provide to another emissions unit. In an ozone nonattainment area classified as marginal or higher, the base emission limit is defined separately for emissions of volatile organic compounds (VOC) and nitrogen oxides (NOx).(36) “Baseline Actual Emissions” and “Baseline Actual Emissions for PAL” – The rate of emissions, in tons per year, of a PSD pollutant, as follows:(a) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding the date a complete permit application is received by the Department. The Department shall allow the use of a different time period upon a determination that it is more representative of normal source operation.1. The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups and shutdowns.2. The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period.3. For a PSD pollutant, when a project involves multiple emissions units, only one consecutive 24-month period must be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period can be used for each PSD pollutant.4. The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraph (a)2. above.(b) For an existing emissions unit (other than an electric utility steam generating unit), baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding the date a complete permit application is received by the Department, except that the 10-year period shall not include any period earlier than November 15, 1990.1. The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups and shutdowns.2. The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.3. The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period.4. For a PSD pollutant, when a project involves multiple emissions units, only one consecutive 24-month period must be used to determine the baseline actual emissions for all the emissions units being changed. A different consecutive 24-month period can be used for each PSD pollutant.5. The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (b)2. and 3. above.(c) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.(37) “Baseline Area” – The area (and every part thereof) designated as a prevention of significant deterioration (PSD) area under Rule 62-204.360, F.A.C., in which the facility or major modification establishing the minor source baseline date would construct or in which the emissions of the facility (or the significant net increase in emissions for a major modification) would have a predicted air quality impact equal to or greater than one (1) microgram per cubic meter (annual average) of the pollutant for which the minor source baseline date is established.(38) “Baseline Concentration” – The ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established and for each averaging time for which a maximum allowable increase is established in Rule 62-204.260, F.A.C.(a) The baseline concentration shall include the concentration attributable to:1. The actual emissions representative of sources in existence on the applicable minor source baseline date, except as provided at paragraph (b) below; and2. The federally enforceable allowable emissions of major stationary sources on which construction commenced on or before the major source baseline date but which were not in operation by the applicable minor source baseline date.(b) The baseline concentration shall not include the concentration attributable to the following emissions; rather, such emissions shall affect the amount of any applicable allowable increase remaining available:1. The actual emissions from any major stationary source on which construction commenced after the major source baseline date; and2. Any increase or decrease in the actual emissions of facilities occurring after the applicable minor source baseline date.(c) For purposes of this definition, “construction” means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, shutdown or modification of an emissions unit) that would result in a change in emissions, and “commence construction” has the meaning given at Rule 62-210.200, F.A.C., provided, however, that in the case of demolition or shutdown of an emissions unit, “commence construction” means that the owner or operator has permanently ceased all operations of the unit.(d) Notwithstanding the provisions of paragraph (b) above:1. The change in concentration attributable to any decrease in the actual emissions of a facility on which the Department has relied in demonstrating attainment, defining reasonable further progress, or issuing a permit under the provisions of Rule 17-2.17 (repealed), 17-2.510 (transferred), 17-2.650 (transferred), 62-212.500, 62-296.500 through 62-296.570, or 62-296.700 through 62-296.712, F.A.C., shall be included in the baseline concentration and not be considered in determining the amount of any maximum allowable increase remaining available; and2. Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified facilities shall be excluded in determining compliance with any maximum allowable increase.(39) “Batch Process” – A process which takes in the basic raw materials at the beginning of a cycle and processes them in accordance with a predetermined scheme during which no more basic raw materials are added to the process. Two variations include:(a) Processes where some of the reactants (materials) are added at the beginning with the remainder added as the reaction progresses.(b) Processes where once the materials are added, one or more products are continuously removed as the reaction progresses.Such processes include production of super phosphate, basic oxygen furnaces, and cement batch plants.(40) “Best Available Control Technology” or “BACT” – (a) An emission limitation, including a visible emissions standard, based on the maximum degree of reduction of each pollutant emitted which the Department, on a case by case basis, taking into account:1. Energy, environmental and economic impacts, and other costs;2. All scientific, engineering, and technical material and other information available to the Department; and3. The emission limiting standards or BACT determinations of Florida and any other state; determines is achievable through application of production processes and available methods, systems and techniques (including fuel cleaning or treatment or innovative fuel combustion techniques) for control of each such pollutant.(b) If the Department determines that technological or economic limitations on the application of measurement methodology to a particular part of an emissions unit or facility would make the imposition of an emission standard infeasible, a design, equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reductions achievable by implementation of such design, equipment, work practice or operation.(c) Each BACT determination shall include applicable test methods or shall provide for determining compliance with the standard(s) by means which achieve equivalent results.(d) In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Parts 60, 61, and 63.(41) “Biological Waste” – Solid waste that causes or has the capability of causing disease or infection and which includes biomedical waste, diseased or dead animals, and other wastes capable of transmitting pathogens to humans or animals.(42) “Biological Waste Incinerator” – Any incinerator operated or utilized for the disposal or treatment of biological waste. The term does not include any air curtain incinerator used or authorized by the Department of Agriculture and Consumer Services for the emergency destruction of animal carcasses.(43) “Biomass” – Vegetative matter and untreated wood.(44) “Biomedical Waste” – Any solid or liquid waste which may present a threat of infection to humans, including nonliquid tissue, body parts, blood, blood products, and body fluids from humans and other primates; laboratory and veterinary wastes which contain human disease-causing agents; and discarded sharps. The following are also included:(a) Used absorbent materials saturated with blood, blood products, body fluids, or excretions or secretions contaminated with visible blood; and absorbent materials saturated with blood or blood products that have dried.(b) Non-absorbent, disposable devices that have been contaminated with blood, body fluids, or secretions or excretions visibly contaminated with blood, but have not been treated by a method listed in Section 381.0098, F.S., or a method approved pursuant to Chapter 64E-16, F.A.C.(45) “Black Liquor Oxidation System” – The vessels used to oxidize, with air or oxygen, the black liquor, and associated storage tank(s).(46) “Black Liquor Solids” – The dry weight of the solids which enter the kraft recovery furnace in the black liquor.(47) “Brown Stock Washer System” – Brown stock washers and associated knotters, vacuum pumps, and filtrate tanks used to wash the pulp following the digester system.(48) “Bubble Baseline Emissions” or “Bubble Baseline” – For purposes of establishing an air emissions bubble, the sum of emissions of each pollutant from the emissions units included within the bubble, expressed both on a short-term and long-term basis.(a) On a short-term basis, the bubble baseline shall be calculated by summing the allowable emissions of each unit after converting the allowable emissions to the equivalent pounds per hour.(b) On a long-term basis the bubble baseline shall be calculated in tons per year by multiplying the allowable emissions times the actual capacity of each unit, actual capacity being determined as the average of the highest two out of the last five calendar years prior to the permit application for the bubble. For steam generating units, the actual capacity shall be expressed as million British Thermal Units per year.(49) “Building Enclosure” – A building or room enclosure that contains an activity, process, or emissions unit that emits an air pollutant.(50) “Bulk Gasoline Plant” – Any gasoline storage and distribution facility that receives gasoline from bulk terminals by pipeline, ship, barge, or gasoline cargo tank, stores it in tanks, and subsequently delivers it to resellers, farms, businesses, service stations, or other end users, and that has an annual average daily throughput of less than 20,000 gallons (75,700 liters), calculated on the basis of the number of calendar days that the facility receives or distributes gasoline.(51) “Bulk Gasoline Terminal” – Any gasoline storage and distribution facility that receives gasoline from its supply sources primarily by pipeline, ship, barge, or gasoline cargo tank and delivers gasoline to bulk gasoline plants or to commercial or retail accounts primarily by tanker truck or trailer, and that has an annual average daily throughput of equal to or more than 20,000 gallons (75,700 liters) of gasoline, calculated on the basis of the number of calendar days that the facility receives or distributes gasoline.(52) “CAIR” – Abbreviation for federal Clean Air Interstate Rule.(53) “CAIR NOx Allowance” – A limited authorization issued by the Department pursuant to Rule 62-296.470, F.A.C., to emit one ton of nitrogen oxides during a control period of the specified calendar year for which the authorization is allocated, or of any calendar year thereafter, under the CAIR NOx Annual Trading Program.(54) “CAIR NOx Annual Trading Program” – The program implemented at subsection 62-296.470(3), F.A.C., which, upon approval by the U.S. Environmental Protection Agency, requires CAIR NOx units in Florida to participate in the multi-state air pollution control and emission reduction program administered by the U.S. Environmental Protection Agency pursuant to 40 CFR Part 96, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(55) “CAIR NOx Ozone Season Allowance” - A limited authorization issued by the Department pursuant to Rule 62-296.470, F.A.C., to emit one ton of nitrogen oxides during a control period of the specified calendar year for which the authorization is allocated, or of any calendar year thereafter, under the CAIR NOx Ozone Season Trading Program.(56) “CAIR NOx Ozone Season Trading Program” – The program implemented at subsection 62-296.470(5), F.A.C., which, upon approval by the U.S. Environmental Protection Agency, requires CAIR NOx Ozone Season units in Florida to participate in the multi-state air pollution control and emission reduction program administered by the U.S. Environmental Protection Agency pursuant to 40 CFR Part 96, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(57) “CAIR NOx Ozone Season Unit” – A unit that is subject to the CAIR NOx Ozone Season Trading Program pursuant to 40 CFR 96.304, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(58) “CAIR NOx Unit” – A unit that is subject to the CAIR NOx Annual Trading Program pursuant to 40 CFR 96.104, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(59) “CAIR Part” or “CAIR Permit” – DEP Form No. 62-210.900(1)(b), completed and certified by the designated representative and incorporated as a part of the Title V source permit or air construction permit. The CAIR Part shall specify the CAIR Program requirements applicable to the CAIR source, to each CAIR unit at the source, and to the owners and operators and the designated representative of the CAIR source and each such unit.(60) “CAIR Program” – Any or all of the following:(a) CAIR NOx Annual Trading Program;(b) CAIR SO2 Trading Program; or(c) CAIR NOx Ozone Season Trading Program.(61) “CAIR SO2 Allowance” – A limited authorization issued by the Administrator under the Acid Rain Program to emit sulfur dioxide during the control period of the specified calendar year for which the authorization is allocated, or of any calendar year thereafter, under the CAIR SO2 Trading Program.(62) “CAIR SO2 Trading Program” – The program implemented at subsection 62-296.470(4), F.A.C., which, upon approval by the U.S. Environmental Protection Agency, requires CAIR SO2 units in Florida to participate in the multi-state air pollution control and emission reduction program administered by the U.S. Environmental Protection Agency pursuant to 40 CFR Part 96, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(63) “CAIR SO2 Unit” – A unit that is subject to the CAIR SO2 Trading Program pursuant to 40 CFR 96.204, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(64) “CAIR Source” – A facility that includes one or more CAIR units.(65) “CAIR Unit” – (a) A CAIR NOx unit;(b) A CAIR SO2 unit; or(c) A CAIR NOx Ozone Season unit.(66) “Calciner” – A device used to calcine lime mud, consisting primarily of calcium carbonate, into quicklime (calcium oxide), by using a fluidized bed to burn or reburn the lime mud in suspension.(67) “Capacity Factor” – The ratio of the average load on or output of a machine or unit operation to the permitted capacity rating of the machine or unit operation for a normal operation period or cycle. The “capacity factor” shall be expressed as a percent of rating.(68) “Capture” – The containment or recovery of emissions from an activity, process, or emissions unit for direction into a duct which may be exhausted through a stack or sent to a destructive or nondestructive control device.(69) “Capture Efficiency” – The weight per unit time of an air pollutant entering a capture system and delivered to a control device divided by the weight per unit time of the total amount of the same air pollutant which was generated by the emissions unit or emissions units served by the capture system, expressed as a percentage.(70) “Capture System” – All equipment, including hoods, ducts, fans, booths, ovens, dryers, etc., used to contain, collect, capture, or transport a pollutant to a control device.(71) “Carbon Adsorption System” – A device containing adsorbent material (e.g., activated carbon, aluminum, silica gel); an inlet and outlet for exhaust gases; and a system to regenerate the saturated adsorbent. The carbon adsorption system must provide for the proper disposal or reuse of all VOC adsorbed.(72) “Carbonaceous Fuel” – Solid materials composed primarily of vegetative matter such as tree bark, wood waste, or bagasse.(73) “Carbonaceous Fuel Burning Equipment” – A firebox, furnace or combustion device which burns carbonaceous and fossil fuels for the primary purpose of producing steam or to heat other liquids or gases. The term includes bagasse burners, bark burners, and waste wood burners, but does not include teepee or conical wood burners or incinerators.(74) “Cast Polymer Operation” – An operation where gel coat resin is sprayed or otherwise applied to a mold, after which a casting resin is applied without spraying. A cast polymer operation does not incorporate the spray lay-up of fiber reinforcement.(75) “Cause or Contribute” – With respect to a violation of an ambient air quality standard, to have a significant impact on the ambient air concentration of a pollutant at any locality that does not or would not meet the applicable standard.(76) “C.F.R.” or “CFR” – Code of Federal Regulations(77) “Clean Air Act (CAA)” or “Act” – The Federal Clean Air Act (42 U.S.C. s. 7401 et seq.)(78) “Clean Coal Technology” – Any technology, including technologies applied at the precombustion, combustion, or post combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.(79) “Clean Coal Technology Demonstration Project” – 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 demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency. The Federal contribution for a qualifying project shall be at least 20 percent of the total cost of the demonstration project. A temporary clean coal technology demonstration project 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 plans 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.(80) “Clear Coat ” – A coating which lacks color and opacity or is transparent and uses the undercoat as a reflectant base or undertone color.(81) “Coating” – The application of a protective, decorative, or functional film to a surface.(82) “Coating Application System” – Any operations and equipment which apply, convey, and dry a surface coating, including spray booths, flow coaters, conveyors, flashoff areas, air dryers and ovens.(83) “Coating Applicator” – An apparatus used to apply a surface coating to a surface.(84) “Coating Line” – One or more apparatus or operations which include a coating applicator, flashoff area, and oven wherein a surface coating is applied, dried and/or cured.(85) “Coil Coating” – The coating of any flat metal sheet or strip that comes in rolls or coils.(86) “Cold Cleaning” – The batch process of cleaning and removing soils from metal surfaces by brushing, flushing or immersion while maintaining the solvent below its boiling point. Wipe cleaning is not included in this definition.(87) “Cold Mixed Asphaltic Concrete Patching Material” – A mixture of asphalt cement, stone aggregate, and mineral filler blended together with a small amount of petroleum solvent (diluent). The diluent prevents the material from hardening after the heat of mixing has dissipated, thereby allowing stockpile storage of the material for use in pavement repairs when the use of hot asphaltic concrete is impractical.(88) “Commence Construction” – As applied to the construction or modification of a facility, means that the owner has all preconstruction permits and approvals required under federal air pollution control laws and regulations and those air pollution control laws and regulations which are part of the State Implementation Plan (SIP) or which are part of Chapter 62-210 or 62-212, F.A.C., to the extent that the provisions of these laws and regulations specify conditions or requirements for obtaining a state construction permit for an emissions unit, and:(a) Begins a continuous program of actual on-site construction or physical modification of the facility, to be completed within a time commensurate with the nature of the construction project; or(b) Enters into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction or physical modification of the facility to be completed within a time commensurate with the nature of the construction project; or(c) Begins those on-site activities, other than preparatory activities, which mark the initiation of a change in the method of operation of the facility.(89) “Commence Operation” –(a) For purposes of the Acid Rain Program, to begin any mechanical, chemical, or electronic process, including start-up of an emissions control technology or emissions monitor or of an emissions unit’s combustion chamber.(b) For the purposes of the CAIR Program, commence operation shall mean “commence operation” as defined in 40 CFR 96.102, 96.202, or 96.302, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(c) For the purposes of the Hg Budget Trading Program, commence operation shall mean “commence operation” as defined in 40 CFR 60.4102, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(d) Otherwise, to set into operation any emissions unit for any purpose.(90) “Complete” – In reference to an application for a permit, means that the application contains all of the information necessary for processing the application, except as otherwise provided in Rule 62-213.420, F.A.C.(91) “Condensate” – Hydrocarbon liquid separated from natural gas which condenses due to changes in the temperature and/or pressure and remains liquid at standard conditions.(92) “Condensate Stripper System” – A column and associated condensers, used to strip, with air or steam, total reduced sulfur (TRS) compounds from contaminated condensate streams.(93) “Conditional Compliance Option” – A compliance option submitted as part of an Acid Rain compliance plan which is not intended to be immediately active, but which may be activated at a later date during the term of the permit.(94) “Construction” – (a) The act of performing on-site fabrication, erection, installation or modification of an emissions unit or facility of a permanent nature, including installation of foundations or building supports; laying of underground pipe work or electrical conduit; and fabrication or installation of permanent storage structures, component parts of an emissions unit or facility, associated support equipment, or utility connections. Land clearing and other site preparation activities are not a part of the construction activities.(b) For the purposes of Rules 62-212.300, 62-212.400, 62-212.500, and 62-212.720, F.A.C., construction means any physical change or change in the method of operation (including fabrication, erection, installation, or modification of an emissions unit) that would result in a change in emissions. (c) For the purposes of the provisions of 40 CFR Parts 60 and 61, adopted by reference in Rule 62-204.800, F.A.C., construction means fabrication, erection, or installation of an affected facility.(d) For the purposes of the provisions of 40 CFR Part 63, adopted by reference in Rule 62-204.800, F.A.C., construction means the on-site fabrication, erection, or installation of an affected source. Construction does not include the removal of all equipment comprising an affected source from an existing location and reinstallation of such equipment at a new location. The owner or operator of an existing affected source that is relocated may elect not to reinstall minor ancillary equipment including piping, ductwork, and valves. However, removal and reinstallation of an affected source will be construed as reconstruction if it satisfies the criteria for reconstruction as defined in this section. The costs of replacing minor ancillary equipment must be considered in determining whether the existing affected source is reconstructed.(95) “Continuous Emissions Monitoring System” or “CEMS” – All of the equipment that may be required to meet the data acquisition and availability requirements to sample, condition or analyze; and provide a record of emissions on a continuous basis.(96) “Continuous Emissions Rate Monitoring System” or “CERMS” – The total equipment required for the determination and recording of the pollutant mass emissions rate in terms of mass per unit of time.(97) “Continuous Monitoring System” – All equipment, required under applicable rules, used to calibrate, sample, condition (if applicable), and analyze air pollutant emissions, or used to provide a permanent record of emissions or process parameters.(98) “Continuous Parameter Monitoring System” or “CPMS” – All of the equipment necessary to meet the data acquisition and availability requirements of 40 CFR 52.21, adopted by reference in Rule 62-204.800, F.A.C., to monitor process and control device operational parameters including control device secondary voltages and electric currents; and other information including gas flow rate, oxygen or carbon dioxide concentrations; and to record average operational parameter value (s) on a continuous basis.(99) “Continuous Unloader” – A bulk materials unloading system that is normally installed at wharf or pier side. A typical system is essentially of enclosed construction, providing for dust abatement and weather tightness, utilizing screw conveyors, elevators, conveyor belt arrangements, or similar devices to facilitate basically uninterrupted discharge of materials from vessel cargo holds.(100) “Control Device” – See “Air Pollution Control Equipment” above.(101) “Control System” – A combination of one or more capture systems and control devices working in concert to reduce the discharges of an air pollutant to the ambient air.(102) “Control Techniques Guidelines Document” or “CTG” – A guidance document issued by the U.S. Environmental Protection Agency under the Clean Air Act (42 U.S.C. s. 7511b) which defines reasonably available control technology (RACT) and presumptive RACT limits for a source category.(103) “Conveyorized Degreasing” – The continuous process of cleaning and removing soils from metal surfaces by operating with either cold or vaporized solvents.(104) “Cross Recovery Furnace” – A furnace used to recover chemicals consisting primarily of sodium and sulfur compounds by burning black liquor which on a quarterly basis contains more than 7 weight percent of the total pulp solids from the neutral sulfite semichemical (NSSC) process and has a green liquor sulfidity of more than 28 percent.(105) “Crude Oil” – A naturally occurring mixture which consists of hydrocarbons and/or sulfur, nitrogen and/or oxygen derivatives of hydrocarbons and which is liquid at standard conditions.(106) “Cutback Asphalt” – Asphalt cement which has been liquified by blending with petroleum solvents (diluents). Upon exposure to atmospheric conditions the diluents evaporate, leaving the asphalt cement to perform its function.(107) “Delivery Vessel” – Tank trucks or trailers equipped with a storage tank and used for the transport of gasoline from sources of supply to stationary storage tanks of gasoline dispensing facilities.(108) “Department” – The State of Florida Department of Environmental Protection.(109) “Destruction or Removal Efficiency” – The weight per unit time of an air pollutant entering a control device or set of control devices minus the weight per unit time of that air pollutant exiting the control device(s), divided by the weight per unit time of that air pollutant entering the control device(s), expressed as a percentage.(110) “Digester System” – Each continuous digester or each batch digester used for the cooking of wood in white liquor, and associated flash tank(s), blow tank(s), chip steamer(s) and condenser(s).(111) “Digital Printing” – The transfer of electronic files directly from the computer to an electronically driven output device that prints the image directly on the selected media (substrate).(112) “Draft Permit” – The version of a Title V permit for which the Department offers public participation under subsection 62-210.350(3), F.A.C., or affected state review under subsection 62-213.450(2), F.A.C.(113) “Designated Representative” – (a) For the purposes of the Acid Rain Program, a responsible natural person authorized, by the owners and operators of an Acid Rain source and of all Acid Rain units at the source, in accordance with 40 C.F.R. Part 72, Subpart B, adopted and incorporated by reference in Rule 62-204.800, F.A.C., to represent and legally bind each owner and operator, as a matter of federal law, in matters pertaining to the Acid Rain Program.(b) For the purposes of the CAIR Program, designated representative shall mean “CAIR designated representative” as defined in 40 CFR 96.102, 96.202, or 96.302, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(c) For the purposes of the Hg Budget Trading Program, designated representative shall mean “Hg designated representative” as defined in 40 CFR 60.4102, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(114) “Draft Acid Rain Part” – Means the version of the Acid Rain Part of a Title V source operation permit that the Department offers for public comment.(115) “Dry Cleaning Facility” – A facility engaged in the cleaning of fabrics in a nonaqueous solvent by means of one or more washes in solvent, extraction of excess solvent by spinning, and drying by tumbling in an airstream. The facility includes washer, dryer, filter and purification systems; emission control equipment; waste disposal systems; holding tanks; pumps and attendant piping and valves.(116) “Electrical Power Plant” – Any electrical generating facility that uses any process or fuel and that is owned or operated by an electric utility and includes any associated facility that directly supports the operation of the electrical power plant.(117) “Electric Utility” – Cities and towns, counties, public utility districts, regulated electric companies, electric cooperatives, and joint operating agencies, or combinations thereof, engaged in, or authorized to engage in, the business of generating, transmitting, or distributing electric energy.(118) “Electron Beam-Cured” – An ink and coating drying process by which monomers, oligomers, and other components polymerize to form a film when exposed to an electron beam radiation.(119) “Emergency Generator” – Any stationary generator powered by an internal combustion engine which operates no more than 500 hours per year as a mechanical or electrical power source to provide power internal to a facility only when the primary power source for that facility has been rendered inoperable by an emergency situation.(120) “Electric Utility Steam Generating Unit” – 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 unit.(121) “Emission” – The discharge or release into the atmosphere of one or more air pollutants.(122) “Emission Limiting Standard” or “Emission Standard” or “Emission Limitation” or “Performance Standard” – Any restriction established in or pursuant to a regulation adopted by the Department which limits the quantity, rate, concentration or opacity of any pollutant released, allowed to escape or emitted, whether intentionally or unintentionally, into the atmosphere, including any restriction which prescribes equipment, sets fuel specifications, or prescribes operation or maintenance procedures for an emissions unit to assure emission reduction or control.(123) “Emission Offset” or “Offset” – A compensating reduction in the emissions of an affected pollutant from a permitted emissions unit to provide an emission allowance for a new or modified emissions unit.(124) “Emission Point” or “Discharge Point” – The point at which an air pollutant first enters the atmosphere.(125) “Emissions Unit” – Any part or activity of a facility that emits or has the potential to emit any air pollutant.(126) “Emulsified Asphalt” – An emulsion of asphalt cement and water which contains a small amount of an emulsifying agent; a heterogeneous system containing two normally immiscible phases (asphalt and water) in which the water forms the continuous phase of the emulsion, and minute globules of asphalt form the discontinuous phase.(127) “End Sealing Compound” – A synthetic rubber compound which when coated on a can end functions as a gasket when the end is assembled on the can.(128) “Environmental Protection Agency” or “EPA” – The United States Environmental Protection Agency.(129) “Existing Emissions Unit” – An emissions unit which was in existence, in operation, or under construction, or had received a permit to begin construction prior to January 18, 1972. However, “existing emissions unit” for the purposes of Rules 62-296.700 through 62-296.712, and 62-212.500, F.A.C., shall mean any emissions units which is not defined as a new emissions unit with respect to a specific rule or provision of any of those sections. For the purpose of Rules 62-296.500 through 62-296.512, F.A.C., existing emissions units are those emissions units which were constructed or for which a construction permit was issued prior to July 1, 1979. For the purposes of Rule 62-212.400, F.A.C., an existing emissions unit is an emissions unit which is not a new emissions unit as defined for the purposes of Rule 62-212.400, F.A.C.(130) “Exterior Base Coating” – A coating applied to the exterior of a can to provide exterior protection to the metal and background for the lithographic or printing operation.(131) “External Floating Roof” – A storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which rests upon and is supported by the petroleum liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.(132) “Extreme Performance Coating” – Coating designed to withstand exposure to harsh conditions such as continuous weather exposure and temperatures consistently above 203 degrees Fahrenheit (95 degrees Celsius), or abrasive and scouring agents.(133) “Fabric Coating” – The coating of a textile substrate with a knife, roll, or rotogravure coater to impart properties that are not initially present, such as strength, stability, water or acid repellancy, or appearance.(134) “Facility” – All of the emissions units which are located on one or more contiguous or adjacent properties, and which are under the control of the same person (or persons under common control).(135) “Federal Land Manager” – With respect to any lands in the United States, the Secretary of the department with authority over such lands.(136) “Federally Enforceable” – Pertaining to limitations and conditions which are enforceable by the Administrator, including any requirements developed pursuant to Title 40 of the Code of Federal Regulations, any requirements within the State Implementation Plan, and any requirements established pursuant to permits issued under:(a) The state’s Title V operation permit program, consistent with 40 C.F.R. Part 70.(b) Paragraph 62-210.300(2)(b), F.A.C.;(c) 40 C.F.R. 52.21; or(d) Subparagraph 62-204.800(11)(d)2., F.A.C. (formerly 62-204.800(10)(d)2.); Rule 62-212.300, F.A.C. (formerly 17-212.300, formerly 17-2.520); Rule 62-212.400, F.A.C. (formerly 17-212.400, formerly 17-2.500); Rule 62-212.500, F.A.C. (formerly 17-212.500, formerly 17-2.510); Rule 17-2.17, F.A.C. (repealed); or Rule 62-4.210, F.A.C. (formerly 17-4.210, formerly 17-4.21).(137) “Final Permit” – The version of a Title V source permit issued by the Department for which all review procedures required by Rule 62-213.450, F.A.C., have been completed.(138) “Firebox” – The chamber or compartment of a boiler or furnace in which materials are burned but does not mean the combustion chamber of an incinerator.(139) “Flashoff Area” – The space between the application area and the oven.(140) “Flexographic Printing” – The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.(141) “Fossil Fuel” – Natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from such material.(142) “Fossil Fuel Steam Generators” – A furnace or boiler which produces steam by combustion of oil, coal, or gas of fossil origin.(143) “Fountain Solution” – A mixture of water and other volatile and non-volatile chemicals and additives that maintains the quality of the printing plate and reduces the surface tension of the water so that it spreads easily across the printing plate surface. The fountain solution wets the non-image area so that the ink is maintained within the image areas. Non-volatile additives include mineral salts and hydrophilic gums.(144) “Fountain Solution Additives” – Wetting additives that include alcohol and alcohol substitutes, including isopropyl alcohol, glycol ethers and ethylene glycol, which are used to reduce the surface tension of the fountain solution.(145) “Freeboard Height” –(a) For heated vapor degreasers is the distance from the top of the vapor zone to the top of the degreaser tank.(b) For cold cleaning degreasers is the distance from the solvent to the top edge of the cold cleaner.(146) “Freeboard Ratio” – The freeboard height divided by the width of the degreaser.(147) “Fugitive Emissions” – Those emissions which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening.(148) “Gas/Gas Method” – Either of two EPA methods for determining capture efficiency which rely only on gas phase measurements. One method, prescribed in paragraph 62-297.450(2)(a), F.A.C., requires construction of a temporary total enclosure to assure all otherwise unconfined air pollutant emissions are measured. The other method, prescribed in paragraph 62-297.450(2)(c), F.A.C., uses the room or building which houses the emissions activity, process, or source as an enclosure.(149) “Gasoline” – Any petroleum distillate having a Reid vapor pressure of 4 psia (27.6 kilopascals) or greater.(150) “Gasoline Cargo Tank” – A delivery tanker truck, trailer, or railcar that is loading or unloading gasoline.(151) “Gasoline Dispensing Facility” – Any stationary facility that dispenses gasoline directly into the fuel tank of a motor vehicle.(152) “Green Liquor Sulfidity” – The sulfidity of the liquor which leaves the smelt dissolving tank.(153) “Hardboard” – A panel manufactured primarily from inter-felted lignocellulosic fibers which are consolidated under heat and pressure in a hot press.(154) “Hardwood Plywood” – Plywood whose surface layer is a veneer or hardwood.(155) “Hazardous Air Pollutant (HAP)” – An air pollutant:(a) Identified by the CAS number or chemical name from the following list: (b) For all listings above which contain the word “compounds” and for glycol ethers, the following applies: unless otherwise specified, these listings are defined as including the named chemical and any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical’s infrastructure.(156) “Heatset” – A lithographic web printing process where heat is used to evaporate ink oils from the printing ink. Heatset dryers (typically hot air) are used to deliver the heat to the printed web.(157) “Hg” – The regulated air pollutant mercury.(158) “Hg Allowance” – A limited authorization issued by the Department to emit one ounce of mercury during a control period of the specified calendar year for which the authorization is allocated, or of any calendar year thereafter, under the Hg Budget Trading Program. (159) “Hg Budget Part” or “Hg Budget Permit” – DEP Form No. 62-210.900(1)(c), completed and certified by the designated representative and incorporated as a part of the Title V source permit or air construction permit. The Hg Budget Part shall specify the Hg Budget Trading Program requirements applicable to the Hg Budget source, to each Hg Budget unit at the source, and to the owners and operators and the designated representative of the Hg Budget source and each such Hg Budget unit.(160) “Hg Budget Source” – A facility that includes one or more Hg Budget units.(161) “Hg Budget Trading Program” – The program implemented at Rule 62-296.480, F.A.C., which, upon approval by the U.S. Environmental Protection Agency, requires Hg Budget units in Florida to participate in the multi-state air pollution control and emission reduction program administered by the U.S. Environmental Protection Agency pursuant to 40 CFR Part 60, Subpart HHHH, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(162) “Hg Budget Unit” – A unit that is subject to the Hg Budget Trading Program pursuant to 40 CFR 60.4104, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(163) “Hood” – A partial enclosure or canopy for capturing and exhausting, by means of a draft, an air pollutant rising from an activity, process, or source of the air pollutant.(164) “Human Crematory” – Any combustion apparatus used solely for the cremation of either human or fetal remains.(165) “Hydrocarbon” – Any organic compound of carbon and hydrogen only.(166) “Incinerator” – A combustion apparatus designed for the ignition and burning of solid, semi-solid, liquid or gaseous combustible wastes.(167) “Indian Governing Body” – The governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.(168) “Indian Reservation” – Any federally recognized reservation established by Treaty, Agreement, Executive Order, or Act of Congress.(169) “Innovative Control Technology” – Any system of air pollution control that has not been adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or nonair quality environmental impacts.(170) “Interior Base Coating” – A coating applied by roller coater or spray to the interior of a can to provide a protective lining between the can metal and product.(171) “Interior Body Spray” – A coating sprayed on the interior of the can body to provide a protective film between the product and the can.(172) “Internal Floating Roof” – A cover or roof in a fixed roof tank which rests upon or is floated upon the petroleum liquid being contained, and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.(173) “Isokinetic Sampling” or “Isokinetic Conditions” – 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.(174) “Knife Coating” – The application of a coating material to a substrate by means of drawing the substrate beneath a knife that spreads the coating evenly over the full width of the substrate.(175) “Kraft (Sulfate) Pulp Mill” – Any facility that produces cellulose or cellulosic materials by chemically cooking (digesting) wood chips or other cellulosic raw materials in an alkaline solution containing water, sodium hydroxide, and sodium sulfide under conditions of elevated temperature and pressure. The regeneration of the cooking chemicals through a recovery process also constitutes part of the kraft (sulfate) pulp mill.(176) “Kraft Recovery Furnace” – Any straight kraft recovery furnace or cross recovery furnace used to recover chemicals consisting primarily of sodium and sulfur by burning black liquor. If the kraft recovery furnace is equipped with a direct contact evaporator or wet-bottom electrostatic precipitator, this equipment shall be considered part of the kraft recovery furnace.(177) “Land Clearing Debris” – Uprooted or cleared vegetation resulting from a land clearing operation, including any untreated wood generated by the land clearing operation (e.g., untreated fence posts).(178) “Land Clearing Operation” – The uprooting or clearing of vegetation in connection with construction for buildings and rights-of-way; land development; or mineral operations. It does not include landscaping and yard maintenance operations or other such routine property clean-up activities.(179) “Large Appliances” – For purposes of the Reasonably Available Control Technology rules of Chapter 62-296, F.A.C., doors, cases, lids, panels, and interior support parts of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners and other similar products.(180) “Lead Processing Operation” – Any facility that emits or has the potential to emit greater than 100 pounds per year of lead, lead alloys or lead compounds in its lead alloys or lead compounds in its operation. These operations include primary lead smelters, secondary lead smelters, primary lead-acid battery manufacturing operations, lead oxide and lead compound manufacturing or handling operations, pot furnaces that melt lead, lead-based paint pigment storage and handling operations, electric arc furnace equipped secondary steel manufacturing operations, secondary steel manufacturing slag handling operations, and all other lead-containing slag processing or handling operations where the lead content of the slag is greater than 0.25 percent by weight. Lead processing operations do not include indoor or outdoor firearm ranges unless recovered spent lead materials are melted on-site, waste-to-energy facilities, fossil fuel-fired steam generators, and facilities that use waste oil as fuel.(181) “Lease Custody Transfer” – The transfer of produced crude oil and/or condensate, after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.(182) “Letterpress Printing” – A printing system in which the image area is raised relative to the non-image area and the ink is transferred to the substrate directly from the image surface.(183) “Lime Kiln” – An inclined rotary drum device used to calcine lime mud, which consists primarily of calcium carbonate, into quicklime, which is calcium oxide.(184) “Liquid/Gas Method” – Either of two EPA methods for determining capture efficiency which require both gas phase and liquid phase measurements and analysis. One liquid/gas method, prescribed in paragraph 62-297.450(2)(b), F.A.C., requires construction of a temporary enclosure. The other, prescribed in paragraph 62-297.450(2)(d), F.A.C., uses the room or building which houses the emissions activity, process, or source as an enclosure.(185) “Liquid Mounted Seal” – A primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof around the circumference of the tank.(186) “Lithographic Printing” – A planographic printing system where the image and non-image areas are chemically differentiated. The image area is oil receptive and non-image area is water receptive. Ink film from the lithographic plate is transferred to an intermediary surface (blanket), which, in turn, transfers the ink film to the substrate. Fountain solution is applied to maintain the hydrophilic properties of the non-image area. Ink drying is divided into heatset and non-heatset.(187) “Loading Rack” – An aggregation or combination of loading equipment arranged so that all loading outlets in the combination can be connected to a tank truck or trailer.(188) “Low Solvent Coating” – Coatings which contain less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water-borne, higher solids, electrodeposition and powder coatings.(189) “Lowest Achievable Emission Rate” or “LAER” – An allowable emission rate determined in accordance with the provisions of Rule 62-212.500, F.A.C. This term applied to a modification means the lowest achievable emission rate for that portion of the facility which is modified.(190) “Magnet Wire Coating” – The process of applying a coating of electrically insulating varnish or enamel to aluminum or copper wire for use in electrical machinery.(191) “Major Facility” – Any facility which emits, or has the potential to emit:(a) 5 tons per year or more of lead or lead compounds, measured as elemental lead;(b) 30 tons per year or more of acrylonitrile; or(c) 100 tons per year or more of any other air pollutant subject to regulation under Chapter 403, Florida Statutes.(192) “Major Modification” – (a) Any physical change in or change in the method of operation of a major stationary source that would result in a significant emissions increase of a PSD pollutant and a significant net emissions increase of that pollutant from the major stationary source.(b) Any significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds shall be considered significant for ozone.(c) A physical change or change in the method of operation shall not include:1. Routine maintenance, repair and replacement.2. Use of an alternative fuel or raw material by reason of an order under Sections 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974, or any superseding legislation, or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;3. Use of an alternative fuel by reason of an order or rule under Section 125 of the Clean Air Act;4. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;5. Use of an alternative fuel or raw material by a stationary source which:a. The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975; orb. The source is approved to use under any federally enforceable permit condition issued under 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166;6. An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975.7. Any change in ownership at a stationary source.8. The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:a. The State Implementation Plan, andb. Other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.9. The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.10. The reactivation of a very clean coal-fired electric utility steam generating unit.(d) This definition shall not apply with respect to a particular PSD pollutant when the major stationary source is complying with the requirements under Rule 62-212.720, F.A.C., for a PAL for that pollutant. Instead, the definition at 40 CFR 52.21(aa)(2)(viii), adopted by reference in Rule 62-204.800, F.A.C., shall apply.(193) “Major Source Baseline Date” – Pursuant to 40 C.F.R. 51.166(14)(i), adopted and incorporated by reference in Rule 62-204.800, F.A.C.:(a) In the case of particulate matter and sulfur dioxide, January 6, 1975; and(b) In the case of nitrogen dioxide, February 8, 1988,(194) “Major Source of Air Pollution” or “Title V Source” – A facility containing an emissions unit, or any group of emissions units, which is or includes any of the following:(a) For pollutants other than radionuclides, any emissions unit or group of emissions units that emits or has the potential to emit, in the aggregate, 10 tons per year or more of any one hazardous air pollutant (HAP), 25 tons per year or more of any combination of HAPs, or any lesser quantity of a HAP as established through EPA rulemaking. Notwithstanding the preceding sentence, HAP emissions from any oil or gas exploration or production well (with its associated equipment) and HAP emissions from any pipeline compressor or pump station shall not be aggregated with HAP emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are Title V sources.(b) An emissions unit or group of emissions units, all belonging to the same two-digit Major Group as described in the Standard Industrial Classification Manual, 1987, that directly emits or has the potential to emit, 100 tons per year or more of any regulated air pollutant. The fugitive emissions of an emissions unit or group of emissions units shall not be considered in determining whether it is a Title V source for purposes of this paragraph unless the emissions unit or group of emissions units belongs to one of the following categories:1. Coal cleaning plants (with thermal dryers);2. Kraft pulp mills;3. Portland cement plants;4. Primary zinc smelters;5. Iron and steel mills;6. Primary aluminum ore reduction plants;7. Primary copper smelters;8. Municipal incinerators capable of charging more than 250 tons of refuse per day;9. Hydrofluoric, sulfuric, or nitric acid plants;10. Petroleum refineries;11. Lime plants;12. Phosphate rock processing plants;13. Coke oven batteries;14. Sulfur recovery plants;15. Carbon black plants (furnace process);16. Primary lead smelters;17. Fuel conversion plant;18. Sintering plants;19. Secondary metal production plants;20. Chemical process plants;21. Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;22. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;23. Taconite ore processing plants;24. Glass fiber processing plants;25. Charcoal production plants;26. Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;27. Any other stationary source category, which as of August 7, 1980, is being regulated under Section 111 or 112 of the Act;(c) A major stationary source.(d) A major stationary source as described in Part D of Title I of the Federal Clean Air Act which includes:1. For ozone nonattainment areas, an emissions unit or group of emissions units, all belonging to the same two (2) digit Major Group as described in the Standard Industrial Classification Manual, 1987, with the potential to emit 100 tons per year or more of volatile organic compounds or oxides of nitrogen in areas classified as “marginal” or “moderate,” fifty (50) tons per year or more in areas classified as “serious,” twenty-five (25) tons per year or more in areas classified as “severe,”, and ten (10) tons per year or more in areas classified as “extreme,” except that the references in the clause of 100, fifty (50), twenty-five (25), and ten (10) tons per year of nitrogen oxides shall not apply with respect to any source for which EPA has made in finding, under 42 U.S.C.§ 7511a(f)(a) or (2), that requirements under 42 U.S.C. § 7511a(f) do not apply;2. For ozone transport regions established pursuant to 42 U.S.C. § 7511c, an emissions unit or group of emissions units, all belonging to the same two (2) digit Major Group as described in the Standard Industrial Classification Manual, 1987, with the potential to emit fifty (50) tons per year or more of volatile organic compounds (V)Cs);3. For carbon monoxide nonattainment areas (i) that are classified as “serious”, and (ii) in which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by EPA, an emissions unit or group of emissions units, all belonging to the same two (2) digit Major Group as described in the Standard Industrial Classification Manual, 1987, with the potential to emit fifty (50) tons per year or more of carbon monoxide;4. For particulate matter (PM-10) nonattainment areas classified as “serious”, an emissions unit or group of emissions unit, all belonging to the same two (2) digit Major Group as described in the Standard Industrial Classification Manual, 1987, with the potential to emit seventy (70) tons or more per year of PM-10;(e) An emissions unit or group of emissions units, all belonging to the same two (2) digit Major Group as described in the Standard Industrial Classification Manual, 1987, that emits or has the potential to emit five (5) tons per year or more of lead or lead compounds, measured as elemental lead;(f) An emissions unit or group of emissions units with one (1) or more emissions units subject to standards or regulations promulgated under 42 U.S.C. § 7411 – Standards of Performance for New Stationary Sources; or 42 U.S.C. § 7412 – Hazardous Air Pollutants; provided, however, that such emissions unit or group of emissions units is not a Title V source solely because:1. It is regulated under the Prevention of Accidental Releases criteria (42 U.S.C. § 7412(r)), or2. It is subject to a reporting requirement, or3. It is subject to 40 C.F.R. Part 61, Subpart M – National Emission Standard for Asbestos Section 61.145, Standard for Demolition and Renovation, adopted and incorporated by reference into Rule 62-204.800, F.A.C., or4. It is subject to a standard or regulation promulgated under 42 U.S.C. § 7411, unless such standard or regulation specifies that the emission unit or group of emissions units requires a Title V permit.(g) One (1) or more acid rain units; or(h) An emissions unit or group of emission units designated as a Part 70 source under 40 C.F.R. 70.3(a)(5), adopted and incorporated by reference in Rule 62-204.800, F.A.C.(195) “Major Stationary Source” – (a) A major stationary source is:1. Any of the following stationary sources of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any PSD pollutant: Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants; 2. Any stationary source which emits, or has the potential to emit, 250 tons per year or more of a PSD pollutant; or 3. Any physical change that would occur at a stationary source not otherwise qualifying as a major stationary source, if the change would constitute a major stationary source by itself.(b) A major stationary source that is major for volatile organic compounds or nitrogen oxides shall be considered major for ozone.(c) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this definition whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:1. Coal cleaning plants (with thermal dryers);2. Kraft pulp mills;3. Portland cement plants;4. Primary zinc smelters;5. Iron and steel mills;6. Primary aluminum ore reduction plants;7. Primary copper smelters;8. Municipal incinerators capable of charging more than 250 tons of refuse per day;9. Hydrofluoric, sulfuric, or nitric acid plants;10. Petroleum refineries;11. Lime plants;12. Phosphate rock processing plants;13. Coke oven batteries;14. Sulfur recovery plants;15. Carbon black plants (furnace process);16. Primary lead smelters;17. Fuel conversion plants;18. Sintering plants;19. Secondary metal production plants;20. Chemical process plants;21. Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;22. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;23. Taconite ore processing plants;24. Glass fiber processing plants;25. Charcoal production plants;26. Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, and27. Any other stationary source category which, as of August 7, 1980, is being regulated under Section 111 or 112 of the Clean Air Act.(d) For purposes of this definition, a stationary source is all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person or persons under common control, except the activities of any vessel; which emit or may emit a PSD pollutant. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same Major Group, or have the same first two digit code, as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement.(196) “Malfunction” – Any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner.(197) “Maximum Achievable Control Technology” or “MACT” – Maximum achievable control technology as defined in 40 C.F.R. Part 63, Subpart B, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(198) “Maximum Uncontrolled Emissions” – The maximum capacity of an emissions unit or facility to emit a pollutant under its physical and operational design, including any quantifiable fugitive and unconfined emissions and excluding any restrictions on hours of operation or on the type or amount of material that may be combusted, stored, or processed and any air pollution control equipment, methods, or techniques that may be used. The maximum uncontrolled emission rate is the maximum emission rate that would occur absent the use of any air pollution control equipment, methods, or techniques and absent any regulatory restrictions on hours of operation or on the type or amount of fuels or materials combusted, stored, or processed, when the emissions unit is operated at its maximum physical and operational capacity. The maximum uncontrolled emissions of an emissions unit or facility do not include any secondary emissions that may be associated with the emissions unit or facility.(199) “Metal Furniture Coating” – The surface coating of any furniture made of metal or any metal part which will be assembled with other metal, wood, fabric, plastic, or glass parts to form a furniture piece.(200) “Minor Betterment of Public Roads” – Improvements to existing public roads intended to increase their safety and serviceability as the need is dictated by increased traffic levels, or other changes in their use. These improvements include the extension or construction of acceleration lanes, deceleration lanes, turning storage lanes, or median crossovers.(201) “Minor Facility” – Any facility that is not a major facility.(202) “Minor Source Baseline Date” – Pursuant to 40 C.F.R. 51.166(b)(14)(ii), adopted and incorporated by reference in Rule 62-204.800, F.A.C., the minor source baseline date for each pollutant for which maximum allowable increases have been established under Rule 62-204.260, F.A.C., is the earliest date after August 7, 1977, for particulate matter and sulfur dioxide, and February 8, 1988, for nitrogen dioxide, that a facility or a modification subject to preconstruction review under 40 C.F.R. 52.21, Rule 17-2.500 (transferred), or Rule 62-212.400, F.A.C., submits a complete application for permit under such regulations provided that:(a) On the date the complete application is filed, the area in which the facility or modification would be constructed is designated as attainment or unclassifiable for the applicable pollutant under 42 U.S.C. Section 7407(d)(1) of the Clean Air Act (if the application is filed under 40 C.F.R. 52.21), or as a PSD area under Rule 17-2.450 (transferred), 62-275.700 (repealed), or 62-204.360, F.A.C., (if the application is filed under Rule 17-2.500 (transferred) or 62-212.400, F.A.C.); and(b) In the case of a facility, the emissions of the applicable pollutant would be equal to or greater than the significant emissions rate as defined under Rule 62-210.200, F.A.C., or, in the case of modification, there would be a significant net emissions increase of the pollutant.(203) “Method of Operation” – For purposes of the Title V source permitting program, a procedure to operate one or more specific emissions units within a Title V source in a particular manner which may affect air pollutant emissions.(204) “Mode of Operation” – For purposes of the Title V source permitting program, a method of operation that involves two or more specific air emissions units in emissions trading pursuant to Rule 62-213.415, F.A.C.(205) “Modification” – Any physical change in, change in the method of operation of, or addition to a facility which would result in an increase in the actual emissions of any air pollutant subject to regulation under the Act, including any not previously emitted, from any emissions unit or facility.(a) A physical change or change in the method of operation shall not include:1. Routine maintenance, repair, or replacement of component parts of an emissions unit; or2. A change in ownership of an emissions unit or facility.(b) For any pollutant that is specifically regulated by the EPA under the Clean Air Act, a change in the method of operation shall not include an increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975.(c) For any pollutant that is not specifically regulated by the EPA under the Clean Air Act, a change in the method of operation shall not include an increase in the hours of operation or in the production rate, unless such change would exceed any restriction on hours of operation or production rate included in any applicable Department air construction or air operation permit.(206) “Molten Sulfur Storage and Handling Facility” – A facility designed and utilized for unloading, transferring or storing elemental sulfur in liquid form from ships, barges, railcars, trucks or other methods of water or land transport to heated storage tanks.(207) “Multiple Effect Evaporator System” – The multiple effect evaporators and concentrators and associated condenser(s) and hotwell(s) used to concentrate the spent cooking liquor (black liquor) that is separated from the pulp.(208) “Natural Conditions” – Naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.(209) “Natural Finish Hardwood Plywood Panels” – Panels whose original grain pattern is enhanced by essentially transparent finishes frequently supplemented by fillers and toners.(210) “Net Emissions Increase” –(a) With respect to any PSD pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero (0):1. The increase in emissions from a particular physical change or change in the method of operation as calculated pursuant to paragraph 62-212.400(2)(a), F.A.C.; and2. Any other increases and decreases in actual emissions at the major stationary source that are contemporaneous with the particular change and are creditable. Baseline actual emissions for calculating increases and decreases under this subparagraph shall be determined as provided by the definition of “baseline actual emissions”, except that subparagraphs (a)3. and (b)4. of such definition shall not apply.(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:1. The date five years before construction on the particular change commences; and2. The date that the increase from the particular change occurs.(c) An increase or decrease in actual emissions is creditable only if the Department has not relied on it in issuing a permit for the source Rule 62-212.400, F.A.C. or Rule 62-212.500, F.A.C., which permit is in effect when the increase in actual emissions from the particular change occurs.(d) An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or nitrogen oxides that occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available.(e) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.(f) A decrease in actual emissions is creditable only to the extent that:1. The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;2. It is federally enforceable as a practical matter at and after the time that actual construction on the particular change begins; and3. It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.(g) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.(h) Paragraph (a) of the definition of “actual emissions” shall not apply for determining creditable increases and decreases. (211) “Neutral Sulfite Semichemical (NSSC) Pulping Operation” – Any series of unit otion data from AHCA, except in a piece-meal fashion.

Lack of communication between agency, and no clear criteria available that would explain why FDOH cannot obtain data, only verbal responses.

**Process Objectives:**

1. By 2008, key stakeholders within FDOH will demonstrate awareness of complications and need towards receiving confidential information from AHCA.

# METHODOLOGY:

***Events and Activities***

**Event:** Awareness of issue is common knowledge among key stakeholders and upper management.

**Activities:**

a) Internal FDOH meeting held to discuss strategy to move towards developing a Data Sharing Agreement.

b) Obtain an electronic spreadsheet list of all FDOH users of AHCA data.

c) Hold internal FDOH meeting. Appoint liaison, Meade Grigg, Director, Office of Planning, Evaluation, Data Analysis and Statistics, to take leadership role to discuss a data sharing agreement with AHCA.

e) Meeting scheduled with new leadership at AHCA.

# RESULTS:

At this time, a formal DSA between FDOH and AHCA has not been developed, however an interagency data application (see attached) was modified to help ease the data application process. The interagency request for data is now a less intensive process, however, still requires an annual renewal. Additionally, a recent change of leadership has prompted another meeting which may prove to be an opportunity for securing a DSA in the near future. In addition, communication between the two agencies has increased, and the stimulation provided by this project has helped to formulate an internal partnership among selected Division’s within FDOH, and gain momentum to support an effort for a DSA.

# CONCLUSIONS AND NEXT STEPS:

In summary, the system thinking approach using the shifting the burden and fixes that backfire archetypes, helped to propel this project towards identifying obstacles to reach resolution. The result of the work effort of this leadership project helped to stimulate a heightened interest between agencies of sharing hospital data. Although a forma data share data on a recurring basis between agencies has not matured, an interagency data request application was developed. More importantly, a communication channel has been established, and management is keenly aware of the need for a more collaborative effort to partner to share data.

At the National level, this project is supported by the CDC Environmental Public Health Tracking Branch, National Association Health Data Organization and several other Health Tracking funded states. The National Association of Health Data Organization (NAHDO) has been working to make DSA’s between health care agencies and health departments a reality among states. Currently, NAHDO and CDC are assisting a national work group effort to develop a uniform DSA that can be used by at a national level. Florida Department of Health is involved with this federally funded Environmental Pubic Health Tracking states to work on this issue at a national level.

Next steps include continuing to participate at the state and national levels in workgroups and to advocate the need for agencies to develop DSA’s and to share hospital data.

**Application for Inter-Agency Staff Access to Confidential Data**

Name of Applicant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ E-mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Applicant’s Organization: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title of Project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Agreement for Inter-Agency Staff Access to Confidential Data**

By signing below, the Applicant agrees not to share the data externally or internally unless specifically authorized. The Applicant agrees to use the data only for the purpose stated in this application. The Applicant agrees to secure the data and any reports containing the data when not being used, use password protection, and provide for proper disposal of the data and reports, so that confidentiality will not be breached. The Applicant acknowledges that failure to abide by the terms of this agreement may subject the Applicant to penalties for wrongful disclosure of Protected Health Information under federal law. The Applicant agrees to ensure that any subcontractors of the Applicant do agree to the same conperations in which pulp is produced from wood by cooking (digesting) wood chips in a solution of sodium sulfite and sodium bicarbonate, followed by mechanical defibrating (grinding).(212) “New Design Direct-Fired Kraft Recovery Furnace” – Any new design kraft recovery furnace which was initially designed and constructed to burn black liquor received from a multiple effect evaporator system using a noncontact evaporator or concentrator to achieve the final level of solids concentration rather than a direct contact evaporator system connected to the kraft recovery furnace duct work.(213) “New Design Direct-Fired Suspension-Burning Kraft Recovery Furnace” – Any new design direct-fired kraft recovery furnace designed to evaporate remaining water from and burn the organic content of a spray of finely divided concentrated black liquor droplets while the droplets are in suspension. Such a furnace will have only two levels of air introduction (primary and secondary) and a flat hearth with the smelt spouts located above the hearth.(214) “New Design Kraft Recovery Furnace” – Any straight kraft recovery furnace which is of “membrane wall” construction to minimize air in-leakage and has an adjustable air introduction system to deliver an adequate quantity of air while providing both effective air distribution and penetration into the furnace. The air induction system on “new design” Babcock & Wilcox furnaces will consist of primary, secondary, and tertiary ports. In Combustion Engineering units the secondary air (introduced above the black liquor gun elevation) will be introduced tangentially.(215) “New Emissions Unit” – An emissions unit which is not in existence, for which an application for a permit to construct has not been submitted before the effective date of an applicable section or provision. For the purposes of Rule 62-212.400, F.A.C., a new emissions unit is any emission unit that is or will be newly constructed and that has enlisted for less than 2 years from the date of beginning normal operation.(216) “Nitric Acid Plant” – Any facility producing weak nitric acid by employing either the pressure or atmospheric pressure process.(217) “Nonattainment Area” – Any area not meeting ambient air quality standards and designated as a nonattainment area under Rule 62-204.340, F.A.C. Such an area may be designated as a particulate, sulfur dioxide, nitrogen dioxide, carbon monoxide, lead or ozone nonattainment area, depending on which ambient standard has been violated. An area may be designated as nonattainment for more than one air pollutant. Ozone nonattainment areas may be transitional, marginal, moderate, serious, severe, or extreme as classified in Rule 62-204.340, F.A.C.(218) “Non-heatset” – A lithographic printing process where the printing inks are set without the use of heat. Traditional non-heatset inks set and dry by absorption and/or oxidation of the ink oils. Ultraviolet-cured, thermography and electron beam-cured inks are considered non-heatset although radiant energy is required to cure these inks.(219) “Objectionable Odor” – 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.(220) “Odor” – A sensation resulting from stimulation of the human olfactory organ.(221) “Old Design Kraft Recovery Furnace” – Any straight kraft recovery furnace which is not of “membrane wall” construction to minimize air in-leakage.(222) “Opacity” – A condition which renders material partially or wholly impervious to rays of light causing obstruction of observer’s view.(223) “Open Burning” – The burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney.(224) “Open Top Vapor Degreasing” – The batch process of cleaning and removing soils from metal surfaces by condensing hot solvent vapor on the colder metal parts.(225) “Operating Change” – For purposes of the Title V source permitting program, any physical change to, or change to the operation of, any Title V source or any emissions unit within any Title V source which contravenes a permit term or condition, other than one described at paragraphs 62-213.400(2)(a)-(j), F.A.C., but which does not constitute a modification and does not otherwise subject the source to a requirement for permit revision pursuant to Rule 62-213.400, F.A.C.(226) “Organic Compounds” – Any substance that contains the element carbon, except carbon oxides and various carbonates.(227) “Oven” – A chamber within which heat is used to bake, cure, polymerize, and/or dry a surface coating.(228) “Overall Emission Reduction Efficiency” – The product of the capture efficiency and the control equipment destruction or removal efficiency, divided by 100, expressed as a percentage.(229) “Overvarnish” – A coating applied directly over ink to reduce the coefficient of friction, to provide a gloss, and to protect the finish against abrasion and corrosion.(230) “Owner” or “Operator” – Any person or entity who or which owns, leases, operates, controls or supervises an emissions unit or facility.(231) “Packaging Rotogravure Printing” – Rotogravure printing upon paper, paper board, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into packing products and labels for articles to be sold.(232) “Paper Coating” – Coatings put on paper and pressure sensitive tapes regardless of substrate. Related web coating processes on plastic film and decorative coatings on metal foil are included in this definition.(233) “Particulate Matter” –(a) With respect to concentrations in the atmosphere, particulate matter means any airborne finely divided solid or liquid material.(b) With respect to emissions, particulate matter means all finely divided solid or liquid material, other than uncombined water, emitted to the atmosphere as measured by applicable reference methods, or an equivalent or alternative method, specified in 40 C.F.R. Part 60, Appendix A, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(234) “Penetrating Prime Coat” – An application of low viscosity liquid asphalt to an absorbent surface. It is used to prepare an untreated base for an asphalt surface. The prime penetrates the base and plugs the voids, hardens the top, and helps bind to the overlying asphalt course. It also reduces the necessity of maintaining an untreated base course prior to placing the asphalt pavement.(235) “Permanent Total Enclosure” – With respect to VOC emissions, a permanent total enclosure is an enclosure which contains an activity, process, or emissions unit that emits VOC and meets the specifications given in Procedure T which is adopted by reference in Rule 62-204.800, F.A.C.(236) “Permit Revision” or “Permit Modification” – Any alteration to a permit term or condition except the Administrative Permit Correction described at Rule 62-210.360, F.A.C.(237) “Petroleum Liquids” – Petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean No. 2 through No. 6 fuel oils as specified in ASTM D 396, gas turbine fuel oils No. 2-GT through No. 4-GT as specified in ASTM D 2880, or diesel fuel oils No. 2-D and No. 4-D as specified in ASTM D 975, all of which are adopted and incorporated by reference at Rule 62-297.440, F.A.C.(238) “Petroleum Refinery” – Any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of crude oils, or through redistillation, cracking, extraction, or reforming of unfinished petroleum derivatives.(239) “Plant Section” – A part of a plant consisting of one or more unit operations including auxiliary equipment which provides the complete processing of input (raw) materials to produce a marketable product, including granular triple super phosphate, phosphoric acid, run-of-pile triple super phosphate, and diammonium phosphate, or one or more unit operations including auxiliary equipment or structures which are used for the functions such as: storage, shipping, loading, unloading, or bagging.(240) “PM10” –(a) With respect to concentrations in the atmosphere, PM10 means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 C.F.R. Part 50 Appendix J, adopted and incorporated by reference in Rule 62-204.800, F.A.C., and designated in accordance with 40 C.F.R. Part 53 or by an equivalent method designated in accordance with 40 C.F.R. Part 53, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(b) With respect to emissions, PM10 means finely divided solid or liquid material, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the atmosphere as measured by an applicable reference method or by an equivalent or alternative method specified in 40 C.F.R. Part 60, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(241) “Pollution Control Project” - Any activity or project undertaken at an existing electric utility steam generating unit for purposes of reducing emissions from such unit. Such activities or projects are limited to:(a) A permanent clean coal technology demonstration project conducted under Title II, section 101(d) of the Further Continuing Appropriations Act of 1985 (sec. 5903(d) of title 42 of the United States Code), or subsequent appropriations, up to a total amount of $2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency; or(b) A permanent clean coal technology demonstration project that constitutes a repowering project. (242) “Polyester Resin Material” – Materials used in polyester resin operations which include isophthalic, orthophthalic, halogenated, bisphenol-A, vinyl-ester or furan resins; cross-linking agents; catalysts, gel coats, inhibitors, accelerators, promoters, and any other VOC containing materials.(243) “Portland Cement Plant” – Any facility manufacturing Portland Cement by either the wet or dry process.(244) “Potential to Emit” – The maximum capacity of an emission unit or facility to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the emissions unit or facility to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of an emission unit or facility.(245) “Predictive Emissions Monitoring System” or “PEMS” - All of the equipment necessary to monitor process and control device operational parameters including control device secondary voltages and electric currents; and other information including gas flow rate, oxygen or carbon dioxide concentrations; and calculate and record the mass emissions rate such as 1b/hr on a continuous basis.(246) “Prime Coat” – The first film of coating applied in a multi-coat operation.(247) “Printed Interior Panels” – Panels whose grain or natural surface is obscured by fillers and basecoats upon which a simulated grain or decorative pattern is printed.(248) “Printing Line” – A printing production assembly composed of one or more units used to produce a printed substrate including any associated coating, spray powder application, or infrared, natural gas, or electric heating units or dryers.(249) “Projected Actual Emissions” – The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a PSD pollutant in any one of the 5 years following the date the unit resumes regular operation after the project, or in any one of the 10 years following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit that PSD pollutant and full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source. One year is one 12-month period. In determining the projected actual emissions, the Department:(a) Shall consider all relevant information, including historical operational data, the company’s own representations, the company’s expected business activity and the company’s highest projections of business activity, the company’s filings with the State or Federal regulatory authorities, and compliance plans or orders, including consent orders; and(b) Shall include fugitive emissions to the extent quantifiable and emissions associated with startups and shutdowns; and(c) Shall exclude that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions and that are also unrelated to the particular project including any increased utilization due to product demand growth; or(d) In lieu of using the method set out in paragraphs (a) through (c) above, may be directed by the owner or operator to use the emissions unit’s potential to emit, in tons per year.(250) “Process Weight” – The total weight of all materials introduced into any process. Solid fuels and recycled materials are included in the determination of process weights; but uncombined water, liquid and gaseous fuels, combustion air, or excess air are not included.(251) “Proposed Acid Rain Part” – The version of an Acid Rain Part of a Title V source permit that the Department submits to EPA pursuant to Rule 62-213.450, F.A.C., after the public comment period.(252) “Proposed Permit” – The version of a Title V source permit that the Department proposes to issue and forwards to EPA in compliance with subsection 62-213.450(1), F.A.C.(253) “PSD Pollutant” – Any pollutant listed as having a significant emission rate as defined in Rule 62-210.200, F.A.C.(254) “Publication Rotogravure” – Rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements and other types of printed materials.(255) “Quench Area” – A chamber where the hot metal exiting the oven is cooled by either a spray of water or a blast of air followed by water cooling.(256) “Reasonable Further Progress” – A level of annual incremental reductions in emissions of affected air pollutants such as may be required for ensuring attainment of the applicable national ambient air quality standards by the applicable date.(257) “Reasonably Available Control Technology” or “RACT” – The lowest emission limit that a particular emissions unit is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. It may require technology that has been applied to similar, but not necessarily identical, source categories.(258) “Reconstruction” – For the purposes of Rule 62-212.400, F.A.C., the replacement of components of an existing emissions unit to such an extent that 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 emissions unit.(259) “Refinery Fuel Gas” – Any gas which is generated by a petroleum refinery process unit and which is combusted, including any gaseous mixture of natural gas and fuel gas.(260) “Regulated Air Pollutant” –(a) Nitrogen oxides or any volatile organic compound;(b) Any pollutant regulated under 42 U.S.C. s. 7411 – Standards of Performance for New Stationary Sources, or 42 U.S.C. s. 7412 – Hazardous Air Pollutants; or(c) Any pollutant for which a national primary ambient air quality standard has been specified at 40 C.F.R. Part 50, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(261) “Reid Vapor Pressure” – The absolute vapor pressure of volatile crude oil and volatile non-viscous petroleum liquids except liquified petroleum gases as determined by American Society for Testing and Materials, Part 17, 1973, D-323-72 (reapproved 1977).(262) “Reinforced Polyester Resin Operations” – An operation that entails saturating a reinforcing material such as glass fiber with a polyester resin material. Such operations include the production or rework of product by mixing, pouring, hand laying-up, impregnating, injecting, forming, spraying, and/or curing unsaturated polyester materials with fiberglass, fillers, or any other reinforcement materials and associated cleanup.(263) “Relocatable Facility” – A facility such as, but not limited to, an asphalt plant, portable power generator, or cement batch plant, which is designed to be physically moved to, and operated on, different sites by being wholly or partially dismantled and re-erected in essentially the same configuration. It shall not be operable while in transit.(264) “Removal Efficiency” – See “Destruction or Removal Efficiency” above.(265) “Repowering” – For the purposes of Rule 62-212.400, F.A.C., 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.(266) “Responsible Official” – One of the following:(a) For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C.;(b) For a partnership or sole proprietorship, a general partner or the proprietor, respectively;(c) For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official; or(d) For implementation of the Federal Acid Rain Program at an Acid Rain source: The designated representative. For other purposes at an Acid Rain source: Either the designated representative or any person that would qualify as a responsible official under paragraphs (a) through (c) of this definition.(267) “Ringelmann Chart” – The Chart published and described in the U.S. Bureau of Mines Information Circulars No. 8333 and No. 7718. The above references are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., and may be inspected at the Department’s Tallahassee office.(268) “Roll Coating” – The application of a coating material to a substrate by means of hard rubber or steel rolls.(269) “Roll Printing” – The application of words, designs, and pictures to a substrate usually by means of a series of hard rubber or steel rolls each with only partial coverage.(270) “Rotogravure Coating” – The application of a coating material to a substrate by means of a roll coating technique in which the pattern to be applied is etched on the coating roll. The coating material is picked up in these recessed areas and is transferred to the substrate.(271) “Rotogravure Printing” – The application of words, designs, and pictures to a substrate by means of a roll printing technique which involves an intaglio or recessed image areas in the form of cells.(272) “Routine Maintenance of Public Roads” – Those activities necessary to maintain the public highway system in as near original condition as is practical, not to include large scale resurfacing, or reconstruction.(273) “Sand Seal Coat” – A thin asphalt surface treatment designed to seal surface cracks in existing pavements for the purpose of preventing the intrusion of water into the pavement base. The sand seal coat consists of a light application of liquid asphalt covered with fine aggregate.(274) “Screen Printing” – A printing system where the printing ink passes through a web or fabric to which a refined form of stencil has been applied. The stencil openings determine the form and dimensions of the imprint.(275) “Secretary” – The Secretary of the Department.(276) “Secondary Emissions” – The emissions which occur as a result of the construction or operation of a facility or a modification to a facility, but which are not discharged into the atmosphere from the facility itself. Secondary emissions may include but are not limited to emissions from ships or trains coming to or leaving a new or modified facility and emissions from any off-site support facility which would not otherwise be constructed or increase its emissions except as a result of the construction or operation of the new or modified facility. Secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the facility or modification which causes the secondary emissions.(277) “Sharps” – Devices with physical characteristics capable of puncturing, lacerating, or otherwise penetrating the skin. These devices include needles, intact or broken glass, and intact or broken hard plastic.(278) “Shutdown” – The cessation of the operation of an emissions unit for any purpose.(279) “Significant Emissions Rate” – (a) With respect to any emissions increase or any net emissions increase, or the potential of a facility to emit any of the following pollutants, significant emissions rate means a rate of pollutant emissions that would equal or exceed:1. A rate listed at 40 CFR 52.21(b)(23)(i), adopted by reference at Rule 62-204.800, F.A.C.; specifically, any of the following rates:a. Carbon monoxide: 100 tons per year (tpy);b. Nitrogen oxides: 40 tpy;c. Sulfur dioxide: 40 tpy;d. Particulate matter:(I) 25 tpy of particulate matter emissions;(II) 15 tpy of PM10 emissions;e. Ozone: 40 tpy of volatile organic compounds or nitrogen oxides;f. Lead: 0.6 tpy;g. Fluorides: 3 tpy;h. Sulfuric acid mist: 7 tpy;i. Hydrogen sulfide (H2S): 10 tpy;j. Total reduced sulfur (including H2S): 10 tpy;k. Reduced sulfur compounds (including H2S): 10 tpy;l. Municipal waste combustor organics (measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans): 3.2 × 10-6 megagrams per year (3.5 × 10-6 tons per year);m. Municipal waste combustor metals (measured as particulate matter): 14 megagrams per year (15 tons per year);n. Municipal waste combustor acid gases (measured as sulfur dioxide and hydrogen chloride): 36 megagrams per year (40 tons per year);o. Municipal solid waste landfills emissions (measured as nonmethane organic compounds): 45 megagrams per year (50 tons per year); or2. A rate previously listed at Table 62-212.400-2; specifically, Mercury: 0.1 tpy.(b) Significant emissions rate also means, for the pollutants listed above in paragraph (a), any emissions rate or any net emissions increase associated with a major stationary source or major modification which would construct within 10 kilometers of a Class I area and have an impact on such area equal to or greater than 1 g/m3, 24-hour average.(280) “Significant Impact” – An impact of emissions on ambient air quality in excess of any of the following pollutant-specific concentration values:(a) Sulfur Dioxide.1. Maximum three-hour concentration not to be exceeded more than once per year – 25.0 micrograms per cubic meter.2. Maximum 24-hour concentration not to be exceeded more than once per year – 1.0 microgram per cubic meter for Class I areas; 5.0 micrograms per cubic meter for all other areas.3. Annual arithmetic mean – 1.0 microgram per cubic meter.(b) PM10.1. Maximum 24-hour concentration not to be exceeded more than once per year – 1.0 microgram per cubic meter for Class I areas; 5.0 micrograms per cubic meter for all other areas.2. Annual arithmetic mean – 1.0 microgram per cubic meter.(c) Nitrogen Dioxide.Annual arithmetic mean – 1.0 microgram per cubic meter.(d) Carbon Monoxide.1. Maximum one-hour concentration not to be exceeded more than once per year – 2.0 milligrams per cubic meter.2. Maximum eight-hour concentration not to be exceeded more than once per year – 0.5 milligram per cubic meter.(e) Lead. Maximum quarterly arithmetic mean – 0.03 microgram per cubic meter.(281) “Single Coat” – Single film of coating applied directly to the metal substrate omitting the primer application.(282) “Small Business Stationary Source” – Either paragraph (a) or (b) as follows:(a) A facility which:1. Is owned or operated by a person who employs 100 or fewer individuals;2. Is a small business concern as defined in 15 U.S.C. s. 632;3. Is other than a major stationary source within the meaning of 42 U.S.C. s. 7602(j), and is other than a major emitting facility within the meaning of 42 U.S.C. s. 7479, and is other than a major stationary source within the meaning of 42 U.S.C. s. 7503;4. Emits less than 50 tons per year of any regulated pollutant; and5. Emits less than 75 tons per year of all regulated pollutants; or(b) A facility which:1. Is owned or operated by a person that employes 100 or fewer individuals;2. Is a small business concern as defined in 15 U.S.C. s. 632; and3. Emits not more than 100 tons per year of all regulated air pollutants and demonstrates compliance with the requirements of paragraph 62-210.220(2)(b), F.A.C., including all the requirements of subparagraph 62-210.220(2)(b)1. through 9., F.A.C.(283) “Smelt Dissolving Tank” – A vessel used for dissolving the smelt collected from the recovery furnace.(284) “Soil Thermal Treatment Facility” – Either a stationary or mobile facility system designed, constructed, or utilized, and permitted by the Department to handle, store, and thermally treat or process petroleum contaminated soils. “Soil thermal treatment facility” does not include electrical power plants in which thermal treatment of contaminated soils from their own property results in ash which is disposed of in accordance with Chapter 62-701 or 62-702, F.A.C., or facilities that treat RCRA and hazardous waste or hazardous substances.(285) “Solid Sulfur Storage and Handling Facility” – A facility designed and utilized for unloading, transferring, or storing elemental sulfur in pelletized form.(286) “Solid Waste” – Includes garbage, refuse, yard trash, clean debris, white goods, special waste, ashes, sludge, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.(287) “Solvent” – Organic materials which are liquid at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.(288) “Solvent Metal Cleaning” – The process of cleaning soil from metal surfaces by cold cleaning or open top vapor degreasing or conveyorized degreasing.(289) “Special Waste” – Solid wastes that can require special handling and management, including white goods, whole tires, used oil, mattresses, furniture, lead-acid batteries, and biological wastes.(290) “Stack” – A pipe, duct, chimney, or other functionally equivalent device that confines and conveys air pollutants from an emissions unit or group of emissions units into the atmosphere through an emission point designed to discharge air pollutants into the atmosphere, but not including flares.(291) “Stack in Existence” – A stack where the owner or operator had, as of a particular date:(a) Begun, or caused to begin, a continuous program of physical on-site construction of the stack; or(b) Entered into binding agreements or contractual obligations, which could not be cancelled or modified without substantial loss to the owner or operator, to undertake a program of construction of the stack to be completed in a reasonable time.(292) “Standard Conditions” – A temperature of 68 degrees Fahrenheit (20 degrees Celsius) and a pressure of 14.7 pounds per square inch absolute (760 mm Hg).(293) “Standard Sulfur Pellets” – Any generally spherical form of solid sulfur (such as air or water-formed prills, or granules, or hemispherical forms such as Sandvick rotoform, but not including aglomerates, popcorn, slate or crushed bulk sulfur) that meets all of the following specifications. All required tests shall be performed on sulfur pellets that have been allowed to stand a minimum of 20 days after being formed. All test results shall be the arithmetic average of three test runs, each on a separate representative composite sample of the shipment or lot being tested.(a) Not more than 20 percent retained on a 1/4 inch U.S. (6.3 mm) screen, determined in accordance with SUDIC Test Method S2-77: Sieve Analysis of Sulfur Forms, as adopted in Chapter 62-297, F.A.C.(b) Less than six percent additional fines (minus 50 U.S. screen) generated under SUDIC’s standard Stress Level II test (Method S5-77: Determination of Friability of Sulfur Forms – 28 inch (700 mm) Diameter Tumbler Test).(294) “Startup” – The commencement of operation of any emissions unit which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical or pollution control device imbalances, which result in excess emissions.(295) “State Implementation Plan (SIP)” or “Implementation Plan” – The plan which Section 110 of the Clean Air Act requires a state to submit to the Administrator. The State Implementation Plan for the State of Florida, as approved by the U.S. Environmental Protection Agency, is identified in 40 C.F.R. Part 52, Subpart K, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(296) “Straight Kraft Recovery Furnace” – A furnace used to recover chemicals consisting primarily of sodium and sulfur compounds by burning black liquor which on a quarterly basis contains 7 weight percent or less of the total pulp solids from the neutral sulfite semichemical (NSSC) process or has a green liquor sulfidity of 28 percent or less.(297) “Submerged Filling” – The filling of a gasoline cargo tank or a stationary storage tank through an internal fill pipe whose discharge is no more than six (6) inches from the bottom of the tank. Bottom filling of gasoline cargo tanks or stationary storage tanks is included in this definition.(298) “Sulfur Recovery Plant” – Any plant that recovers sulfur from crude (unrefined) petroleum materials.(299) “Sulfur Storage and Handling Facility” – A facility designed and utilized for unloading, transferring or storing elemental sulfur in either molten form, solid pelletized form or solid vats.(300) “Sulfur Vat” – A block of solid sulfur formed by pouring molten sulfur on an established base utilizing movable forms or existing vat walls to contain the liquid sulfur until it solidifies.(301) “Sulfuric Acid Plant” – Any installation producing sulfuric acid by burning elemental sulfur, alkylation acid, hydrogen sulfides, organic sulfides, mercaptans, or acid sludge.(302) “Synthetic Non-Title V Source” – A facility that would be classified as a Title V source, but for a physical or operational limitation assumed by the owner or operator on the capacity of the facility to emit a pollutant, including any air pollution control equipment and any restriction on hours of operation or on the type or amount of material combusted, stored, or processed, provided that such physical or operational limitation is federally enforceable.(303) “Tack Coat” – A light application of liquid asphalt to an existing asphalt pavement or base to insure a bond between the surface being paved, or repaired, and the overlying paving or patching material.(304) “Tall Oil Plant” – A plant which recovers the crude tall oil fraction from the spent kraft cooking liquor (black liquor) used in the kraft process. Included are all associated tanks and vents from which reduced sulfur compounds are emitted to the atmosphere.(305) “Temporary Total Enclosure” – With respect to VOC emissions, a temporary total enclosure is an enclosure which is built around an activity, process, or emissions unit that emits VOC and meets the specifications given in Procedure T which is adopted by reference in Rule 62-204.800, F.A.C.(306) “Thermography” – The process of spreading thermal powders on the wet ink of a print application and heating it in order to melt the powder into a single solid mass which creates a raised printing effect. The heating is accomplished with a natural gas or electric oven.(307) “Thin Particleboard” – A manufactured board 1/2 inch or less in thickness made of individual wood particles which have been coated with binder and formed into flat sheets by pressure.(308) “Three-Piece Can Side-Seam Spray” – A coating sprayed on the exterior and interior of a welded, cemented or soldered seam to protect the exposed metal.(309) “Tight-lipped Clamshell Bucket” – A clamshell bucket designed with appropriate materials and geometry to provide and maintain a secure seal to prevent material loss or spillage. The following are typical features of such a bucket:(a) “Composition” – All plate and bar stock shall be a combination of 100,000 and 70,000 psi minimum yield steel. Such steel shall be used in those parts of the bucket where strength or weldability are needed.(b) “Lips” – The lips (cutting edge) shall be composed of a high strength abrasion resistant alloy steel which is weldable and has a minimum hardness of 250 Brinell. The lips shall be hard surfaced for the entire length of the outer edge to provide continuing lead edge as they wear and shall be designed to be replaceable. The lips shall be bevelled for the entire length of the bottom and sides so the cutting edge will wear evenly. Where appropriate with respect to the material being handled, the lips shall be designed so that they come together in a tongue and groove fashion. The lips shall be provided with a hard rubber insert, which shall run the full length of the bottom and side lips of the bowls.(c) “Design” – The geometry of the bucket shall provide maximum force on the lips in the closed position and the bowls (scoops) of the bucket shall have adequate gussets, and stiffeners to assure lip alignment. Side and cover plates will be installed to contain particulate emissions or spillage. The exposed plates may be streamlined to minimize material clinging to the outside of the bucket after it clears the ship’s hold.(d) “Bearings, Crosshead and Corner Arms” – All wear points shall be constructed of appropriate material. Bushings shall be composed of a chromium-molybdenum alloy steel and heat treated to approximately 450 Brinell. All shafts shall be made of heat treated 4140 Chromium-molybdenum steel. All wear points shall be grease lubricated.(310) “Tileboard” – Paneling that has a colored waterproof surface coating.(311) “Title V Operation Permit Program” – The EPA-approved operation permit program which Title V of the Act requires a state to submit to the Administrator.(312) “Title V Source” – A major source of air pollution as defined above.(313) “Title V Source Permit” – A permit issued pursuant to Chapter 62-213, F.A.C.(314) “Topcoat” – The final film of coating applied in a multiple coat operation.(315) “Total Reduced Sulfur (TRS)” – The sum of the sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide that are released during the kraft pulping process and measured by Reference Method 16 or a designated alternate method.(316) “Total Suspended Particulate” or “TSP” – Particulate matter as measured by the method described in 40 C.F.R. Part 50, Appendix B, adopted and incorporated by reference in Rule 62-204.800, F.A.C.(317) “True Vapor Pressure” – The equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, “Evaporation Loss from External Floating Roof Tanks,” 1980. The above reference is available from American Petroleum Institute, 2101 L. Street, Northwest, Washington, D.C., and may be inspected at the Department’s Tallahassee office.(318) “Two-Piece Can Exterior End Coating” – A coating applied by roller coating or spraying to the exterior end of a can to provide protection to the metal.(319) “Ultraviolet-Cured” – An ink and coating drying process by which monomers, oligomers, and other components polymerize to form a film when exposed to ultraviolet radiation.(320) “Unconfined Emissions” – Emissions which escape and become airborne from unenclosed operations or which are emitted into the atmosphere without being conducted through a stack.(321) “Unit-Specific Applicable Requirement” – An applicable requirement that applies specifically to a given emissions unit; however, for purposes of subsection 62-210.300(3), subparagraph 62-213.300(2)(a)1. and paragraph 62-213.430(6)(b), F.A.C., applicable requirements which are not considered unit-specific applicable requirements include the following:(a) Any subpart of 40 C.F.R. Part 60, 61, or 63 that imposes nothing more than a recordkeeping or reporting requirement on an emissions unit;(b) 40 CFR Part 61, Subpart M – National Emission Standard for Asbestos, Section 61.145, Standard for Demolition and Renovation;(c) Subsection 62-296.320(2), F.A.C., Objectionable Odor Prohibited;(d) Subsection 62-296.320(3), F.A.C., Industrial, Commercial, and Municipal Open Burning Prohibited;(e) Paragraph 62-296.320(4)(b), F.A.C., General Visible Emissions Standard, except subparagraph 62-296.320(4)(b)2., F.A.C.;(f) Paragraph 62-296.320(4)(c), F.A.C., Unconfined Emissions of Particulate Matter;(g) Rule 62-4.160, F.A.C., except subsection 62-4.160(13), F.A.C.; and(h) Any standard or other requirement under Chapters 62-252, 62-256, 62-257, and 62-281, F.A.C.(322) “Untreated Wood” – Wood (including lighter pine, tree trunks, limbs and stumps, shrubs, and lumber) which is free of paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, chromated copper arsenate (CCA), and other wood preservatives or treatments.(323) “Vapor Balance System” – A combination of pipes or hoses which create a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tanks are transferred to the tank being unloaded.(324) “Vapor Collection System” – A vapor transport system which uses direct displacement by the liquid loaded to force vapors from the tank into a vapor control system.(325) “Vapor Control System” – A system that will not allow emissions of volatile organic compounds in the displaced vapor at a rate greater than 80 milligrams per liter (4.7 grains/gallon (gr./gal.)) of gasoline transferred.(326) “Vapor-mounted Seal” – A primary seal mounted so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.(327) “Vapor Recovery System” – A system that collects and conserves vapors that would otherwise be released to the atmosphere.(328) “Vinyl Coating” – Applying a decorative or protective topcoat, or printing on vinyl-coated fabric or vinyl sheets. VOC emission reduction credit is not allowed when plastisols are used in emission averaging involving vinyl printing and topcoating.(329) “Visible Emission” – An emission greater than 5 percent opacity or 1/4 Ringelmann measured by standard methods.(330) “Visibility Impairment” or “Impairment to Visibility” – Any humanly perceptible change in visibility (visual range, contrast, coloration) from that which would have existed under natural conditions.(331) “Volatile Organic Compound (VOC)” – A volatile organic compound as defined at 40 CFR 51.100, adopted and incorporated by reference at Rule 62-204.800, F.A.C.(332) “Waste-to-Energy Facility” – A facility that uses an enclosed device using controlled combustion to thermally break down solid, liquid or gaseous combustible solid waste to an ash residue that contains little or no combustible material, and that produces electricity, steam, or other energy as a result. The term does not include facilities that primarily burn fuels other than solid waste, even if the facilities also burn some solid waste as a fuel supplement. The term also does not include facilities that burn vegetative, agricultural, or silvicultural wastes, bagasse, clean dry wood, methane or other landfill gas, wood fuel derived from construction or demolition debris, or waste tires, alone or in combination with fossil fuel. For the purposes of Rule 62-296.416, F.A.C., the term does not include facilities that primarily burn biohazardous or hazardous waste and industrial boilers that burn pelletized paper waste as a supplemental fuel.(333) “Water-based Ink/Coating/Adhesive” – An ink, coating or adhesive with a VOC content less than or equal to 25 percent by weight as applied.(334) “Waxy, Heavy Pour Crude Oil” – A crude oil with a pour point of 50 degrees or higher as determined by ASTM D 97, which is adopted and incorporated by reference at Rule 62-297.440, F.A.C.(335) “Yard Waste” – Vegetative matter resulting from landscaping and yard maintenance operations and other such routine property clean-up activities. It includes materials such as leaves, shrub trimmings, grass clippings, palm fronds, and brush.Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History–Formerly 17-2.100, Amended 2-9-93, 11-28-93, Formerly 17-210.200, Amended 11-23-94, 4-18-95, 1-2-96, 3-13-96, 3-21-96, 8-15-96, 10-7-96, 10-15-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 2-19-03, 4-1-05, 7-6-05, 2-2-06, 4-1-06, 9-4-06, 9-6-06, 1-10-07, 5-9-07, 7-16-07, 3-16-08.62-210.220 Small Business Assistance Program.A “Small Business Stationary Source Technical and Environmental Compliance Assistance Program,” or “Small Business Assistance Program,” is established as an organizational unit of the Department’s Division of Air Resources Management. The purpose of this rule is to establish procedures for notifying small business stationary sources of their rights and to assure an opportunity for public comment on any petition filed by any facility seeking inclusion on the list of small business stationary sources maintained by the Small Business Assistance Program.(1) Notification of Rights. The Department shall provide, at a minimum, notice to small business stationary sources as identified pursuant to subsection 62-210.220(2), F.A.C., of state requirements.(a) The Small Business Assistance Program shall provide notice of those rules related to air pollution which have been proposed by the Department and published in the Florida Administrative Weekly. Each notice shall contain:1. The subject matter of the rule;2. The publication date;3. Any published effective date;4. The Florida Administrative Weekly location, by volume and page number; and5. The Small Business Assistance Program Hotline telephone number.(b) The Department shall provide those small business stationary sources identified pursuant to subsection 62-210.220(2), F.A.C., which are also Title V sources with notice of any requirements of Chapter 62-213, F.A.C., in accordance with the provisions of Chapter 62-213, F.A.C.(2) Public Notice and Comment. The Small Business Assistance Program shall create and maintain a list of interested entities to receive the notices identified in subsection 62-210.220(1), F.A.C.(a) The Small Business Assistance Program shall create a list of small business stationary sources as follows:1. The program shall identify, using existing Department air pollutant emitting facility computerized records, all permitted facilities that have the potential to emit not more than 100 tons per year of all regulated air pollutants. The program shall request of each such facility:a. The total number of full-time and part-time employees, including temporary employees, employed by the person, corporation or partnership which owns or operates the facility;b. The type of business in which the facility is engaged; andc. The total amount of annual receipts for the most recently completed fiscal year.2. Each facility desiring consideration as a small business stationary source shall provide the information listed in subparagraph 62-210.220(2)(a)1., F.A.C. The Small Business Assistance Program shall review the information and determine, based upon the information submitted by the facility and upon the air pollutant emission information contained in the Department’s computerized air facility records, whether the facility is a “small business stationary source” as defined in subsection 62-210.200, F.A.C.(b) Any facility may petition for inclusion on the list described at paragraph 62-210.220(2)(a), F.A.C. Each petitioning facility must publish notice of such petition in a newspaper of general circulation in each county in which the facility operates. No less than 30 days after receipt of both the notice of publication and a petition meeting the requirements of this paragraph, the Small Business Assistance Program shall add to the list the name and address of any such facility which conforms to the requirements of paragraph (b) of the definition of “small business stationary source” at Rule 62-210.200, F.A.C. Each petition for inclusion must provide factual data showing:1. Name;2. Mail address;3. Facility address;4. County;5. Standard Industrial Classification (SIC) code;6. Description of operation;7. Data showing the facility is owned or operated by an individual person, a corporate entity or a partnership entity employing no more than 100 employees including full and part-time employees and permanent and temporary employees during any pay period of the past 12 calendar months preceding application;8. Data showing the facility does not exceed the size standards, as expressed in dollars, established in 13 C.F.R. 121.601, hereby adopted and incorporated by reference; and9. Data showing the facility does not emit more than 100 tons per year, in the aggregate, of all regulated air pollutants.(c) The Small Business Assistance Program shall notify each facility responding pursuant to subparagraph 62-210.220(2)(a)2., F.A.C., or petitioning pursuant to paragraph 62-210.220(2)(b), F.A.C., that the responding facility does or does not conform to the definition of “small business stationary source” at Rule 62-210.200, F.A.C., or that the petitioning facility does or does not conform to the requirements of paragraph (b) of the definition of “small business stationary source” at Rule 62-210.200, F.A.C. The determination shall constitute agency action for purposes of Chapter 28-106, F.A.C. Any person who has provided comments to the Small Business Assistance Program in response to the published notice described at paragraph 62-210.220(2)(b), F.A.C., shall be provided written notice of the determination. The facility shall be considered an applicant for purposes of Chapter 28-106, F.A.C.(d) The Department shall include on the list described at paragraph 62-210.220(1)(a), F.A.C., each facility that has submitted a petition pursuant to paragraph 62-210.220(2)(b), F.A.C., and which the Department has determined conforms to the definition of “small business stationary source” at Rule 62-210.200, F.A.C.(e) The Department shall maintain the list described at paragraph 62-210.220(1)(a), F.A.C., annually. The Department shall delete from the list the name and address of any facility which has requested deletion or from which the Department’s notice has been returned as not deliverable.Specific Authority 403.8052 FS. Law Implemented 403.8052 FS. History–New 10-15-96, Amended 2-11-99.62-210.300 Permits Required.Unless exempted from permitting pursuant to this rule or Rule 62-4.040, F.A.C., the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain appropriate authorization from the Department prior to undertaking any activity at the facility or emissions unit for which such authorization is required. The Department grants authorization to conduct such activities by individual air permit or by air general permit. Activities requiring authorization by individual air construction permit are addressed at subsection 62-210.300(1), F.A.C., and activities requiring authorization by individual air operation permit are addressed at subsection 62-210.300(2), F.A.C. Authorization by air general permit is addressed at subsection 62-210.300(4), F.A.C. All emissions limitations, controls, and other requirements imposed by any individual air permit shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., being authorized to construct, operate, or undertake any other activity by individual air permit or air general permit does not relieve the owner or operator of a facility or emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.(1) Air Construction Permits.(a) Unless exempt from permitting pursuant to paragraph 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new, reconstructed, or modified facility or emissions unit, or any new pollution control equipment prior to the beginning of construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, or modification of the facility or emissions unit or addition of the air pollution control equipment; or to establish a PAL; in accordance with all applicable provisions of this chapter, Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. Except as provided under Rule 62-213.415, F.A.C., the owner or operator of any facility seeking to create or change an air emissions bubble shall obtain an air construction permit in accordance with all the applicable provisions of this chapter, Chapters 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction, reconstruction or modification of the facility or emissions unit or addition of the air pollution control equipment; and operation while the owner or operator of the new, reconstructed or modified facility or emissions unit or the new pollution control equipment is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.(b) Notwithstanding the expiration of an air construction permit, all limitations and requirements of such permit that are applicable to the design and operation of the permitted facility or emissions unit shall remain in effect until the facility or emissions unit is permanently shut down, except for any such limitation or requirement that is obsolete by its nature (such as a requirement for initial compliance testing) or any such limitation or requirement that is changed in accordance with the provisions of subparagraph 62-210.300(1)(b)1., F.A.C. Either the applicant or the Department can propose that certain conditions be considered obsolete. Any conditions or language in an air construction permit that are included for informational purposes only, if they are transferred to the air operation permit, shall be transferred for informational purposes only and shall not become enforceable conditions unless voluntarily agreed to by the permittee or otherwise required under Department rules.1. Except for those limitations or requirements that are obsolete, all limitations and requirements of an air construction permit shall be included and identified in any air operation permit for the facility or emissions unit. The limitations and requirements included in the air operation permit can be changed, and thereby superseded, through the issuance of an air construction permit, federally enforceable state air operation permit, federally enforceable air general permit, or Title V air operation permit; provided, however, that:a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; andc. Any change in a permit limitation or requirement that originates from a permit issued by the Environmental Protection Agency pursuant to 40 C.F.R. 52.21, or by the Department pursuant to subparagraph 62-204.800(11)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under subparagraph 62-204.800(11)(d)2., F.A.C., Rule 62-212.400 or 62-212.500, F.A.C., as appropriate.2. The force and effect of any change in a permit limitation or requirement made in accordance with the provisions of subparagraph 62-210.300(1)(b)1., F.A.C., shall be the same as if such change were made to the original air construction permit.3. Nothing in paragraph 62-210.300(1)(b), F.A.C., shall be construed as to allow operation of a facility or emissions unit without a valid air operation permit.(c) Notwithstanding the provisions of paragraph 62-210.200(1)(a), F.A.C., the owner or operator of any eligible facility who registers to use an air general permit under Rule 62-210.310, F.A.C., or Rule 62-213.300, F.A.C., who is not denied use of the air general permit, and who constructs the facility in compliance with the terms and conditions of the air general permit shall not be required to obtain an air construction permit pursuant to this subsection, provided, however, that any proposed new major stationary source, major modification, or modification that would be a major modification but for the provisions of paragraph 62-212.400(2)(a), F.A.C., shall require authorization by air construction permit. (2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit; subsequent to any construction, reconstruction or modification of a facility or emissions unit authorized by an air construction permit, and demonstration of compliance with the conditions of such air construction permit; subsequent to the establishment of a PAL or air emissions bubble by air construction permit; or as otherwise provided in this chapter or Chapter 62-213, F.A.C.; the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit, or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of this chapter, Chapter 62-213 (if the facility is a Title V source), and Chapter 62-4, F.A.C.(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period.b. Except as provided in sub-subparagraph 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:(I) The owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner’s or operator’s intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and(II) The owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and(III) The emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.c. Except as provided in sub-subparagraph 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in sub-subparagraph 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in sub-sub-subparagraphs 62-210.300(2)(a)3.b.(I) through (III), F.A.C., are met.4. In the case of an emissions unit permitted pursuant to sub-subparagraphs 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute any modification or reconstruction pursuant to this chapter or any federal regulation adopted by reference at Rule 62-204.800, F.A.C.(b) Additional Requirements for Federally Enforceable State Operation Permits (FESOPs) for Non-Title V Sources.1. An operation permit for a non-Title V source, including a synthetic non-Title V source, shall be considered federally enforceable only if it is issued, renewed, or revised in accordance with the following provisions:a. At the time of initial application for the permit, the applicant requests that the permit be made federally enforceable.b. A notice of proposed agency action on the initial application, any renewal application involving material changes from the existing permit, and any application for permit revision is published in accordance with the provisions of subsections 62-210.350(1) and subsection (4), F.A.C., except as provided in subparagraph 62-210.300(2)(b)3., F.A.C.c. The permit is a facility-wide permit.d. The permit is conditioned such that the owner or operator is legally obligated to adhere to the terms and limitations of such permit, including any condition or limitation assumed by the owner or operator upon acceptance of such permit.e. The permit is conditioned such that any emissions limitation, control requirement, or other requirement assumed by the owner or operator upon acceptance of such permit shall be quantifiable and enforceable as a practical matter.2. Once a synthetic non-Title V source has been issued a federally enforceable state operation permit (FESOP), it shall remain subject to the requirements of paragraph 62-210.300(2)(b), F.A.C., unless:a. The owner or operator accepts a higher limit and the facility becomes a Title V source; orb. The owner or operator demonstrates to the Department that it no longer needs a federally enforceable operation permit to be classified as a non-Title V source (i.e., the facility is naturally “minor” without any federally enforceable limits) and specifically requests exemption from these requirements.3. If all of the permitted emissions units within a facility have been issued one or more air construction permits which have undergone public notice in accordance with procedures at least as stringent as those provided in subsection 62-210.350(4), F.A.C., and the applicant requests that the conditions of such construction permit(s) be transferred without material change to a federally enforceable state operation permit (FESOP), the Department shall waive the requirements of sub-subparagraph 62-210.300(2)(b)1.b. and subparagraph 62-210.350(4)(a)3., F.A.C., for publication of a notice of proposed agency action; provided, however, that the remaining provisions of subsection 62-210.350(4), F.A.C., shall apply, including the requirement that notice be given to the U.S. Environmental Protection Agency and any local air pollution control program.4. If an applicant requests that existing, multiple air operation permits for a facility be consolidated into a single federally enforceable state operation permit (FESOP), the Department shall reduce the permit processing fee required pursuant to Rule 62-4.050, F.A.C., by an amount equal to the sum of the processing fees paid for the existing permits prorated by the number of years remaining until expiration of each such permit.(c) Notwithstanding the provisions of subsection 62-210.300(2), F.A.C., the owner or operator of any eligible facility who registers to use an air general permit under Rule 62-210.310, F.A.C., or Rule 62-213.300, F.A.C., who is not denied use of the air general permit, and who operates the facility in compliance with the terms and conditions of the air general permit shall not be required to obtain an air operation permit pursuant to this subsection or Rule 62-213.400, F.A.C.(3) Exemptions. Except as otherwise provided herein, an owner or operator shall not be required to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., for any facility, emissions unit or pollutant-emitting activity that satisfies the applicable criteria of paragraph 62-210.300(3)(a) or (b), F.A.C., or has been exempted from permitting pursuant to Rule 62-4.040, F.A.C. Failure of a facility, emissions unit or activity to satisfy the exemption criteria of paragraph 62-210.300(3)(a) or (b), F.A.C., does not preclude such facility, emissions unit or activity from being considered for exemption pursuant to Rule 62-4.040, F.A.C. Notwithstanding the above, no emissions unit or activity shall be exempt from the requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., if it would be subject to any unit-specific applicable requirement, including a PAL. Furthermore, no new, reconstructed, or modified emissions unit or activity shall be exempt from the requirement to obtain an air construction permit if its emissions would contribute to a major modification or to any modification that would be a major modification but for the provisions of paragraph 62-212.400(2)(a), F.A.C. An emissions unit or pollutant-emitting activity exempt from the requirement to obtain an air construction permit shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if it is contained within a Title V source or if its emissions, in combination with the emissions of other emission units and activities at the facility, would cause the facility to be classified as a Title V source. Exemption from the requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., does not relieve any emissions unit or activity from complying with any requirement under 40 CFR Part 60, 61, or 63, adopted and incorporated by reference at Rule 62-204.800, F.A.C., to which it is subject, even if such requirement is not a unit-specific applicable requirement. Furthermore, an exempt emissions unit or activity shall be subject to any general, facility-level applicable requirements, and its emissions shall be considered in determining the applicability of permitting requirements to other emissions units at the facility or to the facility as a whole.(a) Categorical and Conditional Exemptions. Except as otherwise provided at subsection 62-210.300(3), F.A.C., above, the following facilities, emissions units, and pollutant-emitting activities shall be exempt from any requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C. The exemptions listed at subparagraphs 62-210.300(3)(a)23. through 36., F.A.C., are valid only if the owner or operator ensures that the conditions of exemption are met.1. Home heating and comfort heating with a gross maximum heat output of less than one million Btu per hour.2. Internal combustion engines in boats, aircraft and vehicles used for transportation of passengers or freight.3. Incinerators in one or two family dwellings or in multi-family dwellings containing four or less family units, one of which is owner-occupied.4. Noncommercial and nonindustrial vacuum cleaning systems used exclusively for residential housekeeping purposes.5. Cold storage refrigeration equipment, except for any such equipment located at a Title V source using an ozone-depleting substance regulated under 40 C.F.R. Part 82.6. Vacuum pumps in laboratory operations.7. Equipment used for steam cleaning.8. Belt or drum sanders having a total sanding surface of five square feet or less and other equipment used exclusively on wood or plastics or their products having a density of 20 pounds per cubic foot or more.9. Equipment used exclusively for space heating, other than boilers.10. Noncommercial smoke houses used exclusively for smoking food products.11. Bakery ovens located at any retail bakery facility which derives at least fifty percent of its revenues from retail sales on premises. Also, bakery ovens located at any commercial bakery facility utilizing only non-conveyor belt ovens operating on a single baking cycle in which a determinate amount of product is cooked at one baking (i.e., batch ovens).12. Laboratory equipment used exclusively for chemical or physical analyses.13. Brazing, soldering or welding equipment.14. Laundry dryers, extractors, or tumblers for fabrics cleaned with only water solutions of bleach or detergents.15. Fire and safety equipment.16. Petroleum lubrication systems.17. Application of fungicide, herbicide, or pesticide.18. Asbestos renovation and demolition activities.19. Vehicle refueling operations and associated fuel storage.20. Restaurants.21. Burning of drugs seized by law enforcement agencies in boilers with a heat input of 250 million Btu per hour or more.22. Phosphogypsum cooling ponds and inactive phosphogypsum stacks which have demonstrated compliance with the requirements of 40 CFR Part 61, Subpart R, adopted and incorporated by reference at Rule 62-204.800, F.A.C.23. Degreasing units using heavier-than-air vapors exclusively, provided that such units shall not use any substance containing any hazardous air pollutant.24. Non-halogenated solvent storage and cleaning operations, provided that such operations shall not use any solvent containing any hazardous air pollutant.25. Petroleum dry cleaning facilities, provided the solvent consumption shall be less than 3,250 gallons per year.26. Portable air curtain incinerators, provided the following conditions are met.a. Except as provided at sub-subparagraph c., only land clearing debris and appropriate starting fuel shall be burned in the air curtain incinerator. The air curtain incinerator shall not be used to burn any material prohibited to be open-burned as set forth at subsection 62-256.300(3), F.A.C. Only kerosene, diesel fuel, drip torch fuel (as used to ignite prescribed fires), untreated wood, virgin oil, natural gas or liquefied petroleum gas shall be used to start the fire in the air curtain incinerator. The use of used oil, chemicals, gasoline, or tires to start the fire is prohibited.b. The air curtain incinerator, alone or in combination with any other air curtain incinerator(s) claiming this exemption from air permitting, shall not be deployed at a single site for more than six (6) months in any consecutive twelve (12) months and, except as provided at sub-subparagraph c., shall not burn any material other than land clearing debris generated at the site or at any other site under control of the same person (or persons under common control). For purposes of this provision, a site is any and all locations on one (1) or more contiguous or adjacent properties which are under the control of the same person (or persons under common control), except that, in the case of a linear right-of-way, a site is any and all locations within any one-mile span of right-of-way. Any deployment of one (1) or more air curtain incinerators at a single site for more than six (6) months in any consecutive twelve (12) months, and, except as provided at sub-subparagraph c., any use of an air curtain incinerator at a site to burn material other than land clearing debris generated at the site or any other site under control of the same person (or persons under common control), shall require an appropriate air permit.c. Notwithstanding the provisions of sub-subparagraphs a. and b., the air curtain incinerator may be used for up to six (6) months in any consecutive twelve (12) months at any location for the destruction of animal carcasses in accordance with the provisions of subsection 62-256.700(6), F.A.C., the burning of storm-generated debris in accordance with the provisions of subsection 62-256.700(8), F.A.C., or the destruction of insect or disease-infested vegetation in accordance with the provisions of subsection 62-256.700(9), F.A.C. When using an air curtain incinerator to burn animal carcasses, untreated wood may also be burned to maintain good combustion.d. If the air curtain incinerator employs an earthen trench, the pit walls (width and length) shall be vertical, and maintained as such, so that combustion of the waste within the pit is maintained at an adequate temperature and with sufficient air recirculation to provide enough residence time and mixing for proper combustion and control of emissions. Pit width shall not exceed twelve (12) feet.e. Material shall not be loaded into the air curtain incinerator such that it protrudes above the level of the air curtain in the pit.f. Ash shall not be allowed to build up in the pit of the air curtain incinerator to higher than 1/3 the pit depth or to the point where the ash begins to impede combustion, whichever occurs first.g. Visible emissions from the air curtain incinerator shall not exceed ten percent (10%) opacity, six (6) minute average, except for up to thirty (30) minutes during periods of startup when visible emissions up to thirty-five percent (35) opacity, six (6) minute average, shall be allowed. For purposes of this exemption, these visible emissions limitations shall not be considered unit-specific applicable requirements.h. The air curtain incinerator shall be attended at all times while materials are being burned or flames are visible within the incinerator.i. The air curtain incinerator shall be located at least 50 feet away from any wildlands, brush, combustible structure, or paved public roadway and 300 feet away from any occupied building.j. If the air curtain incinerator is equipped with refractory-lined walls, charging shall begin no earlier than sunrise and must end no later than one hour after sunset. If the air curtain incinerator is not equipped with refractory-lined walls, charging shall begin no earlier than 8:00 a.m. Central time or 9:00 a.m. Eastern time and must end no later than one hour after sunset. After charging ceases, air flow shall be maintained until all material within the air curtain incinerator has been reduced to coals, and flames are no longer visible. A log shall be maintained onsite that documents daily beginning and ending times of charging.k. Prior to any period of operation of the air curtain incinerator, the owner or operator shall contact the Division of Forestry regarding the planned burning activity.l. If the owner of the air curtain incinerator, by lease or other means, grants authority to operate the incinerator to a person not in the employ of the owner, the owner shall provide such person with a copy of the conditions of this exemption.m. If the air curtain incinerator is operated in compliance with all conditions of this exemption, it shall not be subject to the requirements of subsection 62-296.401(7), F.A.C.27. Surface coating operations within a single facility, provided:a. The surface coating operation shall use only coatings containing 5.0 percent or less VOC, by volume, or the total quantity of coatings containing greater than 5.0 percent VOC, by volume, used at the facility shall not exceed 6.0 gallons per day, averaged monthly, where the quantity of coatings used includes all solvents and thinners used in the process or for cleanup; andb. Such operations are not subject to any unit-specific applicable requirement.28. Volume reduction processes as defined in Rule 62-296.417, F.A.C., provided the owner or operator shall manage only spent mercury-containing lamps removed from the facility where the volume reduction process is located.29. Mercury recovery processes as defined in Rule 62-296.417, F.A.C., provided the owner or operator shall manage only spent mercury-containing devices temporarily or permanently removed from service from the owner or operator’s own facilities or installations.30. Bulk gasoline plants, provided:a. The facility receives and distributes only petroleum-based lubricants, gasoline, diesel fuel, mineral spirits and kerosene;b. The total storage capacity for gasoline at the facility does not exceed 100,000 gallons;c. The facility shall not exceed a throughput rate (receive and distribute) of 1.3 million gallons of gasoline in any consecutive twelve (12) months; andd. The facility is not subject to Rule 62-296.418, F.A.C.31. Relocatable wet screening-only operations, provided:a. The screening operation is not connected to a nonmetallic mineral processing plant subject to 40 CFR Part 60, Subpart OOO, adopted and incorporated by reference at Rule 62-204.800, F.A.C.;b. No hazardous waste, as defined in Section 403.703, F.S., shall be processed; andc. The operation shall not operate at a single site for more than six (6) months in any consecutive twelve (12) months. For purposes of this provision, a site is any and all locations on one or more contiguous or adjacent properties which are under the control of the same person (or persons under common control).32. Brownfield site remediation, as described at Rule 62-785.700, F.A.C., provided that the total volatile organic compounds in the air emissions from all onsite remediation equipment shall not exceed 13.7 pounds per day.33. Fossil fuel steam generators, hot water generators, and other external combustion heating units with heat input capacity equal to or less than 10 million Btu per hour, provided the following conditions are met with respect to each such unit.a. The unit is not subject to the Acid Rain Program, CAIR Program, or any unit-specific applicable requirement.b. The rated heat input capacity of the unit is equal to or less than 10 million Btu per hour and, collectively, the total rated heat input capacity of all units claiming this exemption at the same facility is less than 10 million Btu per hour.c. The unit shall not burn used oil or any fuels other than natural gas or propane, except that fuel oil with a sulfur content not exceeding 1.0 percent by weight may be burned during periods of natural gas curtailment.34. Fossil fuel steam generators, hot water generators, and other external combustion heating units with heat input capacity less than 100 million Btu per hour, provided the following conditions are met with respect to each such unit.a. The unit is not subject to the Acid Rain Program, CAIR Program, or any unit-specific applicable requirement.b. The rated heat input capacity of the unit is less than 100 million Btu per hour and, collectively, the total rated heat input capacity of all units claiming this exemption at the same facility is less than 250 million Btu per hour.c. The unit shall not burn more than the maximum annual amount of a single fuel, as given in sub-subparagraph e., or equivalent maximum annual amounts of multiple fuels, as addressed in sub-subparagraph f. d. Collectively, all units claiming this exemption at the same facility shall not burn more than the collective maximum annual amount of a single fuel, as given in sub-subparagraph g., or equivalent collective maximum annual amounts of multiple fuels, as addressed in sub-subparagraph h. e. If burning only one (1) type of fuel, the annual amount of fuel burned by the unit shall not exceed 150 million standard cubic feet of natural gas, one million gallons of propane, one million gallons of fuel oil with a sulfur content not exceeding 0.05 percent, by weight, 290,000 gallons of fuel oil with a sulfur content not exceeding 0.5 percent, by weight, or 145,000 gallons of fuel oil with a sulfur content not exceeding 1.0 percent, by weight. f. If burning more than one (1) type of fuel, the equivalent annual amount of each fuel burned by the unit shall not exceed the maximum annual amount of such fuel, as given in sub-subparagraph e., multiplied by a fuel percentage. The fuel percentage is the percentage ratio of the total annual amount of the fuel burned by the unit to the total annual amount of such fuel allowed to be burned by the unit pursuant to sub-subparagraph e. The sum of the fuel percentages for all fuels burned by the unit must be less than or equal to 100 percent. g. If burning only one (1) type of fuel, the collective annual amount of fuel burned by all units claiming this exemption at the same facility shall not exceed 375 million standard cubic feet of natural gas, 2.5 million gallons of propane, 2.5 million gallons of fuel oil with a sulfur content not exceeding 0.05 percent, by weight, 290,000 gallons of fuel oil with a sulfur content not exceeding 0.5 percent, by weight, or 145,000 gallons of fuel oil with a sulfur content not exceeding 1.0 percent, by weight.h. If burning more than one (1) type of fuel, the equivalent collective annual amount of each fuel burned by the units claiming this exemption at the same facility shall not exceed the collective maximum annual amount of such fuel, as given in sub-subparagraph g., multiplied by a fuel percentage. The fuel percentage is the percentage ratio of the total annual amount of the fuel burned by all units claiming this exemption at the same facility to the total annual amount of such fuel allowed to be burned by all units claiming this exemption at the same facility pursuant to sub-subparagraph g. The sum of the fuel percentages for all fuels burned by the units claiming this exemption at the same facility must be less than or equal to 100 percent. 35. One (1) or more emergency generators located within a single facility provided: a. The unit is not subject to the Acid Rain Program, CAIR Program, or any unit-specific applicable requirement.b. The unit shall not burn used oil or any fuels other than natural gas, propane, gasoline, and diesel fuel.c. Collectively, all units claiming this exemption at the same facility shall not burn more than the collective maximum annual amount of a single fuel, as given in sub-subparagraph d., or equivalent collective maximum annual amounts of multiple fuels, as addressed in sub-subparagraph e. d. If burning only one (1) type of fuel, the collective annual amount of fuel burned by all units claiming this exemption at the same facility shall not exceed 2,700 gallons of gasoline, 32,000 gallons of diesel fuel, 144,000 gallons of propane, or 4.4 million standard cubic feet of natural gas. e. If burning more than one (1) type of fuel, the equivalent collective annual amount of each fuel burned by the units claiming this exemption at the same facility shall not exceed the collective maximum annual amount of such fuel, as given in sub-subparagraph d., multiplied by a fuel percentage. The fuel percentage is the percentage ratio of the total amount of the fuel burned by all units claiming this exemption at the same facility to the total amount of such fuel allowed to be burned by all units claiming this exemption at the same facility pursuant to sub-subparagraph d. The sum of the fuel percentages for all fuels burned by the units claiming this exemption at the same facility must be less than or equal to 100 percent.36. General purpose internal combustion engines, and other reciprocating internal combustion devices, provided the following conditions are met with respect to each such unit.a. The unit is not subject to the Acid Rain Program, CAIR Program, or any unit-specific applicable requirement.b. The unit shall not burn used oil or any fuels other than natural gas, propane, gasoline, and diesel fuel.c. Collectively, all units claiming this exemption at the same facility shall not burn more than the collective maximum annual amount of a single fuel, as given in sub-subparagraph d., or equivalent collective maximum annual amounts of multiple fuels, as addressed in sub-subparagraph e. d. If burning only one (1) type of fuel, the collective annual amount of fuel burned by all units claiming this exemption at the same facility shall not exceed 2,700 gallons of gasoline, 32,000 gallons of diesel fuel, 144,000 gallons of propane, or 4.4 million standard cubic feet of natural gas. e. If burning more than one (1) type of fuel, the equivalent collective annual amount of each fuel burned by the units claiming this exemption at the same facility shall not exceed the collective maximum annual amount of such fuel, as given in sub-subparagraph d., multiplied by a fuel percentage. The fuel percentage is the percentage ratio of the total amount of the fuel burned by all units claiming this exemption at the same facility to the total amount of such fuel allowed to be burned by all units claiming this exemption at the same facility pursuant to sub-subparagraph d. The sum of the fuel percentages for all fuels burned by the units claiming this exemption at the same facility must be less than or equal to 100 percent.37. Printing operations, provided:a. The facility is not subject to any unit-specific applicable requirement;b. The facility shall use less than 667 gallons of materials containing any hazardous air pollutants in any consecutive twelve (12) months; andc. The facility shall:(I) Operate only heatset offset lithographic printing lines and use less than 20,000 pounds, combined, of ink, cleaning solvent, and fountain solution additives in any consecutive twelve (12) months;(II) Operate only non-heatset offset lithographic printing lines and use less than 2,850 gallons, combined, of cleaning solvent and fountain solution additives in any consecutive twelve (12) months;(III) Operate only digital printing lines and use less than 2,425 gallons, combined, of solvent based inks, clean-up solutions, and other solvent-containing materials in any consecutive twelve (12) months;(IV) Operate only screen or letterpress printing lines and use less than 2,850 gallons, combined, of solvent based inks, clean-up solutions, and other solvent-containing materials in any consecutive twelve (12) months;(V) Operate only water-based or ultraviolet-cured-material flexographic or rotogravure printing lines and use less than 80,000 pounds, combined, of water-based inks, coatings, and adhesives in any consecutive twelve (12) months; or(VI) Operate only solvent-based material flexographic or rotogravure printing lines and use less than 20,000 pounds, combined, of inks, dilution solvents, coatings, cleaning solutions, and adhesives in any consecutive twelve (12) months. (b) Generic and Temporary Exemptions.1. Generic Emissions Unit or Activity Exemption. Except as otherwise provided at subsection 62-210.300(3), F.A.C., above, an emissions unit or pollutant-emitting activity that is not entitled to a categorical or conditional exemption pursuant to paragraph 62-210.300(3)(a), F.A.C., shall be exempt from any requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., if it meets all of the following criteria:a. It would be subject to no unit-specific applicable requirement.b. It would neither emit nor have the potential to emit:(I) 500 pounds per year or more of lead and lead compounds expressed as lead;(II) 1,000 pounds per year or more of any hazardous air pollutant;(III) 2,500 pounds per year or more of total hazardous air pollutants; or(IV) 5.0 tons per year or more of any other regulated pollutant.c. Its emissions, in combination with the emissions of other units and activities at the facility, would not cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.d. In the case of a proposed new emissions unit at an existing facility, the emissions of such unit, in combination with the emissions of any other proposed new or modified units and activities at the facility, would not result in a modification subject to the preconstruction review requirements of subparagraph 62-204.800(11)(d)2., Rule 62-212.400 or 62-212.500, F.A.C.e. In the case of a proposed new pollutant-emitting activity, such activity would not constitute a modification of any existing non-exempt emissions unit at a non-Title V source or any existing non-insignificant emissions unit at a Title V source.2. Generic Facility Exemption. Except as otherwise provided at subsection 62-210.300(3), F.A.C., a facility that is not entitled to a categorical or conditional exemption pursuant to paragraph 62-210.300(3)(a), F.A.C., shall be exempt from any requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., if all of the emissions units and activities within the facility, including any proposed new emissions units and activities, individually meet the exemption criteria of paragraph 62-210.300(3)(a), F.A.C., or subparagraph 62-210.300(3)(b)1., F.A.C., or if the facility meets all of the following criteria:a. No emissions unit or pollutant-emitting activity within the facility would be subject to any unit-specific applicable requirement.b. The facility would neither emit nor have the potential to emit:(I) 1,000 pounds per year or more of lead and lead compounds expressed as lead;(II) 1.0 ton per year or more of any hazardous air pollutant;(III) 2.5 tons per year or more of total hazardous air pollutants;(IV) 25 tons per year or more of carbon monoxide, nitrogen oxides and sulfur dioxide; or(V) 10 tons per year or more of any other regulated pollutant.c. The facility would neither emit nor have the potential to emit any pollutant in such amount as to make the facility a Title V source, nor would the facility be a Title V source for any other reason.3. Temporary Exemption for Emissions Units at Certain Title V Sources. Except for an emissions unit that is subject to any applicable regulation or permitting requirement under Rule 62-212.400 or 62-212.500, F.A.C.; any emissions standard or other requirement adopted by reference prior to July 1, 1995, in Rule 62-204.800, F.A.C.; any requirement established pursuant to Rule 62-296.330, F.A.C.; or any Reasonably Available Control Technology (RACT) provisions under Rules 62-296.500 through 62-296.712, F.A.C.; an emissions unit that is described in a timely and complete permit application under Chapter 62-213, F.A.C., and not subject to an existing valid air permit, shall be exempt from the permitting requirements of this chapter, Chapter 62-4 and Rule 62-212.300, F.A.C., until a final determination on a permit application under Chapter 62-213, F.A.C., is made. In addition, no emissions unit shall be exempt under this paragraph if its emissions cause or contribute to a significant net emissions increase under Rule 62-212.400 or 62-212.500, F.A.C., which would trigger preconstruction review, or if it is constructed or modified, as defined under Rule 62-210.200, F.A.C., subsequent to November 23, 1994. Any applicant exercising this exemption shall provide notification of such exemption to the Department, and further authorizes the Department to inspect these emissions units at the Department’s discretion. Emissions units subject to existing valid permits shall continue to operate consistent with those permits as provided under subparagraph 62-213.420(1)(b)2., F.A.C. This exemption is available only to emissions units contained within either facilities that were Title V sources on or before October 25, 1995, and that commenced operation on or before that date, or facilities that became Title V sources by operation of law after October 25, 1995, and have timely applied for an initial Title V air operation permit.4. Temporary Phosphogypsum Exemption. Until permitted pursuant to Chapter 62-213, F.A.C., phosphogypsum disposal areas are exempt from the requirement to obtain an air operation permit.(c) Conditional Exemptions from Title V Air Permitting. Except as otherwise provided herein, the following facilities shall be exempt from the requirement to obtain a Title V air operation permit under the provisions of Chapter 62-213, F.A.C., provided the conditions of exemption for each such facility are met. Facilities exempt from Title V air permitting pursuant to subparagraph 62-210.300(3)(c)2., F.A.C., are not exempt from the requirement to obtain an air construction permit or non-Title V air operation permit. A facility shall not be entitled to an exemption from Title V air permiditions and restrictions for safeguarding the data.

**Signed:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ApplicantDate

**Approved:**\_\_\_\_\_\_\_\_\_\_

Applicant’s Bureau Chief Date

\_\_\_\_

Applicant’s Division Director Date

\_\_\_\_\_

Data Owner’s Security Administrator Date

\_\_\_\_\_

Data Owner’s Bureau ChiefDate

\_\_\_\_\_

Data Owner’s Division Director Date

**Data** \_\_\_\_\_

**Released:**Data Owner’s Dissemination AdministratorDate

*Note: Access authorization must be renewed annually.*

1. Identify Database(s) Requested:

2. Purpose of Project and Statutory Authority:

3. List subcontractor(s) who will receive access to confidential data and identify the contract manager.

4. Describe the subset of records requested (time periods, types of patients, diagnoses and etc.)

5. List confidential data elements\* requested and provide an explanation of why each element is necessary for the successful completion of the project or study.

6. Describe any linkage to other data files, sources of linked files, and identifying information contained in the linked files. Will any identifiable data obtained for this project be used as a basis for any actions which may affect individuals and/or establishments identified from the confidential data?

7. Describe the *least* aggregate data or research results that will be released internally and/or externally.

8. Indicate the anticipated project completion date and the duration of access requested.

9. Provide (print) name, title, and phone number of persons approving request on behalf of the applicant.

10. Applicant’s mailing address.

# \*Program must provide applicant with a list of confidential data elements

# LEADERSHIP DEVELOPMENT OPPORTUNITIES:

***Greg Kearney, DrPH, MPH, RS***

Attending the Environmental Public Health Leadership Institute (EPHLI) has played an important role in helping me to develop important leadership skills. The systems thinking assignment, readings and exercises have taught me to understand the dynamics of a problem, and how to resolve it, by breaking it down into more manageable parts. By applying the system thinking assignment to a “real world” project, I was able to clearly identify weaknesses and where to target my efforts towards obtaining successful results. By completing the Individual Development plan, I was able to work towards focusing on those areas that needed attention as identified in the Skillscope self assessment. By tracking my progress towards these objectives, I was able to reach several of my personal leadership development goals.

The resources provided by EPHLI, including quality speakers, reading material, mentoring, coaching, projects and assignments were all top notch. The face to face meetings throughout the various locations were filled with valuable information, and the group projects provided for great opportunities to learn leadership skills and have some fun in the process. More importantly, I was impressed with the dedication and commitment by the mentors, staff and others attending the EPHLI sessions. The networking opportunities provided for a great chance to meet with other professionals and discuss environmental health issues from all over the country.

I am very thankful to my mentor and EPLI for providing the time to share their knowledge, skills and learning experiences with me. I am proud to have been a part of the EPHLI class of 2008, and look forward to encouraging others to apply for this great opportunity to improve their environmental public health leadership skills.

# ABOUT THE EPHLI FELLOW(s)

Greg Kearney has 18 years of professional experience working in environmental health and epidemiology. Dr. Kearney currently works as an Environmental Epidemiologist for the Florida Department of Health (FDOH), Division of Environmental Health and adjunct professor at Florida Agricultural and Mechanical University (FAMU). Dr. Kearney serves as the Principal Investigator for the CDC Environmental Public Health Tracking Network (EPHTN) grant at FDOH, and is primarily responsible for overseeing the work involving the design and implementation of a state/national environmental epidemiology public health surveillance network system.

Dr. Kearney holds a Doctor of Public Health (Dr.P.H.) in Environmental Health Sciences, from the University of Alabama at Birmingham, a Masters of Public Health (M.P.H.) from the University of South Florida, and a Bachelor of Science (B.S.) in Urban and Regional Planning from East Carolina University. He received his Florida Registered Sanitarian (R.S.) certification in 1995, National RS certification in 1997. Dr. Kearney also serves as Chair for the National Environmental Health Association’s, Environmental Public Health Tracking and Informatics’ Technical Committee.

Dr Kearney enjoys collecting and reading books on environmental health and epidemiology and has a special interest in spatial analysis (using GIS). He lives in Tallahassee, Florida with his beautiful wife, Michelle, video-game expert son Patrick, and his two pugs, Bandit and Mojo. Whether working or playing, each day, he looks forward to living, learning, laughing, and never wasting a precious moment.

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