

LAW IMPLEMENTED: 455.217, 474.207 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruthanne Christie, Executive Director, Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, N13, or by electronic mail - Ruthanne.Christie@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G18-11.002 Examination and Licensure.
- (1) through (2) No change.
- (3) Effective on November 1, 2000, there shall be two examinations.

(a) The first examination will be the North American Veterinary Licensing Examination (NAVLE) developed by the International Council for Veterinary Assessment (ICVA).

(b) The second examination concerns laws and rules related to the practice of veterinary medicine. The context of the second test shall include the following subjects: The Veterinary Medical Practice Act, Chapter 474, F.S.; Chapter 455, F.S., relating to the Department of Business and Professional Regulation; Division 61G18, F.A.C., the rules promulgated by the Board of Veterinary Medicine; Chapters 465, 499, 585, 828 and 893, F.S.; and the 2006 Edition most recent revision of the “Practitioner’s Manual,” an informational outline of the Controlled Substances Act of 1970, published by the Drug Enforcement Administration of the United States Department of Justice, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-> or which can be found at <https://www.deadiversion.usdoj.gov/pubs/manuals/pract/index.html>.

(c) Applicants for licensure by examination who submit their applications for licensure as a Florida Veterinarian prior January 1, 2021, may, in lieu of passing the laws and rules examination set forth in paragraph (3)(b), above, successfully complete an on-line course or courses, approved by the Board, addressing the subjects outlined in paragraph (3)(b), above.

- (4) through (6) No change.

Rulemaking Authority 455.217, 474.206, 474.207 FS. Law Implemented 455.217, 474.207 FS. History—New 11-14-79, Amended 5-11-80, 7-9-80, 5-4-81, 12-10-81, 12-5-82, 5-15-83, 11-5-84, 5-7-85, 11-5-85, Formerly 21X-11.02, Amended 3-1-88, 11-24-88, 4-3-89, 4-13-92, 3-30-93, 7-13-93, Formerly 21X-11.002, Amended 7-4-94, 3-20-95, 3-29-95, 5-1-95, 5-27-99, 12-25-05, 6-28-07, 8-29-10, 9-26-12, 6-26-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Veterinary Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2020
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 6, 2020

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-210.200	Definitions
62-210.300	Permits Required
62-210.310	Air General Permits
62-210.350	Public Notice and Comment

PURPOSE AND EFFECT: The purpose of this Notice of Proposed Rule (NOPR) is to amend Rule 62-210.200, F.A.C., to add new definitions and revising existing definitions for clarification and further implementation of the Clean Air Act as well as removing unnecessary definitions; amend Rule 62-210.300, F.A.C., to make corrective and clarifying amendments; amend Rule 62-210.310, F.A.C., to revise the requirements for submittal of the Relocation Notification Form (Form 62-210.900(6)) to the Department to at least one (1) day prior to facility relocation and to clarify, clarify the circumstances under which an annual emission test for an Air General Permit facility is not required consistent with test exemptions in Rule 62-297.310, F.A.C., and other corrective and clarifying amendments; and amend Rule 62-210.350, F.A.C. to clarify the process for requesting an administrative hearing pursuant to Chapter 120, Florida Statutes, and a public hearing (public meeting) for the Prevention of Significant Deterioration (PSD) and Title V permitting programs.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address Stationary Sources – General Requirements.

OTHER RULES INCORPORATING RULE 62-210.200, F.A.C: 62-4.050, 62-110.104, 62-210.220, 62-210.300, 62-210.340, 62-210.370, 62-212.500, 62-212.720, 62-213.202, 62-213.300, 62-213.400, 62-213.410, 62-213.412, 62-213.420, 62-213.440, 62-214.100, 62-296.100, 62-296.340, 62-296.401, 62-296.417, 62-296.470, 62-296.480, 62-296.600, 62-255.320, 62-701.200, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-210.300, F.A.C: 62-210.200, 62-210.310, 62-210.350, 62-210.360, 62-210.920, 62-212.300, 62-213.300, 62-256.300, 62-256.700, 62-296.320, 62-296.401, 62-296.406, 62-296.414, 62-296.417, 62-296.570, 62-737.800, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-210.310, F.A.C.: 62-210.300, 62-213.300, 62-296.500, and 62-297.310, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-210.350, F.A.C.: 62-110.106, 62-204.800, 62-210.200, 62-210.300, 62-210.340, 62-212.400, 62-212.500, 62-212.720 and 62-213.430, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-210.700, F.A.C.: 61-110.106, 62-212.720, 62-213.440, 62-296.401, 62-296.404, 62-296.570, and 62-296.702, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be the intended effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: revision of these rules will not have an adverse impact or increase regulatory costs on any entity.

Any person who wishes to provide information regarding a statement of estimated regulatory costs or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.716, 403.8055, FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.716, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Hastings Read, 2600 Blair Stone Rd., MS 5500, Tallahassee, FL, 32399-2400, hastings.read@floridadep.gov, (850)717-9017.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-210.200 Definitions.

The following words and phrases when used in this chapter and in chapters 62-204, 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) through (17) No change.

(18) “Air Quality Maintenance Area” – Any area that was designated as “Nonattainment” for a specific National Ambient Air Quality Standard (NAAQS) and was redesignated as “Attainment” for that NAAQS and subject to a maintenance plan as required by Clean Air Act section 175A. Air Quality Maintenance Areas have a duration of 20 years from their initial approval. Initial approval dates are specified in 40 C.F.R. Part 52, Subpart K, as adopted and incorporated by reference in rule 62-204.800, F.A.C.

(18) through (26) renumbered (19) through (27) No change.

(28) “Attainment Area” – Any area attaining a National Ambient Air Quality Standard for a particular pollutant and designated as “Attainment” in 40 C.F.R. Part 81, §81.310, as adopted and incorporated by reference in rule 62-204.800, F.A.C.

(27) through (30) renumbered (29) through (32) No change.

(33)(34) “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) No change.

(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 concrete batching cement batch plants.

(32) through (47) renumbered (34) through (49) No change.

(50)(48) “Carbonaceous Fuel Burning Equipment” – A firebox, furnace or combustion device which burns only carbonaceous fuel or carbonaceous fuel along with ~~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.

(49) through (67) renumbered (51) through (69) No change.

(70)(68) “Condensable Particulate Matter” or “Condensable PM” or “CPM” – Gaseous emissions from a source or activity which condense at ambient temperatures to form particulate matter.

(69) through (99) renumbered (71) through (101) No change.

~~(102)(100) “Existing Emissions Unit” –~~

~~(a) 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.~~

~~(b) For the purposes of rules 62-296.700 through 62-296.712, and 62-212.500, F.A.C., “existing emissions unit” 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.~~

~~(c) For the purposes of rules 62-296.500 through 62-296.512, F.A.C., “existing emissions unit” shall mean an emissions unit which was constructed or for which a construction permit was issued prior to July 1, 1979.~~

~~(d) For the purposes of Chapter 62-212 rule 62-212.400, F.A.C., an “existing emissions unit” shall mean an emissions unit which is not a new emissions unit as defined for the purposes of rule 62-212.400, F.A.C.~~

(101) through (170) renumbered (103) through (172) No change.

~~(173)(171) “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 Chapter 62-212 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 existed for less than 2 years from the date such emissions unit first operated.~~

(172) through (173) renumbered (174) through (175) No change.

~~(176)(174) “Nonattainment Area” – Any area not attaining a National Ambient Air Quality Standard for a particular pollutant and designated as “Nonattainment” in 40 C.F.R. Part 81, §81.310, as adopted and incorporated by reference in Rule 62-204.800, F.A.C. 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.~~

(175) through (218) renumbered (177) through (220) No change.

~~(221)(219) “Relocatable Facility” – A stationary facility such as, but not limited to, an asphalt concrete plant, portable power generator, nonmetallic mineral processing plant, air curtain incinerator, or concrete batching 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.

(220) through (238) renumbered (222) through (240) No change.

~~(241)(239) “Soil Thermal Treatment Facility” – Either a stationary or relocatable 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.~~

(240) through (267) renumbered (242) through (269) No change.

~~(270) “Unclassifiable Area” – Any area which cannot, on the basis of available information, be classified as an attainment area or a nonattainment area for a particular pollutant and designated as “Unclassifiable” in 40 C.F.R. Part 81, §81.310, as adopted and incorporated by reference in rule 62-204.800, F.A.C.~~

(268) through (279) renumbered (271) through (282) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 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, 10-12-08, 6-29-09, 3-11-10, 6-29-11, 12-4-11, 3-28-12, 10-23-13, 8-25-14, 4-26-17, 7-3-18, _____.

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 emission limitations, controls, and other requirements imposed by any individual air permit shall be at least as stringent as any limitations and requirements contained in or enforceable under the State Implementation~~

~~Plan (SIP) or Designated Facility Plan. 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 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 this rule paragraph 62-210.300(3)(a) or (b), 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. An ~~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 C.F.R. 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, and 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. All emission limitations, controls, and other requirements imposed by any individual air permit shall be at least as stringent as any limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or Designated Facility Plan. 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 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.~~

(b) Through (c) No change.

(2) Air Operation Permits. 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. 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, Chapters 62-213 (if the facility is a Title V source), and 62-4, F.A.C. All emission limitations, controls, and other requirements imposed by any individual air permit shall be at least as stringent as any limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or Designated Facility Plan. 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 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.

(a) through (c) No change.

(3) through (7) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History—Formerly 17-2.210, Amended 11-28-93, Formerly 17-210.300, Amended 11-23-94, 4-2-95, 4-18-95, 10-16-95, 1-2-96, 3-13-96, 3-21-96, 5-13-96, 8-15-96, 10-7-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 6-21-01, 7-6-05, 2-2-06, 1-10-07, 5-9-07, 3-16-08, 10-12-08, 6-29-11, 4-26-17, 7-3-18, _____.

62-210.310 Air General Permits.

(1) No change.

(2) General Procedures. This subsection sets forth general procedures for use of any of the air general permits provided at subsections 62-210.310(4) and (5), F.A.C.

(a) No change.

(b) Registration. The owner or operator who intends to construct or operate an eligible facility under the authority of an air general permit shall submit a registration to the Department. The registration shall be accompanied by the appropriate air general permit processing fee pursuant to rule 62-4.050, F.A.C. The fee and any hard copy registrations shall be sent via mail or hand delivery or courier to the Department of Environmental Protection, Attn: FDEP Air General Permits, 2600 Blair Stone Road, MS 5500, Receipts, Post Office Box 3070, Tallahassee,

Florida, 32315-3070; ~~or via hand delivery or courier to the Department of Environmental Protection, Attn: FDEP Receipts, 3800 Commonwealth Boulevard, MS 77, Tallahassee, Florida, 32399.~~ The registration shall include the following information.

1. through 9. No change.

(c) through (f) No change.

(3) General Conditions. All terms, conditions, requirements, limitations, and restrictions set forth in this subsection are “general permit conditions” and are binding upon the owner or operator of any facility using an air general permit provided at subsection 62-210.310(4) or (5), F.A.C.

(a) through (f) No change.

(g) The owner or operator shall maintain and operate the authorized facility consistent with manufacturer recommendations and good air pollution control practices necessary to achieve compliance in good condition. Throughout the term of air general permit use, the owner or operator shall ensure that the facility maintains its eligibility to use the air general permit and complies with all terms and conditions of the air general permit.

(h) No change.

(i) If, for any reason, the owner or operator of any facility operating under an air general permit does not comply with or will be unable to comply with any condition or limitation of the air general permit, the owner or operator shall immediately provide the Department with the following information as soon as possible, but no later than one (1) business day following discovery.

1. through 2. No change.

(j) through (n) No change.

(o) Annual emissions tests required by air general permit rules.

1. An annual emissions test shall not be required for any emissions unit that operated for 400 hours or less (including during startup and shutdown) during the calendar year. If an emission unit operates for more than 400 hours during the calendar year, an emissions test shall be completed no later than 60 days after the emissions unit’s annual operation exceeds 400 hours, or by the end of the calendar year, whichever is later.

2. An emissions unit shall not be required to start up for the sole purpose of conducting an emissions test. In such a case, an emissions test shall be completed no later than 60 days after the emissions unit next starts up.

3. Facilities claiming exemptions under paragraph 62-210.310(3)(o), F.A.C. shall maintain records of operational hours to demonstrate exemption eligibility.

(p) Use of an air general permit shall not preclude the Department from requiring a special compliance test pursuant to paragraph 62-297.310(8)(c), F.A.C.

(4) Air General Permits for Facilities Claiming Conditional Exemption from Title V Air Permitting.

(a) through (f) No change.

(g) Air General Permit for Facilities Comprising Asphalt Concrete Plants.

1. through 2. No change.

3. A facility using this air general permit shall comply with the general conditions given at subsection 62-210.310(3), F.A.C., and the following specific conditions:

a. through c. No change.

d. If the facility is subject to 40 CFR Part 60, Subpart I, as adopted and incorporated by reference in rule 62-204.800, F.A.C., the owner or operator shall comply with all limitations and requirements of 40 CFR Part 60, Subpart I.

d. through f. renumbered e. through g. No change.

~~h.g.~~ The owner or operator shall conduct ~~submit~~ a stack test using EPA Reference Method 5 or 5A and a visible emission (VE) test using EPA Reference Method 9, adopted and incorporated and adopted by reference in rule 62-204.800, F.A.C., to ~~that~~ demonstrate compliance with the applicable PM and VE standards, respectively during the calendar year, no later than 60 days after the facility commences initial operation. The owner or operator shall conduct PM and VE tests annually thereafter, unless exempted pursuant to paragraph 62-210.310(3)(o), F.A.C. All annual compliance tests and initial tests for facilities not subject to 40 CFR Part 60, Subpart I shall be noticed, conducted, and reported to the Department pursuant to chapter in accordance with the requirements of rule 62-297.310-62-297, F.A.C.

~~i.h.~~ At least one (1) business day prior to relocation, the ~~The~~ owner or operator of any relocatable asphalt concrete plant proposing to change location shall submit to notify the Department by telephone, email, fax, or written communication at least one business day prior to changing location and transmit (by email, fax, post, or courier) a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)), adopted and incorporated by reference herein (http://www.flrules.org/Gateway/reference.asp?No=Ref-09535), no later than five business days following relocation.

4. through 5. No change.

6. The registration for this air general permit shall include all the following information.

a. through d. No change.

e. If the asphalt concrete ~~batch~~ plant was at any time a collocated facility, include fuel consumption by any other asphalt concrete plant, concrete ~~batching~~ ~~batch~~ or nonmetallic mineral processing plants.

f. through j. No change.

(5) Air General Permits for Miscellaneous Facilities.

(a) No change.

(b) Air General Permit for Facilities Comprising Concrete Batching Plants.

1. through 2. No change.

3. A facility using this air general permit shall comply with the general conditions given at subsection 62-210.310(3), F.A.C., and the following specific conditions.

a. No change.

b. At least one (1) business day prior to relocation, the owner or operator of any relocatable concrete batching plant or equipment used to mix cement and soil for onsite soil augmentation or stabilization proposing to change location shall submit to notify the Department by telephone, email, fax, or written communication at least one (1) business day prior to changing location and transmit (by email, fax, post, or courier) a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)), adopted and incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09535>), to the Department no later than five (5) business days following relocation. ~~The owner or operator of any other relocatable concrete batching plant proposing to change location shall transmit a Facility Relocation Notification Form to the Department at least five (5) business days prior to relocation.~~

4. through 6. No change.

(c) through (d) No change.

(e) Air General Permit for Facilities Comprising Nonmetallic Mineral Processing Plants (Crushing Operations).

1. through 2. No change.

3. A facility using this air general permit shall comply with the general conditions given at subsection 62-210.310(3), F.A.C., and the following specific conditions.

a. through d. No change.

e. Nonmetallic mineral processing plants subject to 40 CFR Part 60, Subpart OOO, shall comply with all applicable standards, limitations, and requirements of Subpart OOO. Such facilities shall conduct initial performance tests for particulate matter and visible emissions in accordance with all requirements of Subpart OOO and 40 CFR Part 60, Subpart A, adopted and incorporated by reference at rule Rule 62-204.800, F.A.C. Thereafter, such facilities shall conduct performance tests for visible emissions annually, in accordance with the test methods and procedures set forth in 40 CFR Part 60, Subpart OOO, unless exempted pursuant to paragraph 62-210.310(3)(o), F.A.C. ~~The annual visible emissions performance tests shall be conducted in accordance with the test methods and procedures set forth at Subpart OOO. All annual visible emissions performance tests shall be noticed and reported to the Department in accordance with the requirements. All notifications of upcoming visible emissions tests and all test results shall be submitted to the Department in accordance with the provisions of rule Rule 62-297.310, F.A.C.~~

f. At least one (1) business day prior to relocation, the owner or operator of any relocatable nonmetallic mineral processing plant proposing to change location shall submit to

~~notify the Department by telephone, email, fax, or written communication at least one (1) business day prior to changing location and transmit (by email, fax, post, or courier) a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)), adopted and incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09535>), to the Department no later than five (5) business days following relocation.~~

4. through 5. No change.

6. The registration for this air general permit shall include all the following information.

a. through d. No change.

e. A diagram with a list and description of each emission point subject to a visible emissions test pursuant to Rule 62-210.310(5)(e)3.e., F.A.C.

(f) through (k) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History—New 1-10-07, Amended 5-9-07, 10-12-08, 6-29-11, 4-26-17, 7-3-18, _____.

62-210.350 Public Notice and Comment.

(1) Public Notice of Proposed Agency Action.

(a) through (c) No change.

(d) An opportunity for administrative hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.

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

(a) through (d) No change.

(e) The time and place of any hearing (public meeting) that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled). An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.

(f) through (h) No change.

(3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.

(a) through (b) No change.

(c) The notice shall identify:

1. through 6. No change.

7. The time and place of any hearing (public meeting) that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and,

8. No change.

(4) through (6) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.815 FS. History—Formerly 17-2.220, Amended 11-28-93, Formerly 17-210.350, Amended 11-23-94, 1-2-96, 11-13-97, 2-11-99, 2-2-06, 10-12-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hastings Read
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Secretary Noah Valenstein
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: 07/08/2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: 11/14/2019

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-296.401	Incinerators
62-296.403	Phosphate Processing Fluorides Limits
62-296.406	Fossil Fuel Steam Generators with Less than 250 Million Btu Per Hour Heat
62-296.408	Nitric Acid Plants
62-296.409	Sulfur Recover Plants
62-296.410	Carbonaceous Fuel Burning Equipment
62-296.414	Concrete Batching Plants
62-296.415	Soil Thermal Treatment Facilities
62-296.417	Volume Reduction, Mercury Recovery and Mercury Reclamation
62-296.511	Solvent Metal Cleaning

PURPOSE AND EFFECT: The purpose of this Notice of Proposed Rule (NOPR) is to revise Rules 62-296.401, 62-296.403, 62-296.406, 62-296.408, 62-296.409, 62-296.410, 62-296.414, 62-296.415, 62-296.417, and 62-296.511, F.A.C., to clarify the requirements for crematories, to revise the timing of submittal of initial visibility tests for crematories and concrete catching plants, to clarify what an existing and new source is in each rule that uses these terms, and other minor corrective or clarifying amendments.

SUMMARY: The proposed rule amendments address Stationary Sources – Emission Standards.

OTHER RULES INCORPORATING RULE 62-296.401, F.A.C.: 62-204.800, 62-210.300, 62-210.310, 62-256.700, 62-296.100, 62-296.500, 62-296.700 and 62-296.712, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-296.403, F.A.C.: None

OTHER RULES INCORPORATING RULE 62-296.406, F.A.C.: 62-296.702, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-296.408, F.A.C.: None

OTHER RULES INCORPORATING RULE 62-296.409, F.A.C.: None

OTHER RULES INCORPORATING RULE 62-296.410, F.A.C.: None

OTHER RULES INCORPORATING RULE 62-296.414, F.A.C.: 62-210.310 and 62-296.700, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-296.415, F.A.C.: 62-296.700, 62-296.712, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-296.417, F.A.C.: 62-210.300, 62-210.310, and 62-737.800, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-296.511, F.A.C.: None

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: revision of these rules will not have an adverse impact or increase regulatory costs on any entity.

Any person who wishes to provide information regarding a statement of estimated regulatory costs or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.716, 403.8055, F.S.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.716, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Hastings Read, 2600 Blair Stone Rd., MS 5500, Tallahassee, FL, 32399-2400, hastings.read@floridadep.gov, (850)717-9017.

THE FULL TEXT OF THE PROPOSED RULE IS: