

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**PROPOSED REVISION TO STATE IMPLEMENTATION PLAN**



**SUBMITTAL NUMBER 2020-02**

**REQUEST TO APPROVE VARIOUS  
INFRASTRUCTURE SIP ELEMENTS**

**August 26, 2020**

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**Proposed Revision to State Implementation Plan**  
**Submittal Number 2020-02**  
**Request to Approve Various Infrastructure SIP Elements**

**Introduction**

The Department of Environmental Protection (DEP) is proposing a revision to Florida's State Implementation Plan (SIP) under the Clean Air Act to approve portions of previously submitted Infrastructure SIP (ISIP) amendments, to reflect the full approval of Florida's Greenhouse Gas (GHG) New Source Review (NSR) permitting regulations SIP, in 40 CFR Part 52, Subpart K. The U.S. Environmental Protection Agency (EPA) previously disapproved certain elements of Florida's submitted ISIP amendments because, at that time, DEP did not have a fully-approved Prevention of Significant Deterioration (PSD) program as it relates to regulation of GHG. The ISIP elements that DEP is requesting to be approved into Florida's SIP are as follows.

1. Sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) Prong 3, and 110(a)(2)(J) infrastructure elements for Florida's 2008 Ozone Infrastructure SIP;
2. Sections 110(a)(2)(C) and 110(a)(2)(J) infrastructure elements for Florida's 1997 Ozone Infrastructure SIP;
3. Section 110(a)(2)(D)(i)(II) Prong 3 infrastructure elements for Florida's 2006 Fine Particulate Matter Infrastructure SIP; and
4. Section 110(a)(2)(D)(i)(II) Prong 3 infrastructure elements for Florida's 1997 Fine Particulate Matter Infrastructure SIP.

The DEP submitted Florida's GHG NSR SIP to EPA on December 13, 2013. The EPA approved Florida's GHG NSR SIP on May 19, 2014 (79 Fed. Reg. 28,607). Concurrent with EPA's final approval, EPA rescinded the GHG PSD Federal Implementation Plan for Florida. Therefore, DEP is requesting that EPA approve only the GHG PSD requirements of the elements listed above in Florida's 1997 and 2008 Ozone Infrastructure SIPs and 1997 and 2006 Fine Particulate Matter Infrastructure SIPs that were previously disapproved. DEP is resubmitting these elements for EPA approval in the **Materials to be Approved into the SIP** section below.

**SIP Development Process**

Section 403.061(35), Florida Statutes, authorizes DEP to "exercise the duties, powers, and responsibilities required of the state under the federal Clean Air Act." These duties and responsibilities include the development and periodic updating of Florida's SIP. Pursuant to this authority, DEP has developed this proposed SIP revision.

In accordance with 40 CFR 51.102, a pre-hearing submittal of the proposed SIP revision was transmitted to U.S. Environmental Protection Agency (EPA) on July 21, 2020 and posted on the DEP website. At the same time, DEP published a notice of the proposed SIP revision in the Florida Administrative Register (FAR) announcing the opportunity for the public to provide comments, request a public hearing, or participate in a public hearing to be held on August 27, 2020, if requested. No hearing was requested, and therefore, no hearing was held. DEP also transmitted a copy of the public notice to DEP's District Offices and Florida's local air pollution control programs.

## Response to 40 CFR Part 51, Appendix V, Criteria

Pursuant to 40 CFR Part 51, Appendix V, the following materials shall be included in State Implementation Plan (SIP) submissions for review and approval by the U.S. Environmental Protection Agency (EPA).

### 2.1. Administrative Materials

**(a) A formal letter of submittal from the Governor or his designee, requesting EPA approval of the plan or revision thereof (hereafter “the plan”).**

A copy of the “Letter of Submittal,” signed by the Director of the Division of Air Resource Management, Florida DEP, on behalf of the Governor of the State of Florida, has been sent to EPA along with the final submittal.

**(b) Evidence that the State has adopted the plan in the State code or body of regulations; or issued the permit, order, consent agreement (hereafter “document”) in final form. That evidence shall include the date of adoption or final issuance as well as the effective date of the plan, if different from the adoption/issuance date.**

Not applicable.

**(c) Evidence that the State has the necessary legal authority under State law to adopt and implement the plan.**

DEP has the necessary legal authority to adopt and implement this proposed revision to Florida’s SIP. References to the pertinent Florida Statutes and Florida Administrative Code rules may be found in the “Legal Authority” section of this submittal.

**(d) A copy of the actual regulation, or document submitted for approval and incorporation by reference into the plan, including indication of the changes made ( *such as, redline/strikethrough* ) to the existing approved plan, where applicable. The submittal shall be a copy of the official State regulation/document signed, stamped and dated by the appropriate State official indicating that it is fully enforceable by the State. The effective date of the regulation/document shall, whenever possible, be indicated in the document itself. *If the State submits an electronic copy, it must be an exact duplicate of the hard copy with changes indicated, signed documents need to be in portable document format, rules need to be in text format and files need to be submitted in manageable amounts (e.g., a file for each section or chapter, depending on size, and separate files for each distinct document) unless otherwise agreed to by the State and Regional Office.***

Not applicable

**(e) Evidence that the State followed all of the procedural requirements of the State's laws and constitution in conducting and completing the adoption/issuance of the plan.**

State law (section 120.525, F.S.) requires DEP to provide notice of public meetings, hearings, and workshops in the Florida Administrative Register (FAR) not less than seven days before the

event. Through publication in the FAR of the notice of opportunity to participate in a public hearing, if requested, at least 30 days before the event, DEP has complied with all state procedural requirements relevant to the development of this proposed SIP revision. A copy of the notice of proposed SIP revision may be found in the “Public Participation” section of this submittal.

**(f) Evidence that public notice was given of the proposed change consistent with procedures approved by EPA, including the date of publication of such notice.**

DEP has complied with all public notice requirements of 40 CFR 51.102. Copies of the relevant notices and notification letters may be found in the “Public Participation” and “Pre-Hearing Submittal to EPA” sections of this submittal.

**(g) Certification that public hearing(s) were held in accordance with the information provided in the public notice and the State's laws and constitution, if applicable and consistent with the public hearing requirements in 40 CFR 51.102.**

Certification of compliance with all state and federal public notice and hearing requirements is provided in the “Letter of Submittal.”

**(h) Compilation of public comments and the State's response thereto.**

Written comments received during the public notice period on this proposed SIP revision, and DEP’s response thereto, may be found in the “Public Participation” and “Pre-Hearing Submittal to EPA” sections of this submittal.

## **2.2. Technical Support**

**(a) Identification of all regulated pollutants affected by the plan.**

Florida is requesting approval of Infrastructure SIP amendments for ozone and PM<sub>2.5</sub>; however, the proposed SIP revision will have no effect on emissions of those pollutants.

**(b) Identification of the locations of affected sources including the EPA attainment/nonattainment designation of the locations and the status of the attainment plan for the affected areas(s).**

Not applicable.

**(c) Quantification of the changes in plan allowable emissions from the affected sources; estimates of changes in current actual emissions from affected sources or, where appropriate, quantification of changes in actual emissions from affected sources through calculations of the differences between certain baseline levels and allowable emissions anticipated as a result of the revision.**

No changes in emissions are expected as a result of this proposed SIP revision.

**(d) The State's demonstration that the national ambient air quality standards, prevention of significant deterioration increments, reasonable further progress demonstration, and**

visibility, as applicable, are protected if the plan is approved and implemented. For all requests to redesignate an area to attainment for a national primary ambient air quality standard, under section 107 of the Act, a revision must be submitted to provide for the maintenance of the national primary ambient air quality standards for at least 10 years as required by section 175A of the Act.

No changes in emissions are expected as a result of this proposed SIP revision, therefore air quality will continue to be protected after this SIP revision is implemented.

**(e) Modeling information required to support the proposed revision, including input data, output data, models used, justification of model selections, ambient monitoring data used, meteorological data used, justification for use of offsite data (where used), modes of models used, assumptions, and other information relevant to the determination of adequacy of the modeling analysis.**

No modeling has been performed to support this proposed SIP revision.

**(f) Evidence, where necessary, that emission limitations are based on continuous emission reduction technology.**

Not applicable

**(g) Evidence that the plan contains emission limitations, work practice standards and recordkeeping/reporting requirements, where necessary, to ensure emission levels.**

Not applicable

**(h) Compliance/enforcement strategies, including how compliance will be determined in practice.**

Not applicable

**(i) Special economic and technological justifications required by any applicable EPA policies, or an explanation of why such justifications are not necessary.**

Not applicable.

### **2.3. Exceptions**

Not applicable.

## Legal Authority

Chapter 403 of the Florida Statutes (F.S.), entitled “Environmental Control,” provides the legal framework for most of the activities of the air resource management program within the Florida Department of Environmental Protection (DEP). Except as provided at sections 403.8055 and 403.201, F.S., for fast-track rulemaking and the granting of variances under Chapter 403, F.S., respectively, Chapter 120, F.S., Florida’s “Administrative Procedure Act,” sets forth the procedures DEP must follow for rulemaking, variances, and public meetings. The most recent version of the Florida Statutes can be found online at <http://www.leg.state.fl.us/Statutes>.

The principal sections of Chapter 403, F.S., that grant DEP authority to operate its air program are listed below. Authority to develop and update Florida’s State Implementation Plan (SIP) and 111(d) Designated Facilities Plan is expressly provided by subsection 403.061(35), F.S., which provides that the department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules adopted and promulgated by it and, for this purpose, to “exercise the duties, powers, and responsibilities required of the state under the federal Clean Air Act, 42 U.S.C. ss. 7401 et seq.”

- [403.031](#) Definitions, including the definition of “regulated air pollutant” (403.031(19)).
- [403.061](#) Authority to: promulgate plans to provide for air quality control and pollution abatement (403.061(1)); adopt rules for the control of air pollution in the state (403.061(7)); take enforcement action against violators of air pollution laws, rules and permits (403.061(8)); establish and administer an air pollution control program (403.061(9)); set ambient air quality standards (403.061(11)); monitor air quality (403.061(12)); require reports from air pollutant emission sources (403.061(13)); require permits for construction, operation, and modification of air pollutant emission sources (403.061(14)); and exercise the duties, powers, and responsibilities required of the state under the federal Clean Air Act (403.061(35)).
- [403.087](#) Authority to issue, deny, modify, and revoke permits.
- [403.0872](#) Authority to establish an air operating permit program as required by Title V of the Clean Air Amendments of 1990.
- [403.0877](#) Authority to require engineering certification of permit applications.
- [403.121](#) Authority to seek judicial and administrative remedies for violations.
- [403.131](#) Authority to seek injunctive relief for violations.
- [403.141](#) Authority to find civil liability for violations.
- [403.161](#) Authority to assess civil and criminal penalties for violations.
- [403.182](#) Authority for local pollution control programs.
- [403.201](#) Authority to grant variances.
- [403.8052](#) Authority to establish a Small Business Assistance Program for small-business sources of air pollutant emissions.

[403.8055](#) Authority to adopt U.S. Environmental Protection Agency (EPA) standards by reference through a fast-track process.

[403.814](#) Authority to allow use of general permits (permits-by-rule) for minor sources.

Other statutory authorities, outside of Chapter 403, F.S., for Florida's air program are as follows:

[112.3143](#) Requirement that public officials disclose potential conflicts of interest.

[112.3144](#) Requirement for disclosure of financial interests by public officials.

[120.569](#) Authority of agency head to issue an emergency order in response to an immediate threat to public health, safety, or welfare.

[316.2935](#) Authority to prohibit the sale and operation of motor vehicles whose emission control systems have been tampered with, and to prohibit the operation of motor vehicles that emit excessive smoke.

[320.03](#) Authority to establish Air Pollution Control Trust Fund and use \$1 fee on every motor vehicle license registration sold in the state for air pollution control purposes, including support of approved local air pollution control programs.

[376.60](#) Authority to establish a fee for asbestos removal projects.

Current and historical versions of Florida Administrative Code (F.A.C.) rule sections and chapters back to January 1, 2006, may be accessed from the Florida Department of State (DOS) website <https://www.flrules.org>. The DOS website also provides access to materials adopted by reference since January 1, 2011. DEP rule chapters containing State Implementation Plan (SIP) or 111(d) State Plan provisions are as follows:

[62-204](#) Air Pollution Control – General Provisions

[62-210](#) Stationary Sources – General Requirements

[62-212](#) Stationary Sources – Preconstruction Review

[62-243](#) Tampering with Motor Vehicle Air Pollution Control Equipment

[62-252](#) Gasoline Vapor Control

[62-256](#) Open Burning

[62-296](#) Stationary Sources – Emission Standards

[62-297](#) Stationary Sources – Emissions Monitoring

Other air-related DEP rule chapters—not part of the SIP or 111(d) State Plan—include:

[62-213](#) Operation Permits for Major Sources of Air Pollution (Title V)

[62-214](#) Requirements for Sources Subject to the Federal Acid Rain Program

[62-257](#) Asbestos Program

## Materials to be Approved into the SIP

DEP requests that EPA approve only the GHG PSD requirements of the Sections 110(a)(2)(C) and 110(a)(2)(J) infrastructure elements below for the 1997 Ozone ISIP and the 2008 Ozone ISIP:

**110(a)(2)(C) – Program for enforcement of control measures and new source review:** SIPs must include a program that provides for enforcement of all SIP measures and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that the NAAQS are achieved, including a permit program as required in Parts C and D of Title 1 of the CAA.

- **Rules:** SIP-approved sections of Chapters 62-210 and 62-212, F.A.C., to the extent such rule sections provide for enforcement of emission limits and control measures for ozone precursors (NO<sub>x</sub> and VOC) and also provide for a permitting program as required under parts C and D of the CAA for pollutant-emitting activities that contribute to ozone concentrations in the ambient air.
- **Statutes:** Subsection 403.061(6), F.S., which requires the Department to “[e]xercise general supervision of the administration and enforcement of the laws, rules, and regulations pertaining to air and water pollution”; subsection 403.061(14), F.S., which authorizes the Department to “[e]stablish a permit system whereby a permit may be required for the operation, construction or expansion of any installation that may be a source of air pollution...” (with the definition of pollution provided in subsection 403.031(7), F.S.); section 403.087, F.S., which provides specific requirements for implementation of a permit system for operation of reasonably expected sources of air pollution; and section 403.121, F.S., which authorizes the Department to seek judicial and administrative remedies for violations.
- **Note:** The Department’s EPA-approved preconstruction review program applies to both major and minor sources. New major sources and major modifications that are subject to Prevention of Significant Deterioration (PSD) or Nonattainment New Source Review (NNSR) permitting must demonstrate that the source or modification will not cause or contribute to a violation of any NAAQS or PSD increment and provide an analysis of additional impacts of the source or modification, including impacts on visibility. The Department’s EPA-approved PSD program ensures that major stationary sources and major modifications apply the Best Available Control Technology (BACT) to reduce emissions of NO<sub>x</sub> and VOC in accordance with EPA PSD permitting requirements.

**110(a)(2)(J) – Consultation with government officials; public notification of NAAQS violations; and compliance with PSD and visibility requirements:** States must consult with local governments and federal land managers pursuant to the provisions of Section 121 of the CAA, provide measures for notifying the public of instances or areas exceeding the NAAQS pursuant to Section 127 of the CAA and meet the requirements of Part C of Title I of the CAA (relating to PSD and visibility protection).

- **Rules:** SIP-approved sections of Chapters 62-210 and 62-212, F.A.C., to the extent such rule sections require intergovernmental consultation, public notice and compliance with

the requirements of parts C and D of the CAA, and to the extent such rule sections provide for a permitting program as required under parts C and D of the CAA for pollutant-emitting activities that contribute to ozone concentrations in the ambient air. New major sources and major modifications that are subject to PSD permitting must demonstrate that the source or modification will not cause or contribute to a violation of any NAAQS or PSD increment and provide an analysis of additional impacts of the source or modification, including impacts on visibility. All new or modified major sources of NO<sub>x</sub> or VOC emissions will apply BACT to reduce NO<sub>x</sub> and VOC emissions in accordance with the CAA and EPA PSD permitting requirements.

- **Statutes:** Subsection 403.061(21), F.S., which authorizes the Department to “[a]dvice, consult, cooperate, and enter into agreements with other agencies of the state, the Federal Government, other states, interstate agencies, groups, political subdivisions, and industries affected by the provisions of this act, rules, or policies of the department” and subsection 403.061(20), F.S., which authorizes the Department to “[c]ollect and disseminate information ... relating to pollution.”
- **Note 1:** Notification to the public of instances or areas exceeding the NAAQS and associated health effects is provided through implementation of the Air Quality Index reporting system in all required areas.
- **Note 2:** Florida’s regional haze plan for addressing visibility-impairing pollutants is fully approved under Florida’s SIP by EPA (78 Fed. Reg. 53,250). These SIP-approved regulations maintain continuing consultation procedures with the Federal Land Managers on the implementation of the State’s visibility protection program in accordance with 40 CFR 51.308(i)(4). This provision applies to any regional haze plan (or plan revision), including progress reports.

DEP additionally requests that EPA approve only the GHG PSD requirements of Section 110(a)(2)(D)(i)(II) Prong 3 infrastructure element below for the 2008 Ozone ISIP, the 1997 Fine Particulate Matter ISIP, and the 2006 Fine Particulate Matter ISIP:

**110(a)(2)(D)(i)(II) – Prong 3 Interstate transport:** Requires SIP to include provisions prohibiting any source or other type of emissions activity within the state from interfering with any other state’s required plan under Part C of the CAA for prevention of significant deterioration (Prong 3).

- **Rules:** SIP-approved sections of Chapters 62-204, 62-210, and 62-212, F.A.C., require any new major source or major modification to undergo Prevention of Significant Deterioration (PSD) or nonattainment New Source Review (NNSR) permitting and thereby demonstrate that it will not cause or contribute to a violation of any NAAQS or PSD increment in Florida or any other state and require that the owner or operator provide an analysis of additional impacts of the source or modification, including impacts on visibility. All new or modified major sources will apply the Best Available Control Technology (BACT) to reduce emissions in accordance with the CAA and EPA PSD permitting requirements.
- **Statutes:** Section 403.061(14), F.S., authorizes the Department to “[e]stablish a permit system whereby a permit may be required for the operation, construction or expansion of any installation that may be a source of air pollution....” (with the definition of

“pollution” provided in Section 403.031(7), F.S.), and Section 403.087, F.S., provides specific requirements for implementation of a permit system for operation of reasonably expected sources of air pollution.

- Note: Florida’s SIP meets Prong 3 through the fully EPA-approved PSD and NNSR permitting programs, which major sources in Florida are currently subject to and which require full consideration of source impacts on air quality in other states.

## Response to 40 CFR 51.102 Requirements

**(a) Except as otherwise provided in paragraph (c) of this section and within the 30 day notification period as required by paragraph (d) of this section, States must provide notice, provide the opportunity to submit written comments and allow the public the opportunity to request a public hearing. The State must hold a public hearing or provide the public the opportunity to request a public hearing. The notice announcing the 30 day notification period must include the date, place, and time of the public hearing. If the State provides the public the opportunity to request a public hearing and a request is received the State must hold the scheduled hearing or schedule a public hearing (as required by paragraph (d) of this section). The State may cancel the public hearing through a method it identifies if no request for a public hearing is received during the 30 day notification period and the original notice announcing the 30 day notification period clearly states: *If no request for a public hearing is received the hearing will be cancelled; identifies the method and time for announcing that the hearing has been cancelled; and provides a contact phone number for the public to call to find out if the hearing has been cancelled.***

The opportunity to submit written comments, request a public hearing, or participate in a public hearing, if requested, on the proposed SIP revision was advertised in the Florida Administrative Register (FAR) at least 30 days prior to the scheduled date of the hearing. Information regarding the date, place, and time of the public hearing was included in the notice along with information on how to request the hearing or ascertain whether the hearing would be cancelled. A copy of the notice is included in this section. No hearing was requested, and therefore, no hearing was held.

**(b) Separate hearings may be held for plans to implement primary and secondary standards.**

Not applicable.

**(c) No hearing will be required for any change to an increment of progress in an approved individual compliance schedule unless such change is likely to cause the source to be unable to comply with the final compliance date in the schedule. The requirements of §§51.104 and 51.105 will be applicable to such schedules, however.**

Not applicable.

**(d) Any hearing required by paragraph (a) of this section will be held only after reasonable notice, which will be considered to include, at least 30 days prior to the date of such hearing(s):**

**(1) Notice given to the public by prominent advertisement in the area affected announcing the date(s), time(s), and place(s) of such hearing(s);**

The opportunity to submit comments, request a public hearing, or participate in a public hearing, if requested, on the proposed SIP revision was advertised in the FAR at least 30 days prior to the scheduled date of the hearing (see response (a)).

**(2) Availability of each proposed plan or revision for public inspection in at least one location in each region to which it will apply, and the availability of each compliance**

**schedule for public inspection in at least one location in the region in which the affected source is located;**

The materials addressed in the proposed SIP were made available for public inspection in the offices of the Division of Air Resource Management (DARM) and on the DARM website. The materials were also made accessible to the public through each of the DEP's district offices and in the offices of each DEP-approved local air pollution control program. The memoranda requesting that such information be made available by the district and local offices is included in this submittal.

**(3) Notification to the Administrator (through the appropriate Regional Office);**

The Region 4 office of the EPA was notified at least 30 days in advance of the scheduled public hearing date and provided with copies of the materials addressed in the proposed SIP revision. The pre-hearing submittal letter is included in this section.

**(4) Notification to each local air pollution control agency which will be significantly impacted by such plan, schedule or revision;**

Notification to affected local programs occurred with transmittal of the memoranda requesting that the material proposed to be approved into the SIP be made available for public inspection (see response (d)(2)) is included in this submittal.

**(5) In the case of an interstate region, notification to any other States included, in whole or in part, in the regions which are significantly impacted by such plan or schedule or revision.**

Pursuant to 40 CFR 51.102(d)(5), the states of Alabama, Georgia, and Mississippi were not notified of the proposed SIP revision as this SIP will not significantly impact these states.

**(e) The State must prepare and retain, for inspection by the Administrator upon request, a record of each hearing. The record must contain, as a minimum, a list of witnesses together with the text of each presentation.**

Not applicable.

**(f) The State must submit with the plan, revision, or schedule, a certification that the requirements in paragraph (a) and (d) of this section were met. Such certification will include the date and place of any public hearing(s) held or that no public hearing was requested during the 30 day notification period.**

Certification is provided in the letter of submittal for this SIP submittal that the opportunity to submit comments, request a public hearing, or participate in a public hearing on the proposed SIP revision was noticed in accordance with the requirements of 40 CFR 51.102.

**(g) Not applicable.**

## Public Participation

### Notice of Opportunity to Submit Comments and Participate in Public Hearing

*Florida Administrative Register*

*Volume 46, Number 141, July 21, 2020*

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. For more information, you may contact: Lauren.Vossler@watermatters.org; 1-800-423-1476 (FL only) or (352)796-7211, x4400 (Ad OrderEXE0744).

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
The Department of Environmental Protection, Division of Air Resource Management, announces a hearing, if requested, to which all persons are invited.

DATE AND TIME: August 27, 2020, 2:00 p.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 195, Tallahassee, Florida.

The Department will hold the hearing, if requested, at the date, time and place above and will also offer accessibly through a teleconference option. The teleconference option is being provided to allow maximum public participation if the hearing is requested. Parties can access the teleconference by telephone (regular long-distance telephone charges will apply). Parties may access the teleconference at the following number:

August 27, 2020; 1 (888) 585-9008, ID number: 416-112-909#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces a public hearing and opportunity to offer comments on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act. This proposed SIP revision consists of a request for EPA to approve various infrastructure SIP elements that EPA previously disapproved. Specifically, DEP is requesting that EPA approve outstanding infrastructure elements from the 2008 Ozone Infrastructure SIP, the 1997 Ozone Infrastructure SIP, the 2006 Fine Particulate Matter Infrastructure SIP, and the 1997 Fine Particulate Matter Infrastructure SIP.

A public hearing will be held, if requested, at the date and time, given above. The public hearing, if requested, will also be accessible via a teleconferencing service. It is not necessary that the hearing be held or attended for persons to comment on **DEP's proposed revisions to Florida's pending SIP submission.**

Any comments or requests for a public hearing must be submitted by email to [Hastings.Read@FloridaDEP.gov](mailto:Hastings.Read@FloridaDEP.gov), and received no later than August 20, 2020. If no request for a public hearing is received, the hearing (and teleconference) will be cancelled, and notice of the cancellation will be posted at the following website:

[https://floridadep.gov/events/month?field\\_county\\_tid=All&field\\_is\\_a\\_public\\_notice\\_value=Yes](https://floridadep.gov/events/month?field_county_tid=All&field_is_a_public_notice_value=Yes).

Persons may also contact Mr. Read at (850) 717-9017 to find out if the hearing has been cancelled. The materials comprising **DEP's revision to the pending SIP submission are accessible at the website above by clicking on the August 27, 2020 hearing**

link or at the following website: <http://www.dep.state.fl.us/air/rules/regulatory.htm>. A copy of the agenda may be obtained by contacting: Mr. Read by email at the above email address or by calling (850) 717-9017.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Terri Long at (850) 717-9023 or [Terri.Long@FloridaDEP.gov](mailto:Terri.Long@FloridaDEP.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1 (800) 955-8771 (TDD) or 1 (800) 955-8770 (Voice). For more information, you may contact Ms. Long by email or by calling (850) 717-9023.

DEPARTMENT OF HEALTH

Office of Statewide Research

The Department of Health announces a workshop to which all persons are invited.

DATE AND TIME: August 5, 2020, 9:00 a.m.

PLACE: Conference call. tel. 1(888)585-9008, room 852 642 835

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies **comply with regulations and the Department's ethical standards.**

A copy of the agenda may be obtained by contacting: The Florida Dept. of Health IRB at [IRB@flhealth.gov](mailto:IRB@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Florida Dept. of Health IRB at [IRB@flhealth.gov](mailto:IRB@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Florida Dept. of Health IRB at [IRB@flhealth.gov](mailto:IRB@flhealth.gov).

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families, Division of Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: July 28, 2020 10:00 a.m.

PLACE: See schedule posted on the VBS for meeting dates/time.

GENERAL SUBJECT MATTER TO BE CONSIDERED: RFP07HGN1 - Behavioral health Statewide Messaging Campaign - schedule of public meetings is available at the

2825

## Requests that Locals/Districts Assist Public in Viewing Materials

**Long, Terri**

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**From:** Long, Terri  
**Sent:** Tuesday, July 21, 2020 11:24 AM  
**To:** Iglehart, Jon; Andreotta, Jason; Yeargan, Mary; Watkins, Aaron; Strong, Greg; Orr, Elizabeth; 'Fernandez, Lorenzo'; 'Tallam, Laxmana'; Schneider, Sheila; woodard@epchc.org; Palomino, Susana (RER); Wanda.Parker@ocfl.net; long melissa; 'John Hickey'  
**Cc:** Read, Hastings  
**Subject:** Florida DEP - Notice of Proposed SIP Revision - Districts - Locals  
**Attachments:** SIP 2020-02 FAR 7-21-20.pdf

Good afternoon,

Notice is hereby given that, pursuant to 40 CFR 51.102 the Florida Department of Environmental Protection is accepting comments and will hold a public hearing, if requested, on a proposed revision to Florida's State Implementation Plan (SIP). This proposed SIP revision consists of a request for EPA to approve various infrastructure SIP elements that EPA previously disapproved. Specifically, DEP is requesting that EPA approve outstanding infrastructure elements from the 2008 Ozone Infrastructure SIP, the 1997 Ozone Infrastructure SIP; the 2006 Fine Particulate Matter Infrastructure SIP; and the 1997 Fine Particulate Matter Infrastructure SIP.

Attached please find the notice of opportunity to offer comments and request a public hearing. This notice was published on Wednesday, July 21, 2020, in the Florida Administrative Register. The comment period for this proposed SIP revision will close on August 20, 2020, and the public hearing, if requested, will be held on Thursday, August 27, 2020.

The materials comprising the proposed SIP revision will be posted at <https://floridadep.gov/air/air-business-planning/content/air-regulatory-projects>. Please assist any member of the public who may contact you to view these materials. In the event that members of the public have substantive questions related to the proposed revision, please direct them to [Hastings.Read@FloridaDEP.gov](mailto:Hastings.Read@FloridaDEP.gov), (850) 717-9017.

Thank you,

Terri Long  
Office of Business Planning  
Division of Air Resource Management  
Florida Department of Environmental Protection  
(850) 717-9023  
[Terri.long@FloridaDEP.gov](mailto:Terri.long@FloridaDEP.gov)

**Public Comments on Pre-Hearing SIP Notice**

DEP did not receive any public comments on the Pre-Hearing SIP Submittal.

## **DEP Response to Public Comments**

DEP did not receive any public comments on the Pre-Hearing SIP Submittal.

**Pre-Hearing Submittal to EPA**  
**Pre-Hearing Submittal Letter**



**FLORIDA DEPARTMENT OF  
Environmental Protection**

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

**Via E-Mail and State Planning Electronic Collaboration System**

July 21, 2020

Ms. Mary Walker  
Regional Administrator  
U. S. Environmental Protection Agency (EPA) – Region 4  
61 Forsyth Street, SW – Mail Code: 9T25  
Atlanta, GA 30303-8909

Re: Air Program Pre-Hearing Submittal: Proposed Revision to State Implementation Plan – Request to Approve Various Infrastructure SIP Elements

Dear Ms. Walker,

Notice is hereby given that, pursuant to 40 C.F.R. 51.102, the Florida Department of Environmental Protection (Department) is accepting comments and will hold a public hearing, if requested, on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act. The notice of opportunity to submit comments and request a public hearing was published on July 21, 2020, in the Florida Administrative Register. The public hearing, if requested, will be held on August 27, 2020.

This SIP submittal proposes to revise Florida's SIP by requesting approval of various infrastructure SIP elements that had previously been disapproved by EPA. Specifically, the Department is requesting that EPA approve the following elements from the 1997 and 2008 Ozone NAAQS and the 1997 and 2006 Fine Particulate Matter NAAQS:

1. Sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) Prong 3, and 110(a)(2)(J) infrastructure elements for Florida's 2008 Ozone Infrastructure SIP;
2. Sections 110(a)(2)(C) and 110(a)(2)(J) infrastructure elements for Florida's 1997 Ozone Infrastructure SIP;
3. Section 110(a)(2)(D)(i)(II) Prong 3 infrastructure elements for Florida's 2006 Fine Particulate Matter Infrastructure SIP; and
4. Section 110(a)(2)(D)(i)(II) Prong 3 infrastructure elements for Florida's 1997 Fine Particulate Matter Infrastructure SIP.

Ms. Mary Walker  
Page 2 of 2  
July 21, 2020

The Department has sent the complete pre-hearing SIP submittal package directly to the Air Planning & Implementation Branch via EPA's State Planning Electronic Collaboration System (SPeCS). The public notice and pre-hearing SIP submittal are enclosed. The Department respectfully requests that EPA provide any comments on this submittal by August 20, 2020. If you have any questions, please contact Hastings Read at (850) 717-9017 or by e-mail at [Hastings.Read@FloridaDEP.gov](mailto:Hastings.Read@FloridaDEP.gov).

Sincerely,



Jeffery F. Koerner, Director  
Division of Air Resource Management  
Florida Department of Environmental Protection

JFK/tl

cc (with SIP package):

Gregg Worley, Acting Division Director, Air & Radiation Division, EPA Region 4;  
R. Scott Davis, Chief, Air Planning & Implementation Branch, EPA Region 4  
Lynorae Benjamin, Acting Branch Chief, Air Planning & Implementation Branch.

Enclosures:

1. Notice published July 21, 2020 in the Florida Administrative Register;
2. Pre-Hearing State Implementation Plan Submittal: Request to Approve Various Infrastructure SIP Elements

## EPA Comments on Pre-Hearing Submittal



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET, SW  
ATLANTA, GEORGIA 30303-3104

August 20, 2020

Mr. Jeff Koerner  
Director  
Division of Air Resource Management  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Dear Mr. Koerner:

Thank you for your letter dated July 21, 2020, transmitting Florida's State Implementation Plan (SIP) pre-hearing package requesting U.S. Environmental Protection Agency approval of various infrastructure SIP elements, to reflect the full approval of Florida's greenhouse gas, new source review permitting regulations, in 40 CFR Part 52, Subpart K. We have completed our review of the pre-hearing package and offer a comment in the enclosure.

We appreciate the opportunity to review Florida's pre-hearing submittal. If you have any questions, please contact Ms. Jane Spann, Acting Section Chief, Air Regulatory Management Section at (404) 562-9029, or have your staff contact Ms. Tiereny Bell at (404) 562-9088.

Sincerely,

**LYNORAE  
BENJAMIN**

Lynorae Benjamin  
Acting Chief  
Air Planning & Implementation Branch

 Digitally signed by LYNORAE  
BENJAMIN  
Date: 2020.08.20 15:21:01 -04'00'

Enclosure

**The U.S. Environmental Protection Agency Comments regarding Florida's Prehearing SIP  
Package Requesting to Approve Various Infrastructure SIP Elements in 40 CFR Part 52, Subpart  
K**

**General Comment**

In some parts of the pre-hearing submittal Florida states that the purpose of the pre-hearing submittal is to address prior disapprovals related to greenhouse gas (GHG). This relates to the prevention of significant deterioration (PSD) components of 110(a)(2)(C), D(i)(II), and (J), but on numbered pages 7-8, the pre-hearing submittal also discusses enforcement of emission limits for 110(a)(2)(C), and the consultation, public notice and regional haze components of 110(a)(2)(J). Please clarify whether this pre-hearing submission is intended to address the non-PSD/GHG requirements of 110(a)(2)(C) & (J) as well.

## **DEP Response to EPA Comments**

DEP has made clarifications in the **Materials to be Approved into the SIP** section above to note that this SIP submittal is only requesting approval of the GHG PSD requirements of 110(a)(2)(C), 110(a)(2)(D)(i)(II) & 110(a)(2)(J) that were previously disapproved.