

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
PROPOSED SECTION 111(d) STATE PLAN SUBMITTAL**



**MUNICIPAL SOLID WASTE LANDFILLS**

**December 22, 2020**

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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
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FOR MUNICIPAL SOLID WASTE LANDFILLS**

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## Executive Summary

### **Florida's Proposed Section 111(d) State Plan Implementing EPA's Emission Guidelines for Municipal Solid Waste Landfills**

On August 29, 2016, the U.S. Environmental Protection Agency (EPA) amended the Code of Federal Regulations (C.F.R.), Title 40, Part 60, promulgating Subpart Cf (Emission Guidelines for Existing Sources: Municipal Solid Waste [MSW] Landfills). Developed under Section 111 of the Clean Air Act, these Emission Guidelines apply to existing MSW Landfills that commenced construction or modification on or before July 17, 2014.

On March 26, 2020, EPA made revisions to the Emission Guidelines for MSW Landfills to clarify that after the effective date of an EPA-approved State Plan implementing subpart Cf, owners and operators of MSW landfills must comply with the approved and effective state, tribal, or federal plan implementing subpart Cf instead of older landfill regulations (40 CFR Part 60, Subpart WWW or State Plans implementing 40 CFR Part 60, Subpart Cc).

Under Section 111(d) of the Clean Air Act, any state with one or more affected MSW units must develop and submit to the EPA a "State Plan" to implement the Emission Guidelines. 40 C.F.R. Part 60, Subparts B and Cf specify the content and the conditions for developing and adopting a Section 111(d) State Plan.

The Department of Environmental Protection (DEP) has prepared Florida's Section 111(d) State Plan pursuant to Section 111 of the Clean Air Act and in compliance with all of the standards and conditions of 40 C.F.R. Part 60, Subparts B and Cf. The plan, as set forth in this submittal document, consists of an inventory of MSW Landfills and emissions, compliance schedules, and amendments to Chapter 62-204, Florida Administrative Code (F.A.C.) (including emission limitations and testing, monitoring, recordkeeping, and reporting requirements).

Pursuant to 40 CFR 60.23(g), EPA has approved the Department's request for alternative public participation requirements for the submittal of State Plans. These approved alternative public participation requirements allowed the Department to cancel the December 1, 2020 public hearing if no hearing was requested by November 20, 2020. No hearing was requested by November 20, 2020; therefore, no hearing was held.

In support of the Department's requested approval of this plan, this submittal document also includes a demonstration of legal authority, identification of enforceable mechanisms, and a copy of the notice of opportunity to submit comments and request a public hearing on Florida's revision to its proposed Section 111(d) State Plan.

## Response to 40 C.F.R. Part 60, Subpart B, Criteria

### § 60.23 Adoption and Submittal of State Plans; Public Hearings

**(d) Any hearing required by paragraph (c) of this section shall be held only after reasonable notice. Notice shall be given at least 30 days prior to the date of such hearing and shall include:**

**(1) Notification to the public by prominently advertising the date, time, and place of such hearing in each region affected.**

- On October 21, 2020, DEP published, in the Florida Administrative Register (F.A.R.), a notice of opportunity to submit comments and request a public hearing pursuant to 40 C.F.R. 60.23 on Florida's Section 111(d) MSW Landfill State Plan submittal, with the public hearing to be held on December 1, 2020, if requested. No hearing was requested; therefore, no hearing was held. The "Public Participation" section of this submittal document contains a copy of the notice as it appeared in the F.A.R.

**(2) Availability, at the time of public announcement, of each proposed plan or revision thereof for public inspection in at least one location in each region to which it will apply.**

- A copy of the October 21, 2020, F.A.R. public notice and Florida's proposed State Plan were posted on DEP's website and made available for public inspection at least 30 days prior to the scheduled hearing date. Notification of the availability of this information was also transmitted to each of DEP's district offices and the offices of each DEP-approved local air pollution control program at least 30 days in advance of the scheduled hearing date. The "Public Participation" section of this submittal contains records of these notifications.

**(3) Notification to the Administrator.**

- EPA's Region 4 office was notified at least 30 days in advance of the scheduled hearing date and was provided with copies of the material to be considered. The "Public Participation" section of this submittal contains the pre-hearing submittal letter.

**(4) Notification to each local air pollution control agency in each region to which the plan or revision will apply.**

- Notification to affected local programs occurred together with the notification of availability of information for public inspection. (See response to (d)(2) above.)

**(5) In the case of an interstate region, notification to any other State included in the region.**

- On October 21, 2020, DEP notified the states of Georgia, Alabama, and Mississippi of Florida's proposed State Plan and of the opportunity to submit comments and request a

public hearing at least 30 days in advance of the scheduled hearing date. The “Public Participation” section of this submittal contains records of these notifications.

#### **§ 60.24 Emission Standards and Compliance Schedules**

**(a) Each plan shall include emission standards and compliance schedules.**

- DEP has adopted by reference all of the emission standards and test methods of 40 C.F.R. Part 60, Subpart Cf, into Rule 62-204.800(9)(h), F.A.C. DEP’s adoption of 40 C.F.R. Part 60, Subpart Cf became effective on January 13, 2017. DEP’s adoption of EPA’s March 23, 2020 revisions to 40 C.F.R. Part 60, Subpart Cf became effective on June 15, 2020. Certified copies of the full text of the amended rules is included in the “Materials to be Incorporated into State Plan” section of this submittal.
- All of the standards and conditions of 40 C.F.R. Part 60, Subpart Cf, have been adopted by reference into the Florida Administrative Code. As such, the emission limitations and test methods adopted by the State of Florida are at least as protective as the emission guidelines of 40 C.F.R. Part 60, Subpart Cf.

#### **§ 60.25 Emission Inventories, Source Surveillance, Reports**

**(a) Each plan shall include an inventory of all designated facilities, including emission data for the designated pollutants and information related to emissions as specified in appendix D to this part. Such data shall be summarized in the plan, and emission rates of designated pollutants from designated facilities shall be correlated with applicable emission standards. As used in this subpart, “correlated” means presented in such a manner as to show the relationship between measured or estimated amounts of emissions and the amounts of such emissions allowable under applicable emission standards.**

- As required by 40 C.F.R. 60.25(a), this Florida State Plan includes an inventory of affected landfills and emissions for comparison with federal standards. In the Source and Emission Inventory section of this plan, DEP has provided an inventory of affected MSW landfills and emissions data.
- The monitoring and correlation of compliance data will be conducted according to the conditions of 40 C.F.R. 60.25(b) and (c). DEP will commence annual progress reporting to EPA pursuant to 40 C.F.R. 60.25(e), with the first full year after EPA’s approval of Florida’s State Plan. The manner and form of reporting will be in accordance with 40 C.F.R. 60.25(f), and will be coordinated with EPA Region 4. Additional information about DEP’s annual reporting requirements for MSW Landfills can be found in the Provisions for Annual State Progress Reports below.

## § 60.26 Legal Authority

**(a) Each plan shall show that the State has legal authority to carry out the plan, including authority to:**

- (1) Adopt emission standards and compliance schedules applicable to designated facilities.**
- (2) Enforce applicable laws, regulations, standards, and compliance schedules, and seek injunctive relief.**
- (3) Obtain information necessary to determine whether designated facilities are in compliance with applicable laws, regulations, standards, and compliance schedules, including authority to require recordkeeping and to make inspections and conduct tests of designated facilities.**
- (4) Require owners or operators of designated facilities to install, maintain, and use emission monitoring devices and to make periodic reports to the State on the nature and amounts of emissions from such facilities; also authority for the State to make such data available to the public as reported and as correlated with applicable emission standards.**

- DEP has the authority to carry out the conditions set forth in this plan as required by 40 C.F.R. 60.26(a). The laws that provide DEP this authority are located in the Florida Statutes (F.S.) at Sections 403.031 (definitions), 403.061 (Department's powers and duties), and 403.0872 (Title V air operating permits). Subsections 403.061(6), (7), (8), and (13), F.S., give DEP the authority to obtain information, to require recordkeeping, and use of monitors, and to conduct inspections, etc. Subsection 403.061(35), F.S., provides DEP the authority to exercise the duties, powers, and responsibilities required of the state under the federal Clean Air Act. The sections of Florida Statutes that give authority for compliance and enforcement are 403.121 (judicial and administrative remedies), 403.131 (injunctive relief), 403.141 (civil remedies), and 403.161 (civil and criminal penalties). Finally, Section 119.07, F.S., provides the authority for making the information available to the public.
- An enforceable mechanism is a legal instrument by which DEP can enforce a set of standards and conditions. DEP has adopted 40 C.F.R. Part 60, Subpart Cf, into Chapter 62-204, F.A.C., thereby making it an enforceable rule. DEP's mechanism for enforcing the standards and conditions of 40 C.F.R. Part 60, Subpart Cf, is Rule 62-204.800(9)(h), F.A.C.
- DEP's statutory legal authorities under Chapter 403, F.S, are described in further detail on the following pages. Copies of the relevant statutes (Sections 403.061 and 403.8055, F.S.) can be found in **Appendix A**.
- Pursuant to 40 C.F.R. § 60.30f(c)(1), this State Plan does not give DEP authority to approve an alternative method to determine the NMOC concentration or a site-specific methane generation rate constant (k) as specified in 40 C.F.R. § 60.35f(a)(5).

## Legal Authority

Chapter 403, F.S., entitled “Environmental Control,” provides the legal framework for most of the activities of the air resource management program within DEP. Except as provided under 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(36)).
- 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.
- 403.716 Authority to require training of medical waste incinerator operators.
- 403.8052 Authority to establish a Small Business Assistance Program for small-business sources of air pollutant emissions.
- 403.8055 Authority to adopt 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 resource management program are as follows:



- 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 an 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.

Rules adopted by DEP under its statutory authority are codified in the Florida Administrative Code. The most recent versions of F.A.C. rules can be found online at <https://www.flrules.org>. Rule chapters containing 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 Florida’s 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 Proposed to be Incorporated into State Plan

### Regulatory Language in Paragraph 62-204.800(9)(h), F.A.C.

(h) Municipal Solid Waste Landfills. 40 C.F.R. Part 60, Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills that commenced construction, reconstruction, or modification on or before July 17, 2014, promulgated as of August 29, 2016, at 81 FR 59276 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07805>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>), is hereby adopted and incorporated by reference subject to the following provisions:

1. Designated Facilities. The applicable requirements of paragraph 62-204.800(9)(h), F.A.C., shall apply to all designated facilities as set forth in 40 C.F.R. §60.31f.

2. Compliance Times. The requirements for planning, awarding of contracts, installing, and starting up of Municipal Solid Waste Landfill air emission collection and control equipment applicable to each designated facility subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.32f.

3. Emission Guidelines for Municipal Solid Waste Landfill Emissions. The emission limitations and operating limits applicable to each Municipal Solid Waste Landfill subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.33f(a)(1) through (4), §60.33f(b)(1) through (3), §60.33f(c)(1) through (4), §60.33f(d)(1) and (2), and §60.33f(e)(1) through (3), and §60.33f(f).

4. Operational Standards for Collection and Control Systems. The operational standards for landfill gas collection and control systems used to comply with 40 C.F.R. §60.33f(b) and (c) at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.34f(a) through (g).

5. Test Methods and Procedures. The test methods and procedures for determining the non-methane organic compounds (NMOC) emission rate or conducting surface emission monitoring demonstration at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.35f(a) through (e).

6. Compliance Provisions. Owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., must demonstrate compliance with the standards of 40 C.F.R. §60.33f as set forth in 40 C.F.R. §60.36f(a) through (e).

7. Monitoring of Operations. The monitoring requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.37f(a) through (h)

8. Reporting Guidelines. The reporting requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.38f(a) through (m).

9. Recordkeeping Guidelines. The recordkeeping requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.39f(a) through (j).

10. Specification for Active Collection Systems. The specifications for active collection systems at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.40f(a) through (c).

11. Definitions. The definitions applicable to designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.41f. For purposes of paragraph 62-204.800(9)(h), F.A.C., the definition of the term administrator means the department. The terms used but not defined in 40 C.F.R. Part 60, Subpart Cf, have the meaning given to them in the Clean Air Act and in 40 C.F.R. Part 60, Subparts A, B, and XXX.

12. 40 C.F.R. Part 60, Subparts WWW and Cc. Until a designated facility comes into compliance with the Operational Standards for Collection and Control Systems in 40 C.F.R. Part 60, Subpart Cf, adopted and incorporated by reference in subparagraph 62-204.800(9)(h)(4), F.A.C., the designated facility remains subject to either the Operational Standards for Collection and Control Systems requirements of paragraph 62-204.800(9)(c), F.A.C. (adopting 40 C.F.R. Part 60, Subpart Cc by reference), or 40 C.F.R. Part 60, Subpart WWW, as adopted and incorporated by reference in rule 62-204.800, F.A.C.

### **Provisions for Annual State Progress Reports**

Pursuant to 40 CFR 60.25(f), DEP will submit to EPA, on an annual basis, a report which details the progress in the enforcement of the state plan. The first report will be submitted within one year of approval of the state plan and will include the following elements:

1. Enforcement actions initiated against designated facilities during the reporting period.
2. Identification of the achievement of any increment of progress required by the plan during the reporting period.
3. Identification of designated facilities that have ceased operation during the reporting period.
4. Submission of emission inventory data for designated facilities that were not in operation at the time of plan development but began operation during the reporting period.
5. Submission of additional data as necessary to update the information submitted in this plan or in the previous progress reports.
6. Submission of copies of technical reports on all performance testing conducted on designated facilities, complete with concurrently recorded process data.

## **Review Process for Gas Collection and Control System Design Plans**

Pursuant to 40 CFR § 60.38f(d), Florida's State Plan must specify a process for reviewing gas collection and control system (GCCS) Design Plans. Facilities subject to gas collection and control systems (GCCS) are required to complete a site-specific GCCS Design Plan within one year of submission of an initial or subsequent NMOC emission rate report indicating an exceedance of the appropriate emission thresholds defined in 40 CFR § 60.33f.

DEP will implement the following process for the review and approval of GCCS Design Plans:

1. On or before the deadline established in Rule 62-204.800(9)(h), F.A.C., and 40 CFR Part 60, Subpart Cf., each owner or operator of a MSW landfill that estimates NMOC emissions, in the initial or annual NMOC emissions rate report, equal to or exceeding the thresholds defined in 40 CFR § 60.33f shall submit the site-specific Design Plan in its entirety to the Department for approval within one year in accordance with the requirements of Rule 62-204.800(9)(h), F.A.C., and 40 CFR Part 60, Subpart Cf. The Design Plan shall contain a professional engineer's seal and a certification by a responsible official at the designated MSW landfill as to truth, accuracy, and completeness of the plan. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
2. Upon receipt of a complete Design Plan, the DEP will approve it, reject it, or request additional information within 90 days. The DEP will provide notice, in writing, of the approval or disapproval of the Design Plan. If the owner or operator does not receive approval, rejection, or a request for additional information within 90 days, the owner or operator may continue with implementation of the Design Plan.

## Florida Municipal Solid Waste Landfills Subject to 40 C.F.R. Part 60, Subpart Cf

40 CFR § 60.25(a) requires that each plan include an inventory of all designated facilities including emissions data for the designated pollutants. Florida currently has 57 MSW landfills, 42 of which are subject to 40 CFR Part 60, Subpart Cf and 15 of which are subject to 40 CFR Part 60, Subpart XXX, as shown in **Tables 1-5**. Each table shows the following categories of MSW landfills:

- **Table 1:** MSW Landfills subject to 40 CFR Part 60, Subparts WWW or Cc with a Regulatory GCCS and Design capacity Greater than 2.5 Million Megagrams (14 landfills)
- **Table 2:** MSW Landfills subject to 40 CFR Part 60, Subparts WWW or Cc without any GCCS or without a Regulatory GCCS and Design capacity Greater than 2.5 Million Megagrams (9 landfills)
- **Table 3:** MSW Landfills in the Closed Landfill Subcategory (Qualifying for Reporting Exemptions under 40 CFR § 60.31f(e)) (17 landfills)
- **Table 4:** Open MSW Landfills with Design Capacity Less than 2.5 Million megagrams (2 landfills)
- **Table 5:** MSW Landfills subject to 40 CFR Part 60, subpart XXX, and therefore not subject to 40 CFR Part 60, Subpart Cf (15 landfills)

Where adequate data was available, DEP estimated 2020 NMOC emissions from MSW landfills (**Table 2** below). NMOC emissions were calculated following Tier 1, 2, or 3 procedures using the Landfill Gas Emissions Model (LandGEM), version 3.02. Unless facility records reported current Tier 2 or Tier 3 results, the following default parameters, as specified by the NSPS and Emission Guidelines for determining CAA applicability, were used for facility emission estimation:

- Methane generation rate,  $k = 0.02$  /yr
- Potential methane generation capacity,  $Lo = 170$  m<sup>3</sup>/Mg
- NMOC concentration = 4,000 ppmv as hexane
- Methane Content = 50% by volume

NMOC emission estimations derived from the parameters presented above result in conservatively high emissions estimates as compared to actual facility emission rates. However, the above listed parameters represent those established by EPA for facility screening procedures and are therefore utilized for the emissions estimated in this plan, except where facility reported Tier 2 or Tier 3 values exist. Where current Tier 2 or Tier 3 results were available for a facility, the above listed parameters were replaced with site-specific data.

**Table 1.** MSW Landfills subject to 40 CFR Part 60, subparts WWW or Cc with a Regulatory GCCS and Design capacity Greater than 2.5 Million Megagrams

14 Landfills

<b>Florida AIRS ID</b>	<b>Facility/Operator</b>	<b>County</b>	<b>Design Capacity</b>	<b>Year of Last Construction/Modification</b>	<b>NMOC Mg/Year</b>	<b>WWW or Cc Applicability</b>
0210051	Collier County Landfill/Waste Management Inc. of Florida	Collier	>2.5 Mg	2003	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0230048	Winfield Landfill/ Columbia County	Columbia	>2.5 Mg	2013	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0250603	North Dade Landfill/ Miami-Dade Solid Waste Management	Miami-Dade	>2.5 Mg	1994	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0250615	Medley Landfill/ Waste Management Inc. of Florida	Miami-Dade	>2.5 Mg	1993	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0250623	South Dade Landfill/ Miami-Dade Solid Waste Management	Miami-Dade	>2.5 Mg	1999	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0570854	Hillsborough County SE LF/ Hillsborough County Solid Waste Management	Hillsborough	>2.5 Mg	1994	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0610015	Indian River County Landfill/Indian River County	Indian River	>2.5 Mg	2010	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0810055	Manatee County Lena Road Landfill/ Manatee County Utility Operations Department	Manatee	>2.5 Mg	2004	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0830124	Baseline Landfill/ Marion County	Marion	>2.5 Mg	2007	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0850120	Palm City II Sanitary Landfill/Martin County Utilities and Solid Waste Department	Martin	>2.5 Mg	1985	>50 Mg/Year but controlled	Subpart Cc with a regulatory GCCS

<b>Florida AIRS ID</b>	<b>Facility/Operator</b>	<b>County</b>	<b>Design Capacity</b>	<b>Year of Last Construction/Modification</b>	<b>NMOC Mg/Year</b>	<b>WWW or Cc Applicability</b>
0890428	West Nassau Class I Landfill/Nassau County	Nassau	>2.5 Mg	1993	> 50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
0990234	Palm Beach Renewable Energy Park/Solid Waste Authority of Palm Beach County	Palm Beach	>2.5 Mg	1994	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
1110081	St. Lucie County Baling and Recycling Facility/St. Lucie County Solid Waste Department	St. Lucie	>2.5 Mg	1991	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS
1170084	Osceola Road Landfill/Seminole County	Seminole	>2.5 Mg	1991	>50 Mg/Year but controlled	Subpart WWW with a regulatory GCCS

**Table 2.** MSW Landfills subject to 40 CFR Part 60, subparts WWW or Cc without any GCCS or without a Regulatory GCCS and Design capacity Greater than 2.5 Million Megagrams

9 Landfills

<b>Florida AIRS ID</b>	<b>Facility/Operator</b>	<b>County</b>	<b>Design Capacity</b>	<b>Year of Last Construction/Modification</b>	<b>NMOC Mg/Year</b>	<b>WWW or Cc Applicability</b>
0112370	Southwest Regional Landfill/Broward County Solid Waste and Recycling Services	Broward	>2.5 Mg	1988	15.3	Subpart Cc with a nonregulatory GCCS
0150075	Zemel Road Solid Waste Management Facility/Charlotte County Department of Public Works	Charlotte	>2.5 Mg	1991	23.5	Subpart WWW with a nonregulatory GCCS
0170366	Citrus County Central Landfill/Citrus County	Citrus	> 2.5 Mg	2005	10.4	Subpart WWW with a nonregulatory GCCS
0510030	Lee/Hendry County Regional Solid Waste Landfill/Lee County	Hendry	>2.5 Mg	1991 & closed in 2010	25.7	Subpart WWW with a nonregulatory GCCS
0530379	Hernando County NW and Recycling Facility/Hernando County	Hernando	>2.5 Mg	2010	22.64	Subpart WWW with a nonregulatory GCCS
1010056	Pasco County Resource Recovery Facility/Pasco County	Pasco	>2.5 Mg	1987	0.94	Subpart Cc with no GCCS
1030117	Pinellas County Resource Recovery Facility/Pinellas County Utilities Administration	Pinellas	>2.5 Mg	Pre-1991	11.7	Subpart Cc with no GCCS
1190053	A.C.M.S. Class I Landfill/A.C.M.S. Inc.	Sumter	>2.5 Mg	2012	14.3	Subpart WWW with no GCCS installed
1150089	Central County Solid Waste Disposal Facility/Sarasota County	Sarasota	>2.5 Mg	1998	22.6	Subpart WWW with a nonregulatory GCCS



**Table 3. MSW Landfills in the Closed Landfill Subcategory  
(Qualify for reporting Exemptions under 60.31f(e))**

17 Landfills

<b>Facility</b>	<b>County</b>
Majette North Landfill	Bay
Croom Landfill	Hernando
Wright Landfill	Okaloosa
Huntington Landfill	Putnam
DeSoto City landfill	Highlands
Madison City/County Landfill	Madison
Stock Island Landfill	Monroe
Saint Cloud City Landfill	Osceola
Lantana Landfill	Palm Beach
Dyer Boulevard Landfill	Palm Beach
Jacksonville North Sanitary Landfill	Duval
Southport Road Sanitary Landfill	Osceola
Bee Ridge Landfill	Sarasota
East Duval Landfill	Duval
Leon County Landfill	Leon
Taylor County Central Landfill	Taylor
Gulf Coast Sanitary Landfill	Lee

**Table 4.** Open MSW Landfills with Design Capacity Less than 2.5 Million megagrams

2 Landfills

<b>Facility</b>	<b>County</b>
Aucilla Landfill	Madison
Highlands County Solid Waste Management Center	Highlands

**Table 5.** MSW Landfills subject to 40 CFR Part 60, subpart XXX, and therefore not subject to 40 CFR subpart Cf

(15 landfills)

<b>Florida AIRS ID</b>	<b>Facility</b>	<b>County</b>	<b>Trigger Date</b>
0090069	Brevard County Central Disposal Facility	Brevard	8/29/2016
0970079	OMNI Waste of Osceola County	Osceola	8/29/2016
1270117	Tomoka Farms Road Landfill	Volusia	8/29/2016
0694864	Lake County Solid Waste Management Facility	Lake	8/29/2016
0950113	Orange Co. Solid Waste Management Facility	Orange	8/29/2016
0310358	Trail Ridge Landfill	Duval	8/29/2016
1070049	Putnam County Central Landfill	Putnam	8/29/2016
1250008	New River Regional Landfill	Union	8/29/2016
0050090	Steelfield Road Landfill	Bay	8/29/2016
0630045	Springhill Regional Landfill	Jackson	6/3/2017
0330246	Perdido Landfill	Escambia	8/29/2016
1130172	Santa Rosa County Central Landfill	Santa Rosa	8/29/2016
0112094	Monarch Hill Landfill	Broward	1/31/2018
0930104	Okeechobee LF	Okeechobee	8/29/2016
1050298	Polk Co. North Central LF	Polk	8/29/2016
1050439	Cedar Trail LF	Polk	3/20/2019

State Administrative Materials - Chapter 62-204.800, F.A.C. (Fast-Track Adoptions)

Notice of Proposed Rule (December 6, 2016)

Florida Administrative Register

Volume 42, Number 235, December 6, 2016

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-18.011 Definitions

PURPOSE AND EFFECT: The purpose of the amendment is to incorporate the Florida Fire Prevention Code into the Board's rules by reference.

SUMMARY: To incorporate the Florida Fire Prevention Code.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 471.008, 471.033(2) FS

LAW IMPLEMENTED: 471.015(7), 471.033 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-18.011 Definitions.

As used in Chapter 471, F.S., and in these rules where the context will permit the following terms have the following meanings:

(1) through (6) No change.

(7) The term "Florida Fire Prevention Code" shall mean the Florida Fire Prevention Code, 5th Edition, (2015), and which is incorporated herein by reference. The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.

Rulemaking Authority 471.008, 471.013(1)(a)1., 2. FS. Law Implemented 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 471.025(3), 471.033(1)(j) FS. History--New 6-23-80, Amended 12-19-82, 11-22-83, Formerly 21H-18.11, Amended 1-16-91, 4-4-93, Formerly 21H-18.011, Amended 12-22-99, 4-19-01, 10-16-02, 9-15-04, 6-5-08, 6-2-09, 2-2-12, 6-12-16, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 18, 2016

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Air Resource Management

RULE NO.: RULE TITLE:

62-204.800 Federal Regulations Adopted by Reference

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments update the Department's adoption by reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Parts 51, 52, 58, 60, 61, 63, 70, and 81, to incorporate requirements of the Department's federally approved and delegated air pollution programs. These rule amendments include the adoption by reference of the Emission Guidelines for existing Municipal Solid Waste Landfills (codified at 40 C.F.R. 60 Subpart Cf).

RULEMAKING AUTHORITY: 403.8055, F.S.

LAW IMPLEMENTED: 403.061, 403.087, 403.8055, F.S.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Terri Long, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or Terri.Long@dep.state.fl.us.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BOULEVARD, TALLAHASSEE,

FLORIDA 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

**62-204.800 Federal Regulations Adopted by Reference.**

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) The following subparts of 40 C.F.R. Part 51, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 51, Subpart F, Procedural Requirements; amended January 18, 2007, at 72 FR 2193, amended July 16, 2007, at 72 FR 38787; amended March 24, 2008, at 73 FR 15603; amended January 21, 2009, at 74 FR 3437; amended June 23, 2009, at 74 FR 29595; amended June 22, 2012, at 77 FR 37610 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 12, 2013, at 78 FR 9823 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03490>); amended August 28, 2013, at 78 FR 53029 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04920>); amended October 22, 2013, at 78 FR 62451 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04939>); amended March 27, 2014, at 79 FR 17037 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04931>); amended February 25, 2016, at 81 FR 9339 (link); amended August 1, 2016, at 81 FR 50330 (link).

2. 40 C.F.R. Part 51, Subpart I, Review of New Sources and Modifications; amended May 16, 2008, at 73 FR 28321 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03485>); amended October 20, 2010, at 75 FR 64864 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00745>); amended June 3, 2010, at 75 FR 31513 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03488>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>), amended August 19, 2015, at 80 FR 50199 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06250>); amended June 3, 2016, at 81 FR 35622 (link).

3. through 5. No change.

(b) The following appendices of 40 C.F.R. Part 51,

revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 51, Appendix M, Recommended Test Methods for State Implementation Plans; amended September 21, 2006, at 71 FR 55119; amended May 29, 2008, at 73 FR 30775; amended December 21, 2010, at 75 FR 80118 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00746>); amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 (link).

2. 40 C.F.R. Part 51, Appendix P, Minimum Emission Monitoring Requirements; amended August 30, 2016, at 81 FR 59800 (link).

3. through 4. No change.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, revised as of July 1, 2003, or later as specifically indicated, are adopted and incorporated by reference:

(a) 40 C.F.R. Part 52, Subpart A, General Provisions; revised as of July 1, 2011 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03499>), or later as specifically indicated, except for the provisions of 40 C.F.R. §52.21(b)(49)(v), are adopted and incorporated by reference; amended July 12, 2012, at 77 FR 41051

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-03489>); amended October 25, 2012, at 77 FR 65107 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03486>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended May 19, 2014, at 79 FR 28607 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04933>); amended May 7, 2015, at 80 FR 26183 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06254>); amended June 12, 2015, at 80 FR 33413 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06255>); amended March 6, 2015, at FR 80 12263 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06249>); amended August 19, 2015, at 80 FR 50199 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06250>); amended June 3, 2016, at 81 FR 35622 (link).

(b) 40 C.F.R. Part 52, Subpart K, Florida, amended July 22, 2003, at 68 FR 43312; amended August 11, 2003, at 68 FR 47468; amended February 13, 2004, at 69 FR 7127; amended March 29, 2004, at 69 FR 16167; amended June 17, 2004, at 69 FR 33860; amended April 28, 2006, at 71 FR 25327; amended November 28, 2006, at 71 FR 68743; amended October 12, 2007, at 72 FR 58016; amended September 16,

2008, at 73 FR 53378; amended June 1, 2009, at 74 FR 26103; amended May 27, 2010, at 75 FR 29671 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 12, 2011, at 76 FR 20239 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended June 15, 2012, at 77 FR 35862 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended July 30, 2012, at 77 FR 44485 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 19, 2012, at 77 FR 58027 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended October 11, 2012, at 77 FR 61724 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 8, 2012, at 77 FR 66927 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 27, 2012, at 77 FR 70687 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 29, 2012, at 77 FR 71111 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended April 3, 2013, at 78 FR 19998 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04913>); amended June 20, 2013, at 78 FR 37132 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04930>); amended August 29, 2013, at 78 FR 53250 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04921>); amended November 1, 2013, at 78 FR 65559 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04935>); amended November 18, 2013, at 78 FR 68997 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04936>); amended December 2, 2013, at 78 FR 72033 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04922>); amended January 6, 2014, at 79 FR 573 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04928>); amended May 19, 2014, at 79 FR 28607 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04933>); amended May 27, 2014, at FR 79 30045 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04934>); amended August 25, 2014, at 79 FR 50554 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04919>); amended October 16, 2014, at 79 FR 62006 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04938>); amended March 18, 2015, at 80 FR 14019 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06251>); amended April 16, 2015, at 80 FR 20441 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06252>); amended August 12, 2015, at 80 FR 48259 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06253>); amended September 24, 2015, at 80 FR 57538 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-06253)); amended September 25, 2015, at 80 FR 57727 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-06253)); amended October 23, 2015, at 80 FR 64344 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-06253)); amended August 2, 2016, at 81 FR 50628 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-06253)); amended September 30, 2016, at

81 FR 67179 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-06253)).

(4) through (5) No change.

(6) Title 40, Code of Federal Regulations, Part 58, Ambient Air Quality Surveillance.

(a) The following subparts of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 58, Subpart A, General Provisions; amended October 17, 2006, at 71 FR 61235; amended February 9, 2010, at 75 FR 6473; amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended March 28, 2016, at 81 FR 17248 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-03487)).

2. 40 C.F.R. Part 58, Subpart B, Monitoring Network, amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended August 31, 2011, at 76 FR 54293 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>), amended March 14, 2013, at 78 FR 16184 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03491>); amended March 28, 2016, at 81 FR 17248 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-03491)).

3. through 6. No change.

(b) The following appendices of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 58, Appendix A, Quality Assurance Requirements for SLAMS, SPMs and PSD Air Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended March 28, 2016, at 81 FR 17248 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-03487)).

2. No change.

3. 40 C.F.R. 58, Appendix D, Network Design Criteria for Ambient Air Quality Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended March 28, 2016, at 81 FR 17248 ([link](#)).

4. through 5. No change.

(7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 60, Subpart Da, Electric Utility Steam Generators for Which Construction is Commenced After September 18, 1978; amended January 20, 2011, at 76 FR 3517 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23399 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 16, 2012, at 77 FR 9303 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04925>); amended April 24, 2013, 78 FR 24073 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04917>); amended November 19, 2014, at 79 FR 68777 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04937>); amended April 6, 2016, at 81 FR 20172 ([link](#)); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.47Da.

3. through 13. No change.

14. 40 C.F.R. Part 60, Subpart J, Petroleum Refineries; amended September 12, 2012, at 77 FR 56421 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended December 1, 2015, at 80 FR 75178 ([link](#)); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §60.109(b).

15. 40 C.F.R. Part 60, Subpart Ja, Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007; amended February 25, 2011, at 76 FR 10524

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended December 19, 2013, at 78 FR 76753 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04923>); amended December 1, 2015, at 80 FR 75178 ([link](#)); amended July 13, 2016, at 81 FR 45232 ([link](#)); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 60.109a(b).

16. through 76. No change.

~~77.~~ 40 CFR Part 60, Subpart XXX, Municipal Solid Waste Landfills, promulgated August 29, 2016, at 81 FR 59332 ([link](#)).

77. renumbered 78. No change.

~~79.~~ 40 C.F.R. Part 60, Subpart CCCC, Commercial and Industrial Solid Waste Incineration Units; amended February 7, 2013, at 78 FR 9111 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03492>); amended June 23, 2016, at 81 FR 40956 ([link](#)). Any CISWI unit subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 C.F.R. 60, Subpart CCCC, shall file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., in accordance with paragraph 62-213.420(1)(a), F.A.C.

79. renumbered 80. No change.

~~81.~~ 40 C.F.R. Part 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended July 7, 2016, at 81 FR 44212 ([link](#)); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4201, 60.4202, 60.4203, 60.4210 and 60.4215 and 60.4216.

~~82.~~ 40 C.F.R. Part 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4231, 60.4232, 60.4238, 60.4239, 60.4240, 60.4241, 60.4242, and 60.4247.

82. through 83. renumbered 83. Through 84. No change.

~~85.~~ 40 C.F.R. Part 60, Subpart OOOO, Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution, promulgated August 16, 2012, at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended June 3, 2016, at 81 FR 35824 ([link](#)).

~~86.~~ 40 C.F.R. Part 60, Subpart OOOOa, Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources, promulgated June 3, 2016, at 81 FR 35824 ([link](#)).

87. 40 C.F.R. Part 60, Subpart TTTT, Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units, promulgated October 23, 2015, at 80 FR 64510 ([link](#)).

(c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2009; amended October 6, 2009, at 74 FR 51368; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>), amended March 21, 2011, at 76 FR 15554 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04940>); amended January 18, 2012, at 77 FR 2456 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23396 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 16, 2012, at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 12, 2012, at 77 FR 56421 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended October 23, 2015, at 80 FR 64510 ([link](#)); amended June 3, 2016, at 81 FR 35824 ([link](#)); amended August 29, 2016, at 81 FR 59276 ([link](#)); amended August 29, 2016, at 81 FR 59332 ([link](#)); amended August 30, 2016, at 81 FR 59800 ([link](#)); are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4, 40 C.F.R. § 60.8(b)(2) and (3), 40 C.F.R. § 60.11(e)(7) and (8), 40 C.F.R. § 60.13(g), (i) and (j)(2), and 40 C.F.R. § 60.16.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 60, Appendix A-1, Test Methods 1 through 2F; amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)).

2. 40 C.F.R. Part 60, Appendix A-2, Test Methods 2G through 3C; amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)).

3. 40 C.F.R. Part 60, Appendix A-3, Test Methods 4 through 5I; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, at 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)).

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)).

5. 40 C.F.R. Part 60, Appendix A-5, Test Methods 11 through 15A; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)).

6. 40 C.F.R. Part 60, Appendix A-6, Test Methods 16 through 18; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended July 30, 2012, at FR 44488 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)).

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>), amended January 18, 2012, at 77 FR 2456 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)); except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 ([link](#)).

9. 40 C.F.R. Part 60, Appendix B, Performance Specifications; amended February 27, 2014, at 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended July 7, 2015, at 80 FR 38628 ([link](#)); amended July 17, 2015, at 80 FR 42397 ([link](#)); amended August 30, 2016, at 81 FR 59800 ([link](#)).

10. through 11. No change.

12. 40 C.F.R. Part 60, Appendix F, Quality Assurance Procedures; amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended May 16, 2014, at 79 FR 28439 ([link](#)).



amended July 7, 2015, at 80 FR 38628 (link); amended August 30, 2016, at 81 FR 59800 (link).

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times.

(a) through (g) No change.

(h) Municipal Solid Waste Landfills. 40 C.F.R. Part 60, Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills that commenced construction, reconstruction, or modification on or before July 17, 2014, promulgated as of August 29, 2016, at 81 FR 59276 (link), is hereby adopted and incorporated by reference subject to the following provisions:

1. Designated Facilities. The applicable requirements of Paragraph 62-204.800(9)(h), F.A.C., shall apply to all designated facilities as set forth in 40 C.F.R. § 60.31f.

2. Compliance Times. The requirements for planning, awarding of contracts, installing, and starting up of Municipal Solid Waste Landfill air emission collection and control equipment applicable to each designated facility subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.32f.

3. Emission Guidelines for Municipal Solid Waste Landfill Emissions. The emission limitations and operating limits applicable to each Municipal Solid Waste Landfill subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.33f.

4. Operational Standards for Collection and Control Systems. The operational standards for landfill gas collection and control systems used to comply with 40 C.F.R. § 60.33f(b) and (c) at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.34f.

5. Test Methods and Procedures. The test methods and procedures for determining the non-methane organic compounds (NMOC) emission rate or conducting surface emission monitoring demonstration at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.35f.

6. Compliance Provisions. Owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., must demonstrate compliance with the standards of 40 C.F.R. § 60.33f as set forth in 40 C.F.R. § 60.36f.

7. Monitoring of Operations. The monitoring requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.37f.

8. Reporting Guidelines. The reporting requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.38f.

9. Recordkeeping Guidelines. The recordkeeping

requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.39f.

10. Specification for Active Collection Systems. The specifications for active collection systems at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.40f.

11. Definitions. The definitions applicable to designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.41f. For purposes of paragraph 62-204.800(9)(h), F.A.C., the definition of the term administrator means the department. The terms used but not defined in 40 C.F.R. Part 60, Subpart Cf, have the meaning given to them in the Clean Air Act and in 40 C.F.R. Part 60, Subparts A, B, and XXX.

12. 40 C.F.R. 60 Subparts WWW and Cc. A designated facility that is in compliance with the provisions of Paragraph 62-204.800(9)(h), F.A.C., ensures compliance with Paragraph 62-204.800(9)(c), F.A.C. (adopting 40 C.F.R. 60 Subpart Cc by reference), and 40 C.F.R. 60 Subpart WWW, as adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(h) renumbered (i) No change.

(10) Title 40, Code of Federal Regulations, Part 61, National Emission Standards for Hazardous Air Pollutants.

(a) through (c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 61, Subpart A, revised as of July 1, 2001, amended May 16, 2007, at 72 FR 27437; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23396 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 16, 2012, at 77 FR 9303 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04925>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 (link); are adopted and incorporated by reference; except for 40 C.F.R. § 61.08 and except that the Secretary is not the Administrator for the purposes of 40 C.F.R. § 61.04, 40 C.F.R. § 61.11, and 40 C.F.R. § 61.18. In lieu of the process set forth in 40 C.F.R. § 61.08, the Department will follow the permit processing procedures of Rule 62-4.055, F.A.C.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 61, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 61, Appendix B, Test Methods, except Method 111 for Polonium 210, Method 114 for Radionuclides and Method 115 for Radon-222; amended September 13,

2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 (link).

3. No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. through 16. No change.

17. 40 C.F.R. Part 63, Subpart Y, Marine Tank Vessel Loading Operations; amended April 21, 2011, at 76 FR 22566 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended December 1, 2015, at 80 FR 75178 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.568(c)(1) through (4).

18. through 19. No change.

20. 40 C.F.R. Part 63, Subpart CC, Petroleum Refineries; amended June 30, 2010, at 75 FR 37730 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended June 20, 2013, at 78 FR 37133 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03498>); amended December 1, 2015, at 80 FR 75178 (link); amended July 13, 2016, at 81 FR 45232 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.655(c)(1) through (4).

21. through 22. No change.

23. 40 C.F.R. Part 63, Subpart GG, Aerospace Manufacturing and Rework Facilities; amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended December 7, 2015, at 80 FR 76152 (link); amended August 3, 2016, at 81 FR 51114 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.759(c)(1) through (4).

24. through 41. No change.

42. 40 C.F.R. Part 63, Subpart DDD, Mineral Wool Production; amended July 29, 2015, at 80 FR 45280 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1195(c)(1) through (4).

43. through 47. No change.

48. 40 C.F.R. Part 63, Subpart LLL, Portland Cement

Manufacturing Industry; amended February 12, 2013, at 78 FR 10005

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-03494>); amended July 27, 2015, at 80 FR 44771 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06257>); amended September 11, 2015, at 80 FR 54728 (link); amended July 25, 2016, at 81 FR 48356 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1358(c)(1) through (4). If a facility becomes subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to the emission limiting requirements of 40 C.F.R. Part 63, Subpart LLL, the facility shall submit an application for such permit no later than October 1, 2000.

49. No change.

50. 40 C.F.R. Part 63, Subpart NNN, Wool Fiberglass Manufacturing; amended July 29, 2015, at 80 FR 45280 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1388(c)(1) through (4).

51. through 53. No change.

54. 40 C.F.R. Part 63, Subpart RRR, Secondary Aluminum Production; amended February 27, 2014, 79 FR 11227

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended June 13, 2016, at 81 FR 38085 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1519(c)(1) through (4).

55. No change.

56. 40 C.F.R. Part 63, Subpart UUU, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units; amended December 1, 2015, at 80 FR 75178 (link); amended July 13, 2016, at 81 FR 45232 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1578(c)(1) through (5).

57. through 85. No change.

86. 40 C.F.R. Part 63, Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Process Heaters; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.7570(b)(1) through (5), promulgated March 21, 2011 at 76 FR 15608 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03495>); amended January 31, 2013 at 78 FR 7137 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03496>); amended November 20, 2015, at 80 FR 72790 (link).

87. through 91. No change.

92. 40 C.F.R. Part 63, Subpart JJJJJ, Brick and Structural Clay Products Manufacturing; amended October 26, 2015, at 80 FR 65470 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.8510(c)(1) through (4).

93. 40 C.F.R. Part 63, Subpart KKKKK, Clay Ceramics Manufacturing; amended October 26, 2015, at 80 FR 65470 (link); amended December 4, 2015, at 80 FR 75817 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.8660(c)(1) through (4).

94. through 101. No change.

102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; promulgated February 16, 2012, at 77 FR 9303 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04925>); amended April 19, 2012, at 77 FR 23399 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04914>); amended April 24, 2013, at 78 FR 24073 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04917>); amended November 19, 2014, at 79 FR 68777 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04937>); amended March 24, 2015, at 80 FR 15510 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06261>); amended April 6, 2016, at 81 FR 20172 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.10041(b)(1) through (4).

103. through 108. No change.

109. 40 C.F.R. Part 63, Subpart JJJJJ, Industrial, Commercial, and Institutional Boilers, revised as of July 1, 2015 (link), or later as specifically indicated, are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.11236(c)(1) through (5).

109. through 117. renumbered 110. through 118. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended March 21, 2011, at 76 FR 15554 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01740>); amended March 21, 2011, at 76 FR 15608 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03495>); amended January 5, 2012, at 77 FR 556 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 17, 2012, at 77 FR 22847 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 14, 2012, at 77 FR 48433 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 16, 2012 at 77 FR 49489 ([http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-02487)

02487); amended September 11, 2012, at 77 FR 55698 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended January 31, 2013, at 78 FR 7137 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03496>); amended February 1, 2013, at 78 FR 7487 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04941>); amended February 27, 2014, at 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended March 27, 2014, at 79 FR 17339 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04932>); amended June 30, 2015, at 80 FR 37365 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06263>); amended August 19, 2015, at 80 FR 50385 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06258>); amended October 26, 2015, at 80 FR 65470 (link); amended December 1, 2015, at 80 FR 75178 (link); amended December 4, 2015, at 80 FR 75817 (link); amended August 30, 2016, at 81 FR 59800 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 63.5(e), 40 C.F.R. § 63.5(f), 40 C.F.R. § 63.6(g), 40 C.F.R. § 63.6(h)(9), 40 C.F.R. § 63.6(j), 40 C.F.R. § 63.13, and 40 C.F.R. § 63.14.

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended December 1, 2015, at 80 FR 75178 (link); amended August 30, 2016, at 81 FR 59800 (link).

2. through 5. No change.

(12) through (14) No change.

(15) Title 40, Code of Federal Regulations, Part 70, State Operating Permit Programs. The provisions of 40 C.F.R. Part 70, §§ 70.1 through 70.11, revised as of July 1, 2001; amended June 27, 2003, at 68 FR 38517; amended March 6, 2015, at FR 80 12263 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06249>); amended October 23, 2015, at 80 FR 64510 (link); amended June 3, 2016, at 81 FR 35622 (link); are adopted and incorporated by reference.

(16) through (22) No change.

(23) Title 40, Code of Federal Regulations, Part 81, Designation of Areas for Air Quality Planning Purposes.

(a) No change.

(b) 40 C.F.R. Part 81, Subpart C, Section 107 Attainment Status Designations, § 81.310, revised as of July 1, 2009; amended November 22, 2010, at 75 FR 71033 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended November 22, 2011, at 75 FR 72097 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 17, 2012, at 77 FR 9532 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended May 21, 2012, at 77 FR 30087 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 5, 2013, 78 FR 47191 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04918>); amended January 15, 2015, at 80 FR 2206 (link); amended September 6, 2016, at 81 FR 61136 (link \*AJ1\*); amended September 22, 2016, at 81 FR 65289 (link); is adopted and incorporated by reference.

(c) No change.

(24) through (27) No change.

*Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15, 1-7-16, \_\_\_\_\_.*

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-4.009  
 RULE TITLE: Applications

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the revised application for interns/residents/fellows and house physicians, and the revised temporary certificate for visiting physicians.

SUMMARY: The proposed rule amendments to incorporate the revised application for interns/residents/fellows and house physicians, and the revised temporary certificate for visiting physicians.

**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: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 456.031, 456.033, 458.309, 458.311, 458.313, 458.3145, 458.3151, 458.345 FS.

LAW IMPLEMENTED: 456.013(1), (13), 456.0135, 456.031, 456.033, 456.039, 456.049, 456.50, 456.0635, 458.311, 458.3124, 458.313, 458.3137, 458.3145, 458.315, 458.3151, 458.316, 458.3165, 458.317, 458.320, 458.345, 766.314 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: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.009 Applications.

(1) All persons applying for licensure shall submit an application to the Department. The application shall be made on the applicable form set forth below, all of which are hereby adopted and incorporated by reference and can be obtained from the website at <http://www.flhealthsource.gov/mqa-services>

[http://www.doh.state.fl.us/mqa/medical/me\\_applicant.html](http://www.doh.state.fl.us/mqa/medical/me_applicant.html).

The application must be accompanied by the application fee.

(a) through (c) No change.

(d) DH-MQA 1032, entitled “Board of Medicine Application Materials for Initial Registration and Renewal of Intern/Resident/Fellow and House Physician,” (8/16) (7/16) <http://www.flrules.org/Gateway/reference.asp?No=Ref-07433>;

(e) No change.

## Notice of Proposed Rule (May 5, 2020)

### Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

#### FISH AND WILDLIFE CONSERVATION COMMISSION

##### Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-13.0015	Definitions
68B-13.005	Designation as Restricted Species; Season; Repeal of Special Act
68B-13.007	Restrictions on Size and on Transport and Possession of Stone Crabs and Stone Crab Claws
68B-13.008	Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer

PURPOSE AND EFFECT: The purpose of this rule development notice is to address rule amendments for the stone crab fishery related to harvest season dates, minimum size limit, possession of live or whole stone crabs, and trap construction requirements. The Commission is considering development of rule amendments to increase the stone crab population and build resiliency in the fishery. The effect of these rule amendments would be to shorten the stone crab season statewide, increase the stone crab claw minimum size limit, limit the possession of live or whole stone crabs on board a vessel, and require an escape ring in all wood and plastic stone crab traps.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include open and closed seasons, minimum size limit, possession of live or whole stone crabs, and trap construction requirements.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.  
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, Florida 32399, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

### Section II Proposed Rules

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

##### Division of Air Resource Management

RULE NO.: 62-204.800  
RULE TITLE: Federal Regulations Adopted by Reference  
PURPOSE, EFFECT AND SUMMARY: The proposed rule **amendments update the Department's adoption by reference of** air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at Title 40, Code of Federal Regulations (C.F.R.), to incorporate requirements of the Department's federally approved and delegated air pollution programs. These rule amendments include adoption of recent revisions to the Municipal Solid Waste Landfill Emission Guidelines, adoption of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) amendments, and streamlines adoptions by reference where appropriate.

RULEMAKING AUTHORITY: 403.061, 403.8055, FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.8055, FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Terri Long, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or Terri.Long@dep.state.fl.us.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BOULEVARD, TALLAHASSEE, FLORIDA 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.  
All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides. Copies of the reference materials may be obtained by

writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)717-9000.

(1) No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) Subparts F, I, P, T, and W of 40 C.F.R. Part 51, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08865>), are adopted and incorporated by reference; amended November 28, 2018, at 83 FR 61127 (link); amended December 6, 2018, at 83 FR 62998 (link).

(b) Appendices M, P, W, and Y of 40 C.F.R. Part 51, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08864>); amended March 21, 2018, at 83 FR 12260 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09801>); amended November 14, 2018, at 83 FR 56713 (link), are adopted and incorporated by reference.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, are adopted and incorporated by reference:

(a) No change.

(b) 40 C.F.R. Part 52, Subpart K, Florida; revised as of July 1, 2019 (link) ~~2017~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09693>); amended July 3, 2017, at 82 FR 30749 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08898>); amended July 3, 2017, at 82 FR 30767 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08897>); amended July 21, 2017, at 82 FR 33807 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08899>); amended August 10, 2017, at 82 FR 37310 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08902>); amended October 6, 2017 at 82 FR 46682 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08900>); amended October 16, 2017 at 82 FR 47983 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09804>); amended April 2, 2018 at 83 FR 13875 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09802>); amended April 18, 2018 at 83 FR 17081 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09803>); amended September 11, 2018 at 83 FR 45836 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-10917>); amended September 25, 2018 at 83 FR 48387 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-10918>); amended April 11, 2019 at 84 FR 14615 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-10919>); amended April 24, 2019 at 84 FR 17085

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10920>); amended November 12, 2019, at 84 FR 60927 (link); amended February 20, 2020, at 85 FR 9666 (link).

(4) through (5) No change.

(6) Title 40, Code of Federal Regulations, Part 58, Ambient Air Quality Surveillance.

(a) Subparts A through G of 40 C.F.R. Part 58, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08871>), are adopted and incorporated by reference; amended January 8, 2020, at 85 FR 834 (link).

(b) No change.

(7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 14. No change.

15. 40 C.F.R. Part 60, Subpart Ja, Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09747>); amended November 26, 2018, at 83 FR 60696 (link).

16. through 76. No change.

77. 40 C.F.R. Part 60, Subpart WWW, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09795>); amended March 26, 2020, at 85 FR 17244 (link).

78. 40 CFR Part 60, Subpart XXX, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09798>); amended March 26, 2020, at 85 FR 17244 (link).

79. No change.

80. 40 C.F.R. Part 60, Subpart CCCC, Commercial and Industrial Solid Waste Incineration Units; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09720>); amended April 16, 2019, at 84 FR 15846 (link).

81. through 88. No change.

(c) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2017, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08874>), are adopted and incorporated by reference; amended November 14, 2018, at 83 FR 56713 (link); amended November 26, 2018, at 83 FR 60696 (link); amended April 16, 2019, at 84 FR 15846 (link).

(d) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 60, Appendix A-1, Test Methods 1 through 2F; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09703>); amended November 14, 2018, at 83 FR 56713 (link).

2. No change.

3. 40 C.F.R. Part 60, Appendix A-3, Test Methods 4 through 5I; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09705>); amended November 14, 2018, at 83 FR 56713 (link).

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09706>); amended November 14, 2018, at 83 FR 56713 (link).

5. No change.

6. 40 C.F.R. Part 60, Appendix A-6, Test Methods 16 through 18; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09708>); amended November 14, 2018, at 83 FR 56713 (link).

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09709>); amended November 14, 2018, at 83 FR 56713 (link); except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09710>); amended November 14, 2018, at 83 FR 56713 (link).

9. 40 C.F.R. Part 60, Appendix B, Performance Specifications; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09711>); amended August 7, 2017, at 82 FR 36688 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09805>); amended September 21, 2017 at 82 FR 44106 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10921>); amended November 14, 2018, at 83 FR 56713 (link).

10. through 11. No change.

12. 40 C.F.R. Part 60, Appendix F, Quality Assurance Procedures; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08873>); amended August 14, 2017, at 82 FR 37822 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08903>); amended September 21, 2017, at 82 FR 44106

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-08904>); amended November 14, 2018, at 83 FR 56713 (link).

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times. This subsection **contains regulatory language that implements EPA's Emission Guidelines** for various source categories. These regulations have been submitted to EPA as Clean Air Act Section 111(d) **State Plans. EPA's approvals of Florida's 111(d) State Plans** are codified at 40 C.F.R. Part 62, Subpart K which are hereby adopted and incorporated by reference, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09694>).

(a) through (g) No change.

(h) Municipal Solid Waste Landfills. 40 C.F.R. Part 60, Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills that commenced construction, reconstruction, or modification on or before July 17, 2014, promulgated as of August 29, 2016, at 81 FR 59276 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07805>); amended March 26, 2020, at 85 FR 17244 (link), is hereby adopted and incorporated by reference subject to the following provisions:

1. through 11. No change.

12. 40 C.F.R. Part 60, Subparts WWW and Cc. ~~Until a~~ designated facility ~~comes into that is in~~ compliance with the Operational Standards for Collection and Control Systems in 40 C.F.R. Part 60, Subpart Cf, adopted and incorporated by reference in provisions of subparagraph paragraph 62-204.800(9)(h)(4)62-204.800(9)(h), F.A.C., the designated facility remains subject to either the Operational Standards for Collection and Control Systems requirements of ensures ~~compliance with~~ paragraph 62-204.800(9)(c), F.A.C. (adopting 40 C.F.R. Part 60, Subpart Cc by reference), ~~or and~~ 40 C.F.R. Part 60, Subpart WWW, as adopted and incorporated by reference in rule 62-204.800, F.A.C.

(10) No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 19. No change.

20. 40 C.F.R. Part 63, Subpart CC, Petroleum Refineries; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10966>); amended November 26, 2018, at 83 FR 60696 (link); amended February 4, 2020, at 85 FR 6064 (link).

21. through 50. No change.
51. 40 C.F.R. Part 63, Subpart OOO, Manufacture of Amino/Phenolic Resins; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10994>); amended October 15, 2018, at 83 FR 51842 (link).
52. through 55. No change.
56. 40 C.F.R. Part 63, Subpart UUU, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10999>); amended November 26, 2018, at 83 FR 60696 (link); amended February 4, 2020, at 85 FR 6064 (link).
57. through 58. No change.
59. 40 C.F.R. Part 63, Subpart AAAA, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11001>); amended March 26, 2020, at 85 FR 17244 (link).
60. through 63. No change.
64. 40 C.F.R. Part 63, Subpart GGGG, Solvent Extraction for Vegetable Oil Production; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11005>); amended March 18, 2020, at 85 FR 15608 (link).
65. 40 C.F.R. Part 63, Subpart HHHH, Wet-Formed Fiberglass Mat Productions; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11006>); amended February 28, 2019, at 84 FR 6676 (link).
66. through 67. No change.
68. 40 C.F.R. Part 63, Subpart KKKK, Surface Coating of Metal Cans; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11009>); amended February 25, 2020, at 85 FR 10828 (link).
69. No change.
70. 40 C.F.R. Part 63, Subpart NNNN, Surface Coating of Large Appliances; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11011>); amended March 15, 2019, at 84 FR 9590 (link).
71. 40 C.F.R. Part 63, Subpart OOOO, Printing, Coating, and Dyeing of Fabrics and Other Textiles; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11012>); amended March 15, 2019, at 84 FR 9590 (link).
72. No change.
73. 40 C.F.R. Part 63, Subpart QQQQ, Surface Coating of Wood Building Products; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11014>); amended March 4, 2019, at 84 FR 7682 (link).
74. 40 C.F.R. Part 63, Subpart RRRR, Surface Coating of Metal Furniture; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11015>); amended March 15, 2019, at 84 FR 9590 (link).
75. 40 C.F.R. Part 63, Subpart SSSS, Surface Coating of Metal Coil; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11016>); amended February 25, 2020, at 85 FR 10828 (link).
76. 40 C.F.R. Part 63, Subpart TTTT, Leather Finishing Operations; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11017>); amended February 12, 2019, at 84 FR 3308 (link).
77. No change.
78. 40 C.F.R. Part 63, Subpart VVVV, Boat Manufacturing; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11019>); amended March 20, 2020, at 85 FR 15960 (link).
79. 40 C.F.R. Part 63, Subpart WWWW, Reinforced Plastic Composites Production; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11023>); amended March 20, 2020, at 85 FR 15960 (link).
80. No change.
81. 40 C.F.R. Part 63, Subpart YYYY, Stationary Combustion Turbines; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11021>); amended March 9, 2020, at 85 FR 13524 (link).
82. through 85. No change.
86. 40 C.F.R. Part 63, Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Process Heaters; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11027>); amended November 14, 2018, at 83 FR 56713 (link).
87. through 92. No change.
93. 40 C.F.R. Part 63, Subpart KKKKK, Clay Ceramics Manufacturing; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11034>); amended November 1, 2019, at 84 FR 58601 (link).
94. 40 C.F.R. Part 63, Subpart LLLLL, Asphalt Processing and Asphalt Roofing Manufacturing; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11035>); amended March 12, 2020, at 85 FR 14526 (link).
95. through 97. No change.
98. 40 C.F.R. Part 63, Subpart QQQQQ, Friction Materials Manufacturing Facilities; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11039>); amended February 8, 2019, at 84 FR 2742 (link).
99. through 101. No change.
102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11043>); amended July 2, 2018, at 83 FR 30879 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10924>); amended November 14, 2018, at 83 FR 56713 (link); amended May 23, 2019, at 84 FR 23727 (link).



103. through 118. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09696>); amended October 11, 2017, at 82 FR 47328 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08906>); amended October 16, 2017, at 82 FR 48156 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09811>); amended October 15, 2018, at 83 FR 51842 (link); amended November 14, 2018, at 83 FR 56713 (link); amended February 28, 2019, at 84 FR 6676 (link); amended March 4, 2019, at 84 FR 7682 (link); amended March 15, 2019, at 84 FR 9590 (link); amended November 1, 2019, at 84 FR 58601 (link); February 25, 2020, at 85 FR 10828 (link); amended March 9, 2020, at 85 FR 13524 (link); amended March 12, 2020, at 85 FR 14526 (link); amended March 26, 2020, at 85 FR 17244 (link).

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09695>); amended March 20, 2018, at 83 FR 12118 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09807>); amended November 14, 2018, at 83 FR 56713 (link); amended March 4, 2019, at 84 FR 7682 (link).

2. through 5. No change.

(12) through (14) No change.

(15) Title 40, Code of Federal Regulations, Part 70, State Operating Permit Programs. The provisions of 40 C.F.R. Part 70, §§70.1 through 70.11, revised as of July 1, 2016 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08883>); amended February 5, 2020, at 85 FR 6431 (link), are adopted and incorporated by reference.

(16) through (22) No change.

(23) Title 40, Code of Federal Regulations, Part 81, Designation of Areas for Air Quality Planning Purposes.

(a) No change.

(b) The provisions of 40 C.F.R. Part 81, §81.310, revised as of July 1, 2019 (link) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11070>); amended August 9, 2018 at 83 FR 39360 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10925>); amended September 11, 2018 at 83 FR 45836 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10917>); amended April 24, 2019 at 84 FR 17085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10920>); amended November 12, 2019, at 84 FR 60927 (link); amended February 20, 2020, at 85 FR 9666 (link), are adopted and incorporated by reference.

(c) No change.

(24) Title 40, Code of Federal Regulations, Part 82, Protection of Stratospheric Ozone. Subpart A of 40 C.F.R. Part 82, revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-08892>); amended March 11, 2020, at 85 FR 14150 (link), or later as specifically indicated, is adopted and incorporated by reference.

(25) through (26) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15, 1-7-16, 10-23-16, 1-13-17, 12-21-17, 9-25-18, 8-12-19, 4-2-20, \_\_\_\_\_.

**DEPARTMENT OF JUVENILE JUSTICE**

**Education**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63B-1.001	Purpose and Scope
63B-1.002	Definitions
63B-1.003	Career and Vocational Programming.
63B-1.004	Hiring of Vocational Staff.
63B-1.005	Youth Participation
63B-1.006	Cooperative Agreement
63B-1.007	Juvenile Education Reporting Requirements and Career-Related Evaluations

**PURPOSE AND EFFECT:** The amendments update the rule to be consistent with pertinent statutes and eliminate obsolete provisions.

**SUMMARY:** The amendments eliminate unnecessary discussion of purpose, and repeal provisions governing hiring and youth participation, which are treated elsewhere. Other provisions are updated.

**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.

## Rule Certification Package (January 13, 2017)



### Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

January 13, 2017

Mr. Ernie Reddick  
Section Administrator  
Administrative Code and Weekly Section  
500 South Bronough Street, Room 101  
Tallahassee, Florida 32399-0250

Re: Certification Package for Rule 62-204.800, F.A.C.,  
OGC # 16-0274

Dear Mr. Reddick,

Attached is the certification package for Rule 62-204.800, F.A.C. Please note that this rulemaking is being done pursuant to Section 403.8055, F.S., which provides authority for the Department of Environmental Protection to adopt the U.S. Environmental Protection Agency standards by a special fast-track process.

Enclosed, please find the following:

1. Coded copy of rule 62-204.800
2. Certification for Federal Fast Track
3. Certification of Materials Incorporated by Reference
4. DOS email approval for the uploaded reference materials

If you have any questions regarding this rule, please feel free to contact me either at 850-245-2242 or Benjamin.Melnick@dep.state.fl.us, whichever is more convenient.

Sincerely,

A handwritten signature in blue ink that reads "Benjamin M. Melnick".

Benjamin M. Melnick  
Assistant General Counsel

FILED  
2017 JAN 13 11 29  
TALLAHASSEE FLORIDA

[www.dep.state.fl.us](http://www.dep.state.fl.us)

**CERTIFICATION FOR FEDERAL FAST TRACK 403.8055**

CERTIFICATION OF DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE

PURSUANT TO SECTION

403.8055, FLORIDA STATUTES

(ADOPTION OF FEDERAL STANDARDS)

I hereby certify:

[ X ] (1) The time limitations prescribed by Section 403.8055, F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and

[ X ] (2) There is no non-frivolous objection, under Section 403.8055(4), F.S., pending on any rule covered by this certification, and

[ X ] (3) All rules covered by this certification are filed not less than 21 days after the notice required by Section 403.8055(1), F.S.

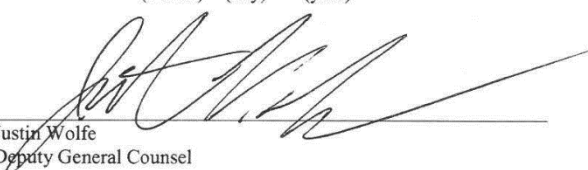
Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No.

62-204.800

Under the provision of Section 403.8055(2), F.S., the rule(s) take effect upon the date designated below (but not earlier than the date of filing):

Effective: 1/13/17  
(month) (day) (year)

  
Justin Wolfe  
Deputy General Counsel

17  
Number of Pages Certified

FILED  
JAN 18 PM 29  
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LANDS&WATER  
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CERTIFICATION OF MATERIALS INCORPORATED

BY REFERENCE IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code:

(1) That materials incorporated by reference in Rule 62-204.800 have been electronically filed with the Department of State.

(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials described below electronically, a true and complete paper copy of the incorporated materials are attached to this certification for filing. Paper copies of the incorporated materials below may be obtained at the agency by [include address(es)/location(s)].

List form number(s) and form title(s), or title of document(s) below:

40 CFR Part 51, Subpart F; Published at Volume 81 of the Federal Register, Number 37, (February 25, 2016)  
pp 9339-9343

40 CFR Part 51, Subpart F, Published at Volume 81 of the Federal Register, Number 147, (August 1, 2016) pp  
50330-50336

40 CFR Part 51, Subpart I; Part 52, Subpart A; and Part 70, Published at Volume 81 of the Federal Register,  
Number 107, (June 3, 2016) pp 35622-35634

40 CFR Part 52, Subpart K, Published at Volume 81 of the Federal Register, Number 148, (August 2, 2016) pp  
50628-50630

40 CFR Part 52, Subpart K, Published at Volume 80 of the Federal Register, Number 186, (September 25,  
2015) pp 57727-57729

40 CFR Part 52, Subpart K, Published at Volume 81 of the Federal Register, Number 190, (September 30,  
2016) pp 67179-67185

40 CFR Part 52, Subpart K, Published at Volume 80 of the Federal Register, Number 205, (October 23, 2015)  
pp 64344-64346

40 CFR Part 52, Subpart K, Published at Volume 80 of the Federal Register, Number 185, (September 24,  
2015) pp 57538-57540

40 CFR Part 58, Subparts A and D, Appendices A and D, Published at Volume 81 of the Federal Register,  
Number 59, (March 28, 2016) pp 17248-17229

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40 CFR Part 60, Appendices B and F, Published at Volume 80 of the Federal Register, Number 129, (July 7, 2015) pp 38628-38652

40 CFR Part 60, Appendix B, Published at Volume 80 of the Federal Register, Number 137, (July 17, 2015) pp 42397

40 CFR Part 60, Appendix F, Published at Volume 79 of the Federal Register, Number 95, (May 16, 2014) pp 28439-28444

40 CFR Part 60, Subparts J and Ja, Part 63, Subparts A, Y, CC and UUU, Published at Volume 80 of the Federal Register, Number 230, (December 1, 2015, 2015) pp 75178-75354

40 CFR Part 60, Subparts A, OOOO and OOOOa, Published at Volume 81 of the Federal Register, Number 107, (June 3, 2016) pp 35824-35942

40 CFR Part 60, Subparts A and Cf, Published at Volume 81 of the Federal Register, Number 167, (August 29, 2016) pp 59276-59330

40 CFR Part 60, Subparts A and XXX, Published at Volume 81 of the Federal Register, Number 167, (August 29, 2016) pp 59332-59384

40 CFR Part 60, Subpart Da, Part 63, Subpart UUUUU Published at Volume 81 of the Federal Register, Number 66, (April 6, 2016) pp 20172-20207

40 CFR Part 60, Subpart IIII, Published at Volume 81 of the Federal Register, Number 130, (July 7, 2016) pp 44212-44220

40 CFR Part 60, Subpart Ja, Part 63, Subparts CC and UUU, Published at Volume 81 of the Federal Register, Number 134, (July 13, 2016) pp 45232-45245

40 CFR Part 60, Subparts A and TTTT, Published at Volume 80 of the Federal Register, Number 205, (October 23, 2015) pp 64510-64660

40 CFR Part 60, Subpart CCCC, Published at Volume 81 of the Federal Register, Number 121, (June 23, 2016) pp 40956-41034

40 CFR Part 63, Subparts DDD and NNN, Published at Volume 80 of the Federal Register, Number 145, (July 29, 2015) pp 45280-45338

40 CFR Part 63, Subpart DDDDD, Published at Volume 80 of the Federal Register, Number 224, (November 20, 2015) pp 72790-72837

40 CFR Part 63, Subpart GG, Published at Volume 80 of the Federal Register, Number 234, (December 7, 2015) pp 76152-76191

40 CFR Part 63, Subparts JJJJ and KKKKK, Published at Volume 80 of the Federal Register, Number 206, (October 26, 2015) pp 65470-65570

40 CFR Part 63, Subparts A and KKKKK, Published at Volume 80 of the Federal Register, Number 233, (December 4, 2015) pp 75817

40 CFR Part 63, Subpart LLL, Published at Volume 81 of the Federal Register, Number 142, (July 25, 2016) pp 48356-48362

40 CFR Part 63, Subpart LLL, Published at Volume 80 of the Federal Register, Number 176, (September 11, 2015) pp 54728-54729

40 CFR Part 63, Subpart GG, Published at Volume 81 of the Federal Register, Number 149, (August 3, 2016) pp 51114-51116

40 CFR Part 63, Subpart JJJJJ, as of July 1, 2015

40 CFR Part 63, Subpart RRR, Published at Volume 81 of the Federal Register, Number 113, (June 13, 2016) pp 38085-38095

40 CFR Part 81, Subpart C, Published at Volume 81 of the Federal Register, Number 172, (September 6, 2016) pp 61136-61142

40 CFR Part 81, Subpart C, Published at Volume 81 of the Federal Register, Number 184, (September 22, 2016) pp 65289

40 CFR Part 81, Subpart C, Published at Volume 80 of the Federal Register, Number 10, (January 15, 2015) pp 2206-2284

40 CFR Part 81, Subpart C, Published at Volume 81 of the Federal Register, Number 172, (September 6, 2016) pp 61136-61142

40 CFR Part 51, Appendices M and P, Part 60, Subparts A and JJJJ, Appendices A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, B, and F, Part 61, Subpart A, Appendix B, Part 63, Subpart A, Appendix A, Published at Volume 81 of the Federal Register, Number 168, (August 30, 2016) pp 59800-59826

Under the provisions of Section 403.8055(2)F.S., the attached material(s) take effect upon the date designated below  
(but not earlier than the date of filing):



Justin Wolfe

Deputy General Counsel

**62-204.800 Federal Regulations Adopted by Reference.**

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) The following subparts of 40 C.F.R. Part 51, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 51, Subpart F, Procedural Requirements; amended January 18, 2007, at 72 FR 2193, amended July 16, 2007, at 72 FR 38787; amended March 24, 2008, at 73 FR 15603; amended January 21, 2009, at 74 FR 3437; amended June 23, 2009, at 74 FR 29595; amended June 22, 2012, at 77 FR 37610 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 12, 2013, at 78 FR 9823 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03490>); amended August 28, 2013, at 78 FR 53029 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04920>); amended October 22, 2013, at 78 FR 62451 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04939>); amended March 27, 2014, at 79 FR 17037 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04931>); amended February 25, 2016, at 81 FR 9339 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07786>); amended August 1, 2016, at 81 FR 50330 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07787>).

2. 40 C.F.R. Part 51, Subpart I, Review of New Sources and Modifications; amended May 16, 2008, at 73 FR 28321 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03485>); amended October 20, 2010, at 75 FR 64864 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00745>); amended June 3, 2010, at 75 FR 31513 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03488>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended August 19, 2015, at 80 FR 50199 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06250>); amended June 3, 2016, at 81 FR 35622 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07788>).

3. through 5. No change.



(b) The following appendices of 40 C.F.R. Part 51, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 51, Appendix M, Recommended Test Methods for State Implementation Plans; amended September 21, 2006, at 71 FR 55119; amended May 29, 2008, at 73 FR 30775; amended December 21, 2010, at 75 FR 80118 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00746>); amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>) amended August 30, 2016, at 81 FR 59800 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

2. 40 C.F.R. Part 51, Appendix P, Minimum Emission Monitoring Requirements; amended August 30, 2016, at 81 FR 59800 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

3. through 4. No change.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, revised as of July 1, 2003, or later as specifically indicated, are adopted and incorporated by reference:

(a) 40 C.F.R. Part 52, Subpart A, General Provisions; revised as of July 1, 2011 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03499>), or later as specifically indicated, except for the provisions of 40 C.F.R. §52.21(b)(49)(v), are adopted and incorporated by reference; amended July 12, 2012, at 77 FR 41051 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03489>); amended October 25, 2012, at 77 FR 65107 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03486>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended May 19, 2014, at 79 FR 28607 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04933>); amended May 7, 2015, at 80 FR 26183 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06254>); amended June 12, 2015, at 80 FR 33413 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06255>); amended March 6, 2015, at FR 80 12263 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06249>); amended August 19, 2015, at 80 FR 50199 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06250>); amended June 3, 2016, at 81 FR 35622 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07788>).

(b) 40 C.F.R. Part 52, Subpart K, Florida, amended July 22, 2003, at 68 FR 43312; amended August 11, 2003, at 68 FR 47468; amended February 13, 2004, at 69 FR 7127; amended March 29, 2004, at 69 FR 16167; amended June

17, 2004, at 69 FR 33860; amended April 28, 2006, at 71 FR 25327; amended November 28, 2006, at 71 FR 68743; amended October 12, 2007, at 72 FR 58016; amended September 16, 2008, at 73 FR 53378; amended June 1, 2009, at 74 FR 26103; amended May 27, 2010, at 75 FR 29671 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 12, 2011, at 76 FR 20239 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended June 15, 2012, at 77 FR 35862 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended July 30, 2012, at 77 FR 44485 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 19, 2012, at 77 FR 58027 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended October 11, 2012, at 77 FR 61724 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 8, 2012, at 77 FR 66927 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 27, 2012, at 77 FR 70687 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 29, 2012, at 77 FR 71111 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended April 3, 2013, at 78 FR 19998 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04913>); amended June 20, 2013, at 78 FR 37132 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04930>); amended August 29, 2013, at 78 FR 53250 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04921>); amended November 1, 2013, at 78 FR 65559 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04935>); amended November 18, 2013, at 78 FR 68997 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04936>); amended December 2, 2013, at 78 FR 72033 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04922>); amended January 6, 2014, at 79 FR 573 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04928>); amended May 19, 2014, at 79 FR 28607 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04933>); amended May 27, 2014, at FR 79 30045 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04934>); amended August 25, 2014, at 79 FR 50554 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04919>); amended October 16, 2014, at 79 FR 62006 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04938>); amended March 18, 2015, at 80 FR 14019 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06251>); amended April 16, 2015, at 80 FR 20441 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06252>); amended August 12, 2015, at 80 FR 48259 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06253>); amended September 24, 2015, at 80 FR 57538 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07792>); amended September 25, 2015, at 80 FR 57727 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07791>); amended October 23, 2015, at 80 FR 64344 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07793>); amended August 2, 2016, at 81 FR 50628

<https://www.flrules.org/Gateway/reference.asp?No=Ref-07794>); amended September 30, 2016, at 81 FR 67179 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07795>).

(4) through (5) No change.

(6) Title 40, Code of Federal Regulations, Part 58, Ambient Air Quality Surveillance.

(a) The following subparts of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 58, Subpart A, General Provisions; amended October 17, 2006, at 71 FR 61235; amended February 9, 2010, at 75 FR 6473; amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended March 28, 2016, at 81 FR 17248 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07796>).

2. 40 C.F.R. Part 58, Subpart B, Monitoring Network, amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended August 31, 2011, at 76 FR 54293 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>), amended March 14, 2013, at 78 FR 16184 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03491>); amended March 28, 2016, at 81 FR 17248 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07796>).

3. through 6. No change.

(b) The following appendices of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 58, Appendix A, Quality Assurance Requirements for SLAMS, SPMs and PSD Air Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended March 28, 2016, at 81 FR 17248 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07796>).

2. No change.

3. 40 C.F.R. 58, Appendix D, Network Design Criteria for Ambient Air Quality Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended March 28, 2016, at 81 FR 17248 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07796>).

4. through 5. No change.

(7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 60, Subpart Da, Electric Utility Steam Generators for Which Construction is Commenced After September 18, 1978; amended January 20, 2011, at 76 FR 3517 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23399 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 16, 2012, at 77 FR 9303 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04925>); amended April 24, 2013, 78 FR 24073 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04917>); amended November 19, 2014, at 79 FR 68777 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04937>); amended April 6, 2016, at 81 FR 20172 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07797>); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.47Da.

3. through 13. No change.

14. 40 C.F.R. Part 60, Subpart J, Petroleum Refineries; amended September 12, 2012, at 77 FR 56421 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended December 1, 2015, at 80 FR 75178 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07798>); except that the Secretary is not the Administrator

for purposes of the authorities cited at 40 C.F.R. §60.109(b).

15. 40 C.F.R. Part 60, Subpart Ja, Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007; amended February 25, 2011, at 76 FR 10524 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended December 19, 2013, at 78 FR 76753 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04923>); amended December 1, 2015, at 80 FR 75178 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07798>); amended July 13, 2016, at 81 FR 45232 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07799>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 60.109a(b).

16. through 76. No change.

77. 40 CFR Part 60, Subpart XXX, Municipal Solid Waste Landfills, promulgated August 29, 2016, at 81 FR 59332 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07800>).

77. renumbered 78. No change.

79.78. 40 C.F.R. Part 60, Subpart CCCC, Commercial and Industrial Solid Waste Incineration Units; amended February 7, 2013, at 78 FR 9111 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03492>); amended June 23, 2016, at 81 FR 40956 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07801>). Any CISWI unit subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 C.F.R. 60, Subpart CCCC, shall file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., in accordance with paragraph 62-213.420(1)(a), F.A.C.

79. renumbered 80. No change.

81.80. 40 C.F.R. Part 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended July 7, 2016, at 81 FR 44212 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07802>); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4201, 60.4202, 60.4203, 60.4210 and 60.4215 and 60.4216.

82.81. 40 C.F.R. Part 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4231, 60.4232, 60.4238, 60.4239, 60.4240, 60.4241, 60.4242, and 60.4247.

82. through 83. renumbered 83. Through 84. No change.

85.84. 40 C.F.R. Part 60, Subpart OOOO, Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution, promulgated August 16, 2012, at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended June 3, 2016, at 81 FR 35824 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07803>).

86. 40 C.F.R. Part 60, Subpart OOOOa, Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources, promulgated June 3, 2016, at 81 FR 35824 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07803>).

87. 40 C.F.R. Part 60, Subpart TTTT, Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units, promulgated October 23, 2015, at 80 FR 64510 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07804>).

(c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2009; amended October 6, 2009, at 74 FR 51368; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>), amended March 21, 2011, at 76 FR 15554 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04940>); amended January 18, 2012, at 77 FR 2456 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23396 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 16, 2012, at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 12, 2012, at 77 FR 56421 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended October 23, 2015, at 80 FR 64510 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07804>); amended June 3, 2016, at 81 FR 35824

<https://www.flrules.org/Gateway/reference.asp?No=Ref-07803>); amended August 29, 2016, at 81 FR 59276  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-07805>); amended August 29, 2016, at 81 FR 59332  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-07800>); amended August 30, 2016, at 81 FR 59800  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>); are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4, 40 C.F.R. § 60.8(b)(2) and (3), 40 C.F.R. § 60.11(e)(7) and (8), 40 C.F.R. § 60.13(g), (i) and (j)(2), and 40 C.F.R. § 60.16.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 60, Appendix A-1, Test Methods 1 through 2F; amended February 27, 2014, 79 FR 11227  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

2. 40 C.F.R. Part 60, Appendix A-2, Test Methods 2G through 3C; amended February 27, 2014, 79 FR 11227  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

3. 40 C.F.R. Part 60, Appendix A-3, Test Methods 4 through 5I; amended September 13, 2010, at 75 FR 55636  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, at 79 FR 11227  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; amended September 13, 2010, at 75 FR 55636  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

5. 40 C.F.R. Part 60, Appendix A-5, Test Methods 11 through 15A; amended September 13, 2010, at 75 FR 55636  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

6. 40 C.F.R. Part 60, Appendix A-6, Test Methods 16 through 18; amended September 13, 2010, at 75 FR 55636  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended July 30, 2012, at FR 44488

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 27, 2014, 79 FR 11227  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; amended September 13, 2010, at 75 FR 55636  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>), amended January 18, 2012, at 77 FR 2456  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>); except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; amended September 13, 2010, at 75 FR 55636  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

9. 40 C.F.R. Part 60, Appendix B, Performance Specifications; amended February 27, 2014, at 79 FR 11227  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended July 7, 2015, at 80 FR 38628  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07806>); amended July 17, 2015, at 80 FR 42397  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07807>); amended August 30, 2016, at 81 FR 59800  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

10. through 11. No change.

12. 40 C.F.R. Part 60, Appendix F, Quality Assurance Procedures; amended February 27, 2014, 79 FR 11227  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended May 16, 2014, at 79 FR 28439  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07808>); amended July 7, 2015, at 80 FR 38628  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07806>); amended August 30, 2016, at 81 FR 59800  
(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times.

(a) through (g) No change.



(h) Municipal Solid Waste Landfills. 40 C.F.R. Part 60, Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills that commenced construction, reconstruction, or modification on or before July 17, 2014, promulgated as of August 29, 2016, at 81 FR 59276 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07805>), is hereby adopted and incorporated by reference subject to the following provisions:

1. Designated Facilities. The applicable requirements of Paragraph 62-204.800(9)(h), F.A.C., shall apply to all designated facilities as set forth in 40 C.F.R. § 60.31f.

2. Compliance Times. The requirements for planning, awarding of contracts, installing, and starting up of Municipal Solid Waste Landfill air emission collection and control equipment applicable to each designated facility subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.32f.

3. Emission Guidelines for Municipal Solid Waste Landfill Emissions. The emission limitations and operating limits applicable to each Municipal Solid Waste Landfill subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.33f.

4. Operational Standards for Collection and Control Systems. The operational standards for landfill gas collection and control systems used to comply with 40 C.F.R. § 60.33f(b) and (c) at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.34f.

5. Test Methods and Procedures. The test methods and procedures for determining the non-methane organic compounds (NMOC) emission rate or conducting surface emission monitoring demonstration at designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.35f.

6. Compliance Provisions. Owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., must demonstrate compliance with the standards of 40 C.F.R. § 60.33f as set forth in 40 C.F.R. § 60.36f.

7. Monitoring of Operations. The monitoring requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.37f.

8. Reporting Guidelines. The reporting requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.38f.

9. Recordkeeping Guidelines. The recordkeeping requirements for owners and operators of designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.39f.

10. Specification for Active Collection Systems. The specifications for active collection systems at designated

facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.40f.

11. Definitions. The definitions applicable to designated facilities subject to paragraph 62-204.800(9)(h), F.A.C., shall be the same as set forth in 40 C.F.R. §60.41f. For purposes of paragraph 62-204.800(9)(h), F.A.C., the definition of the term administrator means the department. The terms used but not defined in 40 C.F.R. Part 60, Subpart Cf, have the meaning given to them in the Clean Air Act and in 40 C.F.R. Part 60, Subparts A, B, and XXX.

12. 40 C.F.R. 60 Subparts WWW and Cc. A designated facility that is in compliance with the provisions of Paragraph 62-204.800(9)(h), F.A.C., ensures compliance with Paragraph 62-204.800(9)(c), F.A.C. (adopting 40 C.F.R. 60 Subpart Cc by reference), and 40 C.F.R. 60 Subpart WWW, as adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(h) renumbered (i) No change.

(10) Title 40, Code of Federal Regulations, Part 61, National Emission Standards for Hazardous Air Pollutants.

(a) through (c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 61, Subpart A, revised as of July 1, 2001, amended May 16, 2007, at 72 FR 27437; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23396 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 16, 2012, at 77 FR 9303 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04925>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>); are adopted and incorporated by reference; except for 40 C.F.R. § 61.08 and except that the Secretary is not the Administrator for the purposes of 40 C.F.R. § 61.04, 40 C.F.R. § 61.11, and 40 C.F.R. § 61.18. In lieu of the process set forth in 40 C.F.R. § 61.08, the Department will follow the permit processing procedures of Rule 62-4.055, F.A.C.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 61, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 61, Appendix B, Test Methods, except Method 111 for Polonium 210, Method 114 for Radionuclides and Method 115 for Radon-222; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended August 30, 2016, at 81 FR 59800 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

3. No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. through 16. No change.

17. 40 C.F.R. Part 63, Subpart Y, Marine Tank Vessel Loading Operations; amended April 21, 2011, at 76 FR 22566 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended December 1, 2015, at 80 FR 75178 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07798>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.568(c)(1) through (4).

18. through 19. No change.

20. 40 C.F.R. Part 63, Subpart CC, Petroleum Refineries; amended June 30, 2010, at 75 FR 37730 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended June 20, 2013, at 78 FR 37133 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03498>); amended December 1, 2015, at 80 FR 75178 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07798>); amended July 13, 2016, at 81 FR 45232 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07799>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.655(c)(1) through (4).

21. through 22. No change.

23. 40 C.F.R. Part 63, Subpart GG, Aerospace Manufacturing and Rework Facilities; amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended December 7, 2015, at 80 FR 76152 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07809>); amended August 3, 2016, at 81 FR 51114 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07810>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.759(c)(1) through (4).

24. through 41. No change.

42. 40 C.F.R. Part 63, Subpart DDD, Mineral Wool Production; amended July 29, 2015, at 80 FR 45280 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07811>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1195(c)(1) through (4).

43. through 47. No change.

48. 40 C.F.R. Part 63, Subpart LLL, Portland Cement Manufacturing Industry; amended February 12, 2013, at 78 FR 10005 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03494>); amended July 27, 2015, at 80 FR 44771 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06257>); amended September 11, 2015, at 80 FR 54728 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07812>); amended July 25, 2016, at 81 FR 48356 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07813>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1358(c)(1) through (4). If a facility becomes subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to the emission limiting requirements of 40 C.F.R. Part 63, Subpart LLL, the facility shall submit an application for such permit no later than October 1, 2000.

49. No change.

50. 40 C.F.R. Part 63, Subpart NNN, Wool Fiberglass Manufacturing; amended July 29, 2015, at 80 FR 45280 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07811>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1388(c)(1) through (4).

51. through 53. No change.

54. 40 C.F.R. Part 63, Subpart RRR, Secondary Aluminum Production; amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended June 13, 2016, at 81 FR 38085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07814>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1519(c)(1) through (4).

55. No change.

56. 40 C.F.R. Part 63, Subpart UUU, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units; amended December 1, 2015, at 80 FR 75178 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07798>); amended July 13, 2016, at 81 FR 45232 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07799>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1578(c)(1) through (5).

57. through 85. No change.

86. 40 C.F.R. Part 63, Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Process Heaters; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.7570(b)(1) through (5), promulgated March 21, 2011 at 76 FR 15608 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03495>); amended January 31, 2013 at 78 FR 7137 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03496>); amended November 20, 2015, at 80 FR 72790 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07815>).

87. through 91. No change.

92. 40 C.F.R. Part 63, Subpart JJJJJ, Brick and Structural Clay Products Manufacturing; amended October 26, 2015, at 80 FR 65470 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07816>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.8510(c)(1) through (4).

93. 40 C.F.R. Part 63, Subpart KKKKK, Clay Ceramics Manufacturing; amended October 26, 2015, at 80 FR 65470 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07816>); amended December 4, 2015, at 80 FR 75817 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07817>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.8660(c)(1) through (4).

94. through 101. No change.

102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; promulgated February 16, 2012, at 77 FR 9303 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04925>); amended April 19, 2012, at 77 FR 23399 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04914>); amended April 24, 2013, at 78 FR 24073 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04917>); amended November 19, 2014, at 79 FR 68777 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04937>); amended March 24, 2015, at 80 FR 15510 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06261>); amended April 6, 2016, at 81 FR 20172 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07797>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.10041(b)(1) through (4).

103. through 108. No change.

109. 40 C.F.R. Part 63, Subpart JJJJJ, Industrial, Commercial, and Institutional Boilers, revised as of July 1, 2015 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07818>), or later as specifically indicated, are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.11236(c)(1) through (5).

109. through 117. renumbered 110. through 118. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended March 21, 2011, at 76 FR 15554 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01740>); amended March 21, 2011, at 76 FR 15608 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03495>); amended January 5, 2012, at 77 FR 556 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 17, 2012, at 77 FR 22847 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 14, 2012, at 77 FR 48433 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 16, 2012 at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 11, 2012, at 77 FR 55698 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended January 31, 2013, at 78 FR 7137 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03496>); amended February 1, 2013, at 78 FR 7487 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04941>); amended February 27, 2014, at 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended March 27, 2014, at 79 FR 17339 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04932>); amended June 30, 2015, at 80 FR 37365 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06263>); amended August 19, 2015, at 80 FR 50385 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06258>); amended October 26, 2015, at 80 FR 65470 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07816>); amended December 1, 2015, at 80 FR 75178 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07798>); amended December 4, 2015, at 80 FR 75817 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07817>); amended August 30, 2016, at 81 FR 59800 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 63.5(e), 40 C.F.R. § 63.5(f), 40 C.F.R. § 63.6(g), 40 C.F.R. § 63.6(h)(9), 40 C.F.R. § 63.6(j), 40 C.F.R. § 63.13, and 40 C.F.R. § 63.14.

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended December 1, 2015, at 80 FR 75178 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07798>); amended August 30, 2016, at 81 FR 59800 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07789>).

2. through 5. No change.

(12) through (14) No change.

(15) Title 40, Code of Federal Regulations, Part 70, State Operating Permit Programs. The provisions of 40 C.F.R. Part 70, §§ 70.1 through 70.11, revised as of July 1, 2001; amended June 27, 2003, at 68 FR 38517; amended March 6, 2015, at FR 80 12263 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06249>); amended October 23, 2015, at 80 FR 64510 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07804>); amended June 3, 2016, at 81 FR 35622 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07788>); are adopted and incorporated by reference.

(16) through (22) No change.

(23) Title 40, Code of Federal Regulations, Part 81, Designation of Areas for Air Quality Planning Purposes.

(a) No change.

(b) 40 C.F.R. Part 81, Subpart C, Section 107 Attainment Status Designations, § 81.310, revised as of July 1, 2009; amended November 22, 2010, at 75 FR 71033 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended November 22, 2011, at 75 FR 72097 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 17, 2012, at 77 FR 9532 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended May 21, 2012, at 77 FR 30087 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 5, 2013, 78 FR 47191 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04918>); amended January 15, 2015, at 80 FR 2206 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07819>); amended September 6, 2016, at 81 FR 61136 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07820>); amended September 22, 2016, at 81 FR 65289 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07821>); is adopted and incorporated by reference.

(c) No change.

(24) through (27) No change.

*Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS.*

*History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15, 1-7-16, \_\_\_\_\_.*



**From:** [Long, Terri](#)  
**To:** [Read, Hastings](#)  
**Cc:** [Meinick, Benjamin](#)  
**Subject:** FW: 62-204.800 Reference Material for Rule Adoption Approved  
**Date:** Wednesday, January 11, 2017 8:06:22 AM

FYI Copy has been saved in the Certification folder in the 2016 Fast Track Folder

**From:** FL-Rules@dos.state.fl.us [mailto:FL-Rules@dos.state.fl.us]  
**Sent:** Monday, January 09, 2017 2:58 PM  
**To:** Long, Terri <Terri.Long@dep.state.fl.us>  
**Cc:** flrules@dos.state.fl.us  
**Subject:** 62-204.800 Reference Material for Rule Adoption Approved

Dear terril:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 62-204.800

Reference Number: Ref-07786; Reference Name: 40 CFR Part 51 Subpart F 2-25-16

Reference Number: Ref-07787; Reference Name: 40 CFR Part 51 Subpart F 8-1-16

Reference Number: Ref-07788; Reference Name: 40 CFR Part 51 Subpart I Part 52 Subpart A Part 70 6-3-16

Reference Number: Ref-07789; Reference Name: 40 CFR Parts 51, 60, 61 Multiple Subparts and Appendices 8-30-16

Reference Number: Ref-07791; Reference Name: 40 CFR Part 52, Subpart K 9-25-15

Reference Number: Ref-07792; Reference Name: 40 CFR Part 52, Subpart K 9-24-15

Reference Number: Ref-07793; Reference Name: 40 CFR Part 52 Subpart K 10-23-15

Reference Number: Ref-07794; Reference Name: 40 CFR Part 52 Subpart K 8-2-16

Reference Number: Ref-07795; Reference Name: 40 CFR Part 52 Subpart K 9-30-16

Reference Number: Ref-07796; Reference Name: 40 CFR Part 58 Subparts A, D, Appendices A, D 3-28-16

Reference Number: Ref-07797; Reference Name: 40 CFR Part 60 Subpart Da Part 63 Subpart UUUUU 4-6-16

Reference Number: Ref-07798; Reference Name: 40 CFR Part 60 Subparts J, Ja Part 63 Subparts A, U, CC, UUU 12-1-15

Reference Number: Ref-07799; Reference Name: 40 CFR Part 60 Subpart Ja Part 63 Subpart CC UUU 7-13-16

Reference Number: Ref-07800; Reference Name: 40 CFR Part 60 Subparts A, XXX 8-29-16

Reference Number: Ref-07801; Reference Name: 40 CFR Part 60 Subpart CCCC 6-23-16

Reference Number: Ref-07802; Reference Name: 40 CFR Part 60 Subpart IIII 7-7-16

Reference Number: Ref-07803; Reference Name: 40 CFR Part 60 Subparts A, OOOO, OOOOa 6-3-16

Reference Number: Ref-07804; Reference Name: 40 CFR Part 60, Subparts A, TTTT Part 70 10-23-15

Reference Number: Ref-07805; Reference Name: 40 CFR Part 60 Subparts A and Cf 8-29-16

Reference Number: Ref-07806; Reference Name: 40 CFR Part 60 Appendices B and F 7-7-15

Reference Number: Ref-07807; Reference Name: 40 CFR Part 60 Appendix B 7-17-15

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Reference Number: Ref-07808; Reference Name: 40 CFR Part 60 Appendix F 5-16-14  
Reference Number: Ref-07809; Reference Name: 40 CFR Part 63 Subpart GG 12-7-15  
Reference Number: Ref-07810; Reference Name: 40 CFR Part 63 Subpart GG 8-3-16  
Reference Number: Ref-07811; Reference Name: 40 CFR Part 63 Subparts DDD, NNN 7-29-15  
Reference Number: Ref-07812; Reference Name: 40 CFR Part 63 Subpart LLL 9-11-15  
Reference Number: Ref-07813; Reference Name: 40 CFR Part 63 Subpart LLL 7-25-16  
Reference Number: Ref-07814; Reference Name: 40 CFR Part 63 Subpart RRR 6-13-16  
Reference Number: Ref-07815; Reference Name: 40 CFR Part 63 Subpart DDDDD 11-20-15  
Reference Number: Ref-07816; Reference Name: 40 CFR Part 63 Subpart A, JJJJ and KKKKK 10-26-15  
Reference Number: Ref-07817; Reference Name: 40 CFR Part 63 Subpart A and KKKKK 12-4-15  
Reference Number: Ref-07818; Reference Name: 40 CFR Part 63 Subpart JJJJJ as of July 1, 2015  
Reference Number: Ref-07819; Reference Name: 40 CFR Part 81 Subpart C 1-15-15  
Reference Number: Ref-07820; Reference Name: 40 CFR Part 81 Subpart C 9-6-16  
Reference Number: Ref-07821; Reference Name: 40 CFR Part 81 Subpart C 9-22-16

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Administrative Code and Register Staff  
Florida Department of State

Rule Certification Package (June 15, 2020)



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Joanette Núñez
Lt. Governor

Noah Valenstein
Secretary

June 15, 2020

Mr. Ernest Reddick
Program Administrator
Administrative Code and Register
500 South Bronough Street, Room 101
Tallahassee, Florida 32399-0250

Re: Certification Package for Rule 62-204.800, F.A.C.
OGC No: 20-0719

Dear Mr. Reddick:

Attached is the certification package for Rule 62-204.800, F.A.C. I am the attorney handling the rule and my telephone number is (850)245-2937, or west.gregory@floridadep.gov, and mailing address is Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000. The program staff person is Hastings Read, who may be reached at (850)717-9017 or hastings.read@floridadep.gov, and mailing address is Department of Environmental Protection, Florida Coastal Office, MS 5500, 2600 Bob Martinez Center., Tallahassee, Florida 32399-4000.

Sincerely,

[Handwritten signature]

N. West Gregory
Senior Assistant General Counsel

NWG/tl

Enclosures:

- An original and two paper copies of the coded rule
A CD or DVD with the coded rule
Signed Certification Form of the Rule
Signed Certification of Reference Material Form
Signed Certification Form of Minor Violation
Department of State email Approving Reference Material

FILED
2020 JUN 15 AM 9:48
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

CERTIFICATION OF DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE  
PURSUANT TO SECTION  
403.8055, FLORIDA STATUTES  
(ADOPTION OF FEDERAL STANDARDS)

I hereby certify:

[ X ] (1) The time limitations prescribed by Section 403.8055, F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and

[ X ] (2) There is no non-frivolous objection, under Section 403.8055(4), F.S., pending on any rule covered by this certification, and

[ X ] (3) All rules covered by this certification are filed not less than 21 days after the notice required by Section 403.8055(1), F.S.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No.

62-204.800

Under the provisions of section 403.8055(2), F.S., the rule(s) take effect upon the date designated below (but not earlier than the date of filing):

Effective Date: June 15, 2020  
(month) (day) (year)



Chadwick R. Stevens

Chief Deputy General Counsel

10  
Number of Pages Certified

FILED  
2020 JUN 15 AM 9:49  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

CERTIFICATION OF DEPARTMENT OF STATE  
DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No(s).

Rules covered by this certification:

Rule No(s).

62-204.800

**FILED**  
2020 JUN 15 AM 9:43  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

\_\_\_\_\_  
Signature of Agency Head

Secretary

Form: DS-FCR-6  
Rule 1-1.010(3)(f), F.A.C.; effective 10-17

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides. Copies of the reference materials may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)717-9000.

(1) No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) Subparts F, I, P, T, and W of 40 C.F.R. Part 51, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08865>), are adopted and incorporated by reference; amended November 28, 2018, at 83 FR 61127 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11956>); amended December 6, 2018, at 83 FR 62998 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11957>).

(b) Appendices M, P, W, and Y of 40 C.F.R. Part 51, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08864>); amended March 21, 2018, at 83 FR 12260 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09801>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>), are adopted and incorporated by reference.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, are adopted and incorporated by reference:

(a) No change.

(b) 40 C.F.R. Part 52, Subpart K, Florida; revised as of July 1, 2019 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11959>); ~~2017~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09693>); amended July 3, 2017, at 82 FR 30749 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08898>); amended July 3, 2017, at 82 FR 30767 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08897>); amended July 21, 2017, at 82 FR 33807 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08899>); amended August 10, 2017, at 82 FR 37310 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08902>); amended October 6, 2017, at 82 FR 46682

~~(<http://www.flrules.org/Gateway/reference.asp?No=Ref-08900>); amended October 16, 2017 at 82 FR 47983~~  
~~(<http://www.flrules.org/Gateway/reference.asp?No=Ref-09804>); amended April 2, 2018 at 83 FR 13875~~  
~~(<http://www.flrules.org/Gateway/reference.asp?No=Ref-09802>); amended April 18, 2018 at 83 FR 17081~~  
~~(<http://www.flrules.org/Gateway/reference.asp?No=Ref-09803>); amended September 11, 2018 at 83 FR 45836~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10917>); amended September 25, 2018 at 83 FR 48387~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10918>); amended April 11, 2019 at 84 FR 14615~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10919>); amended April 24, 2019 at 84 FR 17085~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10920>); amended November 12, 2019, at 84 FR 60927~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11958>); amended February 20, 2020, at 85 FR 9666~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11960>).~~

(4) through (5) No change.

(6) Title 40, Code of Federal Regulations, Part 58, Ambient Air Quality Surveillance.

(a) Subparts A through G of 40 C.F.R. Part 58, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08871>), are adopted and incorporated by reference); amended January 8, 2020, at 85 FR 834 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11961>).

(b) No change.

(7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 14. No change.

15. 40 C.F.R. Part 60, Subpart Ja, Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09747>); amended November 26, 2018, at 83 FR 60696 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11962>).

16. through 76. No change.

77. 40 C.F.R. Part 60, Subpart WWW, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09795>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>).

78. 40 CFR Part 60, Subpart XXX, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09798>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>).

79. No change.

80. 40 C.F.R. Part 60, Subpart CCCC, Commercial and Industrial Solid Waste Incineration Units; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09720>); amended April 16, 2019, at 84 FR 15846 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11964>).

81. through 88. No change.

(c) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2017, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08874>), are adopted and incorporated by reference); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended November 26, 2018, at 83 FR 60696 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11962>); amended April 16, 2019, at 84 FR 15846 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11964>).

(d) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 60, Appendix A-1, Test Methods 1 through 2F; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09703>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).

2. No change.

3. 40 C.F.R. Part 60, Appendix A-3, Test Methods 4 through 5I; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09705>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09706>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).



5. No change.

6. 40 C.F.R. Part 60, Appendix A-6, Test Methods 16 through 18; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09708>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09709>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09710>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).

9. 40 C.F.R. Part 60, Appendix B, Performance Specifications; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09711>); amended August 7, 2017, at 82 FR 36688 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09805>); amended September 21, 2017 at 82 FR 44106 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10921>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).

10. through 11. No change.

12. 40 C.F.R. Part 60, Appendix F, Quality Assurance Procedures; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08873>); amended August 14, 2017, at 82 FR 37822 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08903>); amended September 21, 2017, at 82 FR 44106 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08904>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times. This subsection contains regulatory language that implements EPA's Emission Guidelines for various source categories. These regulations have been submitted to EPA as Clean Air Act Section 111(d) State Plans. EPA's approvals of Florida's 111(d) State Plans are codified at 40 C.F.R. Part 62, Subpart K which are hereby adopted and incorporated by

reference, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09694>).

(a) through (g) No change.

(h) Municipal Solid Waste Landfills. 40 C.F.R. Part 60, Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills that commenced construction, reconstruction, or modification on or before July 17, 2014, promulgated as of August 29, 2016, at 81 FR 59276 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07805>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>), is hereby adopted and incorporated by reference subject to the following provisions:

1. through 11. No change.

12. 40 C.F.R. Part 60, Subparts WWW and Cc. ~~When a designated facility comes into that is in compliance with the Operational Standards for Collection and Control Systems in 40 C.F.R. Part 60, Subpart Cf, adopted and incorporated by reference in provisions of subparagraph paragraph 62-204.800(9)(h)(4) 62-204.800(9)(h), F.A.C., the designated facility is no longer subject to the requirements of ensures compliance with paragraph 62-204.800(9)(c), F.A.C. (adopting 40 C.F.R. Part 60, Subpart Cc by reference), and 40 C.F.R. Part 60, Subpart WWW, as adopted and incorporated by reference in rule 62-204.800, F.A.C.~~

(10) No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 19. No change.

20. 40 C.F.R. Part 63, Subpart CC, Petroleum Refineries; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10966>); amended November 26, 2018, at 83 FR 60696 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11962>); amended February 4, 2020, at 85 FR 6064 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11977>).

21. through 50. No change.

51. 40 C.F.R. Part 63, Subpart OOO, Manufacture of Amino/Phenolic Resins; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10994>); amended October 15, 2018, at 83 FR 51842 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11968>).

52. through 55. No change.

56. 40 C.F.R. Part 63, Subpart UUU, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10999>); amended November 26, 2018, at 83 FR 60696 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11962>); amended February 4, 2020, at 85 FR 6064 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11977>).

57. through 58 No change.

59. 40 C.F.R. Part 63, Subpart AAAA, Municipal Solid Waste Landfills; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11001>); amended March 26, 2020, at 85 FR 17244 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>).

60. through 63. No change.

64. 40 C.F.R. Part 63, Subpart GGGG, Solvent Extraction for Vegetable Oil Production; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11005>); amended March 18, 2020, at 85 FR 15608 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11978>).

65. 40 C.F.R. Part 63, Subpart HHHH, Wet-Formed Fiberglass Mat Productions; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11006>); amended February 28, 2019, at 84 FR 6676 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11974>).

66. through 67. No change.

68. 40 C.F.R. Part 63, Subpart KKKK, Surface Coating of Metal Cans; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11009>); amended February 25, 2020, at 85 FR 10828 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11966>).

69. No change.

70. 40 C.F.R. Part 63, Subpart NNNN, Surface Coating of Large Appliances; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11011>); amended March 15, 2019, at 84 FR 9590 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>).

71. 40 C.F.R. Part 63, Subpart OOOO, Printing, Coating, and Dyeing of Fabrics and Other Textiles; revised as

of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11012>); amended March 15, 2019, at 84 FR 9590 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>).

72. No change.

73. 40 C.F.R. Part 63, Subpart QQQQ, Surface Coating of Wood Building Products; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11014>); amended March 4, 2019, at 84 FR 7682 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11979>).

74. 40 C.F.R. Part 63, Subpart RRRR, Surface Coating of Metal Furniture; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11015>); amended March 15, 2019, at 84 FR 9590 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>).

75. 40 C.F.R. Part 63, Subpart SSSS, Surface Coating of Metal Coil; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11016>); amended February 25, 2020, at 85 FR 10828 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11966>).

76. 40 C.F.R. Part 63, Subpart TTTT, Leather Finishing Operations, revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11017>); amended February 12, 2019, at 84 FR 3308 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11972>).

77. No change.

78. 40 C.F.R. Part 63, Subpart VVVV, Boat Manufacturing, revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11019>); amended March 20, 2020, at 85 FR 15960 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11980>).

79. 40 C.F.R. Part 63, Subpart WWWW, Reinforced Plastic Composites Production; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11023>); amended March 20, 2020, at 85 FR 15960 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11980>).

80. No change.

81. 40 C.F.R. Part 63, Subpart YYYYY, Stationary Combustion Turbines; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11021>); amended March 9, 2020, at 85 FR 13524 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11981>).

82. through 85. No change.

86. 40 C.F.R. Part 63, Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Process Heaters;

revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11027>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>).

87. through 92. No change.

93. 40 C.F.R. Part 63, Subpart KKKKK, Clay Ceramics Manufacturing; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11034>); amended November 1, 2019, at 84 FR 58601 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11969>).

94. 40 C.F.R. Part 63, Subpart LLLLL, Asphalt Processing and Asphalt Roofing Manufacturing; revised as of July 1, 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11035>); amended March 12, 2020, at 85 FR 14526 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11970>).

95. through 97. No change.

98. 40 C.F.R. Part 63, Subpart QQQQ, Friction Materials Manufacturing Facilities; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11039>); amended February 8, 2019, at 84 FR 2742 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11971>).

99. through 101. No change.

102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11043>); amended July 2, 2018, at 83 FR 30879 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10924>); amended November 14, 2018, at 83 FR 56713 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended May 23, 2019, at 84 FR 23727 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11973>).

103. through 118. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09696>); amended October 11, 2017, at 82 FR 47328 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08906>); amended October 16, 2017, at 82 FR 48156 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09811>); amended October 15, 2018, at 83 FR 51842 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11968>); amended November 14, 2018, at 83 FR 56713

<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended February 28, 2019, at 84 FR 6676  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11974>); amended March 4, 2019, at 84 FR 7682  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11979>); amended March 15, 2019, at 84 FR 9590  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11976>); amended November 1, 2019, at 84 FR 58601  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11969>); February 25, 2020, at 85 FR 10828  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11966>); amended March 9, 2020, at 85 FR 13524  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11981>); amended March 12, 2020, at 85 FR 14526  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11970>); amended March 26, 2020, at 85 FR 17244  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11963>).

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; revised as of July 1, 2017  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-09695>); amended March 20, 2018, at 83 FR 12118  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-09807>); amended November 14, 2018, at 83 FR 56713  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11965>); amended March 4, 2019, at 84 FR 7682  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11979>).

2. through 5. No change.

(12) through (14) No change.

(15) Title 40, Code of Federal Regulations, Part 70, State Operating Permit Programs. The provisions of 40 C.F.R. Part 70, §§70.1 through 70.11, revised as of July 1, 2016  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-08883>); amended February 5, 2020, at 85 FR 6431  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11982>), are adopted and incorporated by reference.

(16) through (22) No change.

(23) Title 40, Code of Federal Regulations, Part 81, Designation of Areas for Air Quality Planning Purposes.

(a) No change.

(b) The provisions of 40 C.F.R. Part 81, §81.310, revised as of July 1, 2019  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-11984>)~~2018~~

~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11070>); amended August 9, 2018 at 83 FR 39369~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10925>); amended September 11, 2018 at 83 FR 45836~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10917>); amended April 24, 2019 at 84 FR 17085~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-10920>); amended November 12, 2019, at 84 FR 60927~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11958>); amended February 20, 2020, at 85 FR 9666~~  
~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-11960>), are adopted and incorporated by reference.~~

(c) No change.

(24) Title 40, Code of Federal Regulations, Part 82, Protection of Stratospheric Ozone. Subpart A of 40 C.F.R. Part 82, revised as of July 1, 2016 (~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-08892>~~); amended March 11, 2020, at 85 FR 14150 (~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-11983>~~), or later as specifically indicated, is adopted and incorporated by reference.

(25) through (26) No change.

*Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15, 1-7-16, 10-23-16, 1-13-17, 12-21-17, 9-25-18, 8-12-19, 4-2-20, \_\_\_\_\_*

CERTIFICATION OF MATERIALS INCORPORATED  
BY REFERENCE IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code:

(1) That materials incorporated by reference in Rule 62-204.800 have been electronically filed with the Department of State.

(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials described below electronically, a true and complete paper copy of the incorporated materials are attached to this certification for filing. Paper copies of the incorporated materials below may be obtained at the agency by [include address(es)/location(s)].

List form number(s) and form title(s), or title of document(s) below:

40 CFR Part 51, Subpart F, Published at Volume 83 of the Federal Register, Number 228 (November 28, 2018)  
pp 61127-61143

40 CFR Part 51, Subpart I, Published at Volume 83 of the Federal Register, Number 234 (December 6, 2018)  
pp 62998-63036

40 CFR Part 52, Subpart K, Part 81, Section 81.310, Published at Volume 84 of the Federal Register, Number 218 (November 12, 2019) pp 60927-60931

40 CFR Part 52, Subpart K, Part 81, Section 81.310, Published at Volume 85 of the Federal Register, Number 34 (February 20, 2020) pp 9666-9673

40 CFR Part 58, Published at Volume 85 of the Federal Register, Number 5 (January 8, 2020) pp 834-837

40 CFR Part 60, Subparts Cf, WWW, and XXX, Part 63, Subparts A and AAAA, Published at Volume 85 of the Federal Register, Number 39 (March 26, 2020) pp 17244-17282

40 CFR Part 60, Subparts A and Ja, Part 63, Subparts CC and UUU, Published at Volume 83 of the Federal Register, Number 227 (November 26, 2018) pp 60696-60728

40 CFR Part 60, Subparts A and CCCC, Published at Volume 84 of the Federal Register, Number 73 (April 16, 2019) pp 15846-15918

40 CFR Part 63, Subparts A, KKKK, and SSSS, Published at Volume 85 of the Federal Register, Number 37 (February 25, 2020) pp 10828-10871

40 CFR Part 63, Subparts A and OOO, Published at Volume 83 of the Federal Register, Number 199 (October 15, 2018) pp 51842-51857

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OFFICE OF THE CLERK OF THE  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA



40 CFR Part 63, Subparts A and KKKKK, Published at Volume 84 of the Federal Register, Number 212 (November 1, 2019) pp 58601-58623

40 CFR Part 63, Subparts A and LLLLL, Published at Volume 85 of the Federal Register, Number 49 (March 12, 2020) pp 14526-14558

40 CFR Part 63, Subpart QQQQ, Published at Volume 84 of the Federal Register, Number 27 (February 8, 2019) pp 2742-2753

40 CFR Part 63, Subpart TTTT, Published at Volume 84 of the Federal Register, Number 29 (February 12, 2019) pp 3308-3324

40 CFR Part 63, Subpart UUUUU, Published at Volume 84 of the Federal Register, Number 100 (May 23, 2019) pp 23727-23728

40 CFR Part 63, Subparts A and HHHH, Published at Volume 84 of the Federal Register, Number 40 (February 28, 2019) pp 6676-6701

40 CFR Part 63, Subparts A, NNNN, OOOO and RRRR, Published at Volume 84 of the Federal Register, Number 51 (March 15, 2019) pp 9590-9646

40 CFR Part 63, Subparts CC and UUU, Published at Volume 85 of the Federal Register, Number 23 (February 4, 2020) pp 6064-6087

40 CFR Part 63, Subpart GGGG, Published at Volume 85 of the Federal Register, Number 53 (March 18, 2020) pp 15608-15636

40 CFR Part 63, Subparts A, QQQQ, and Appendix A, Published at Volume 84 of the Federal Register, Number 2 (March 4, 2019) pp 7682-7712

40 CFR Part 63, Subparts VVVV and WWW, Published at Volume 85 of the Federal Register, Number 55 (March 20, 2020) pp 15960-15982

40 CFR Part 63, Subparts A and YYYYY, Published at Volume 85 of the Federal Register, Number 46 (March 9, 2020) pp 13524-13546

40 CFR Part 51, Appendix M, Part 60, Subpart A, Appendices A-1, A-3, A-4, A-6, A-7, A-8, B, and F, Part 63, Subparts A, DDDDD, UUUUU and Appendix A, Published at Volume 83 of the Federal Register, Number 220 (November 14, 2018) pp 56713-56734

40 CFR Part 70, Published at Volume 85 of the Federal Register, Number 24 (February 5, 2020) pp 6431-6446

40 CFR Part 82, Subpart F, Published at Volume 85 of the Federal Register, Number 48 (March 11, 2020) pp  
14150-14170

40 CFR Part 52, Subpart K, as of July 1, 2019

40 CFR Part 81, Section 81.310, as of July 1, 2019

Under the provisions of Section 403.8055(2)F.S., the attached material(s) take effect upon the date designated below  
(but not earlier than the date of filing):



---

Chadwick R. Stevens  
Chief Deputy General Counsel

**From:** [FL-Rules@dos.state.fl.us](mailto:FL-Rules@dos.state.fl.us)  
**To:** [Lone.Terril](mailto:Lone.Terril)  
**Cc:** [flrules@dos.state.fl.us](mailto:flrules@dos.state.fl.us)  
**Subject:** 62-204.800 Reference Material for Rule Adoption Approved  
**Date:** Wednesday, June 10, 2020 1:37:21 PM

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Dear terril:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 62-204.800

Reference Number: Ref-11956; Reference Name: 40 CFR Part 51 Subpart F Nov 28 2018

Reference Number: Ref-11957; Reference Name: 40 CFR Part 51 Subpart I Dec 6 2018

Reference Number: Ref-11958; Reference Name: 40 CFR Part 52 Subpart K and Section 81.310 Nov 12 2019

Reference Number: Ref-11959; Reference Name: 40 CFR Part 52 Subpart K as of July 1 2019

Reference Number: Ref-11960; Reference Name: 40 CFR Part 52 Subpart K Section 81.310 Feb 20 2020

Reference Number: Ref-11961; Reference Name: 40 CFR Part 58 Jan 8 2020

Reference Number: Ref-11962; Reference Name: 40 CFR Part 60 Subparts A Ja Part 63 Subparts CC UUU Nov 26 2018

Reference Number: Ref-11963; Reference Name: 40 CFR Part 60 Subparts Cf WWW XXX Part 63 Subparts A AAAA 3-26-20

Reference Number: Ref-11964; Reference Name: 40 CFR Part 60 Subparts A CCCC April 6 2019

Reference Number: Ref-11965; Reference Name: 40 CFR Multiple Parts, Subparts and Appendices emissions testing Nov 14 2018

Reference Number: Ref-11966; Reference Name: 40 CFR Part 63 Subparts A KKKK and SSSS Feb 25 2020

Reference Number: Ref-11968; Reference Name: 40 CFR Part 63 Subparts A and OOO Oct 15 2018

Reference Number: Ref-11969; Reference Name: 40 CFR Part 63 Subparts A and KKKKK Nov 1 2019

Reference Number: Ref-11970; Reference Name: 40 CFR Subpart 63 Subparts A and LLLLL March 12 2020

Reference Number: Ref-11971; Reference Name: 40 CFR Part 63 Subpart QQQQQ Feb 8 2019

Reference Number: Ref-11972; Reference Name: 40 CFR Part 63 Subpart TTTT Feb 12 2019

Reference Number: Ref-11973; Reference Name: 40 CFR Part 63 Subpart UUUUU May 23 2019

Reference Number: Ref-11974; Reference Name: 40 CFR Part 63 Subparts A and HHHH Feb 28 2019

Reference Number: Ref-11976; Reference Name: 40 CFR 40 CFR Part 63 Subparts A NNNN OOOO RRRR March 15 2019

Reference Number: Ref-11977; Reference Name: 40 CFR Part 63 Subparts CC and UUU February 4 2020

Reference Number: Ref-11978; Reference Name: 40 CFR Part 63 Subpart GGGG March 18 2020

Reference Number: Ref-11979; Reference Name: 40 CFR Part 63 Subparts A QQQQ and

Appendix A March 4 2019

Reference Number: Ref-11980; Reference Name: 40 CFR Part 63 Subparts VVVV and  
WWWW March 20 2020

Reference Number: Ref-11981; Reference Name: 40 CFR Part 63 Subparts A and YYYY  
March 9 2020

Reference Number: Ref-11982; Reference Name: 40 CFR Part 70 February 5 2020

Reference Number: Ref-11983; Reference Name: 40 CFR Part 82 Subpart F March 11 2020

Reference Number: Ref-11984; Reference Name: 40 CFR 40 CFR Part 81 Section 81.310 as  
of July 1 2019

Click [here](#) to log in.

Administrative Code and Register Staff  
Florida Department of State

## Public Participation

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

Florida Administrative Register

Volume 46, Number 206, October 21, 2020

PLACE: CONFERENCE NUMBER: 1(888)585-9008,  
CONFERENCE CODE: 241687833  
GENERAL SUBJECT MATTER TO BE CONSIDERED:  
General board business.

A copy of the agenda may be obtained by contacting: Florida Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida, 32399, (850)487-1395.

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: Florida Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida, 32399, (850)487-1395. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida, 32399, (850)487-1395.

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Air Resource Management announces a hearing to which all persons are invited.

DATE AND TIME: December 1, 2020 10:00 a.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: 1(888)585-9008, ID number: 416-112-909#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Pursuant to 40 C.F.R. 60.23, the Department of Environmental Protection (Department) announces the opportunity to offer comments and participate in a public hearing, if requested, on **the proposed submission of Florida's State Plan for Municipal Solid Waste (MSW) Landfills to the U.S. Environmental Protection Agency (EPA) under the Clean Air Act.** The Department is proposing to submit this State Plan so that Florida may enforce the Emission Guidelines promulgated by EPA on August 29, 2016, which set emissions limitations for MSW Landfills that commenced construction or modification

on or before July 17, 2014. The proposed State Plan adopts the model rules contained in 40 C.F.R. Part 60, Subpart Cf, and contains information on the facilities subject to regulation under **this subpart. Once EPA approves Florida's State Plan, the** Department will be the agency tasked with ensuring that MSW Landfills subject to 40 C.F.R. Part 60, Subpart Cf, comply with the applicable emissions limitations.

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 November 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 December 1, 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.

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

The University of Florida and the Florida Department of Environmental Protection, Office of Resilience and Coastal **Protection's Coral Reef Conservation Program announces a** public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 12, 2020, 6:00 p.m. – 8:00 p.m. ET

PLACE: This is an online event, registration is free through Eventbrite: <https://www.eventbrite.com/e/uf-and-dep-coral-reef-program-stakeholder-engagement-project-public-meeting-tickets-124718266693>

4556

## Notice to EPA Region 4 Administrator



### 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 Electronic Mail

October 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 111(d) State Plan for Municipal Solid Waste Landfills implementing 40 C.F.R. Part 60, Subpart Cf.

Dear Ms. Walker:

Notice is hereby given that, pursuant to 40 C.F.R. 60.23, the Florida Department of Environmental Protection (Department) is accepting comments and will hold a public hearing, if requested, on Florida's proposed 111(d) State Plan submittal for Municipal Solid Waste (MSW) Landfills.

On October 21, 2020, the Department published a notice of opportunity to submit comments and request a public hearing in the Florida Administrative Register. The public hearing, if requested, will be held on December 1, 2020. Pursuant to 40 CFR 60.23(g), EPA has approved alternative public participation procedures that allow the Department to cancel the December 1, 2020 public hearing if no hearing is requested by November 20, 2020.

This State Plan submittal incorporates the August 29, 2016, promulgation of the Emission Guidelines for MSW Landfills, codified at 40 C.F.R. Part 60, Subpart Cf. 81 Fed. Reg. 59,276. The Department has identified 42 facilities that are subject to these regulations, which are included in the source inventory section of this State Plan submittal.

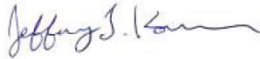
Copies of the public notice published in the Florida Administrative Register and the pre-hearing State Plan submittal are enclosed. These documents are submitted to you as notification to the Administrator pursuant to the requirement of 40 C.F.R. 60.23(c).

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

Your review and comments prior to the hearing will be appreciated. The Department respectfully requests that the U.S. Environmental Protection Agency provide any comments on this submittal by November 20, 2020.

If you have any questions about this submittal, please contact Hastings Read at (850) 717-9017 or by email at [Hastings.Read@FloridaDEP.gov](mailto:Hastings.Read@FloridaDEP.gov).

Sincerely,



Jeff Koerner, Director  
Division of Air Resource Management

cc (with State Plan package):  
Caroline Freeman, Division Director, Air & Radiation Division, EPA Region 4;  
Gregg Worley, Chief, Air Analysis and Support Branch, Region 4.

Enclosures:

1. Notice published October 21, 2020 in the Florida Administrative Register;
2. Pre-Hearing State Plan Submittal: Proposed 111(d) State Plan for Municipal Solid Waste Landfills

## Requests for Districts/Locals to Provide Assistance to Public

**From:** [Long, Terri](#)  
**To:** [Iglehart, Jon](#); [Andreotta, Jason](#); [Yeagan, Mary](#); [Watkins, Aaron](#); [Strong, Greg](#); [Orr, Elizabeth](#); "Fernandez, Lorenzo"; "Tallam, Laxmana"; [Schneider, Sheila](#); [woodard@epchc.org](#); "Palomino, Susana (RFR)"; [Wanda.Parker@ocfl.net](#); [long\\_melissa](#); [jhickey@scgov.net](#)  
**Cc:** [Kung, Ashley](#); [Read, Hastings](#)  
**Subject:** Florida DEP - Notice of Proposed 111(d) Municipal Solid Waste (MSW) Landfill State Plan - District/Locals  
**Date:** Wednesday, October 21, 2020 4:19:32 PM  
**Attachments:** [FAR Notice Landfill State plan 10-21-20.pdf](#)  
[2020-02 State Plan MSW Landfill Pre-Hearing Submittal Package.pdf](#)

---

Good afternoon,

Notice is hereby given, that pursuant to 40 CFR 60.23, the Department of Environmental Protection (DEP) is accepting comments and will hold a public hearing, if requested, on the Department's proposed 111(d) Municipal Solid Waste Landfill (MSW) State Plan. Please find the attached notice of opportunity to offer comments and request a public hearing, which will be published on October 21, 2020, in the Florida Administrative Register. The public hearing, if requested, will be held December 1, 2020. I have also attached the Pre-Hearing Submittal for your convenience.

The materials comprising the proposed State Plan are posted at <http://www.dep.state.fl.us/air/rules/regulatory.htm>. Please assist any member of the public who may contact you asking to view these materials. In the event members of the public have substantive questions related to the proposed revision, please direct them to Hastings Read, [hastings.read@dep.state.fl.us](mailto:hastings.read@dep.state.fl.us) or (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)



## Notifications to Other States

**From:** [Long, Terri](#)  
**To:** "[mfortenberry@mdca.ms.gov](mailto:mfortenberry@mdca.ms.gov)"; "[Karen.Hays@dnr.ga.gov](mailto:Karen.Hays@dnr.ga.gov)"; "[RWG@adem.alabama.gov](mailto:RWG@adem.alabama.gov)"  
**Cc:** [Read, Hastings](#); [Kung, Ashley](#)  
**Subject:** Florida DEP - Notice of Proposed 111(d) Municipal Solid Waste (MSW) Landfill State Plan - States  
**Date:** Wednesday, October 21, 2020 4:19:51 PM  
**Attachments:** [FAR Notice Landfill State plan 10-21-20.pdf](#)  
[2020-02\\_State\\_Plan\\_MS\\_W\\_Landfill\\_Pre-Hearing\\_Submittal\\_Package.pdf](#)

---

Good afternoon,

Notice is hereby given, that pursuant to 40 CFR 60.23, the Department of Environmental Protection (DEP) is accepting comments and will hold a public hearing, if requested, on the Department's proposed 111(d) Municipal Solid Waste Landfill (MSW) State Plan. Please find the attached notice of opportunity to offer comments and request a public hearing, which will be published on October 21, 2020, in the Florida Administrative Register. The public hearing, if requested, will be held December 1, 2020. I have also attached the Pre-Hearing Submittal for your convenience.

The materials comprising the proposed State Plan are posted at <http://www.dep.state.fl.us/air/rules/regulatory.htm>.

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)

## Pre-Hearing Submittal to EPA

### Pre-Hearing State Plan 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 Valensteln**  
Secretary

#### Via Electronic Mail

October 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 111(d) State Plan for Municipal Solid Waste Landfills implementing 40 C.F.R. Part 60, Subpart Cf.

Dear Ms. Walker:

Notice is hereby given that, pursuant to 40 C.F.R. 60.23, the Florida Department of Environmental Protection (Department) is accepting comments and will hold a public hearing, if requested, on Florida's proposed 111(d) State Plan submittal for Municipal Solid Waste (MSW) Landfills.

On October 21, 2020, the Department published a notice of opportunity to submit comments and request a public hearing in the Florida Administrative Register. The public hearing, if requested, will be held on December 1, 2020. Pursuant to 40 CFR 60.23(g), EPA has approved alternative public participation procedures that allow the Department to cancel the December 1, 2020 public hearing if no hearing is requested by November 20, 2020.

This State Plan submittal incorporates the August 29, 2016, promulgation of the Emission Guidelines for MSW Landfills, codified at 40 C.F.R. Part 60, Subpart Cf. 81 Fed. Reg. 59,276. The Department has identified 42 facilities that are subject to these regulations, which are included in the source inventory section of this State Plan submittal.

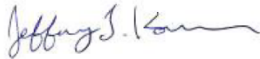
Copies of the public notice published in the Florida Administrative Register and the pre-hearing State Plan submittal are enclosed. These documents are submitted to you as notification to the Administrator pursuant to the requirement of 40 C.F.R. 60.23(c).

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

Your review and comments prior to the hearing will be appreciated. The Department respectfully requests that the U.S. Environmental Protection Agency provide any comments on this submittal by November 20, 2020.

If you have any questions about this submittal, please contact Hastings Read at (850) 717-9017 or by email at [Hastings.Read@FloridaDEP.gov](mailto:Hastings.Read@FloridaDEP.gov).

Sincerely,



Jeff Koerner, Director  
Division of Air Resource Management

cc (with State Plan package):  
Caroline Freeman, Division Director, Air & Radiation Division, EPA Region 4;  
Gregg Worley, Chief, Air Analysis and Support Branch, Region 4.

Enclosures:

1. Notice published October 21, 2020 in the Florida Administrative Register;
2. Pre-Hearing State Plan Submittal: Proposed 111(d) State Plan for Municipal Solid Waste Landfills

## EPA Comments on Pre-Hearing State Plan Submittal

**From:** [Lusky, Katy](#)  
**To:** [Kung, Ashley](#)  
**Cc:** [McNeal, Dave](#); [Read, Hastings](#); [Koerner, Jeff](#); [Long, Terri](#); [Worley, Gregg](#); [Ghose, Debashis](#)  
**Subject:** RE: State Plan Pre-Hearing Submittal: Florida's MSW Landfill 111(d) State Plan  
**Date:** Thursday, November 19, 2020 3:04:18 PM

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Hi Ashley,

We have reviewed the pre-hearing submittal and would like to provide the following comments. Please let me know if you would like to discuss them and I would be glad to set up a call.

- According to 40 Code of Federal Regulations (CFR) 60.30f(c)(1), the authority for approving alternative methods to determine site-specific nonmethane organic compound (NMOC) concentrations or methane generation rate constants may not be delegated to state, local, or tribal agencies. The provision allowing owners or operators to use alternative methods for determining site specific NMOC concentrations or methane generation rate constants is promulgated at 40 CFR 60.35f(a)(5). Provision 62.204.800(9)(b)5 in the proposed revisions to the Florida Administrator Register indicates that 40 CFR 60.35f is being adopted by reference. Since the authority to approve alternative methods for determining site-specific NMOC concentrations or methane generation rate constants may not be delegated to state, local, or tribal agencies, 62.204.800(9)(b)5 should be revised to say that 40 CFR 60.35f is being adopted by reference, with the exception of the provision in 40 CFR 60.35f(a)(5).
- In order to incorporate Subpart Cf provisions by reference, Florida must provide an attorney's opinion regarding the state regulations to ensure that Florida could enforce the rule directly against a landfill owner or operator. Additionally, the October 21, 2020, pre-hearing plan does not include copies of all laws demonstrating FDEP's legal authority to implement and enforce the plan as required by 40 CFR 60.26(b). Copies of such laws must be submitted with the plan to help EPA determine what the correct state-effective versions of the laws are, and whether those versions adequately demonstrate that the State has the legal authority to carry out the plan.

Thanks,  
Katy

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Katy R. Lusky  
Stationary Source Team Lead  
Air Analysis and Support Branch  
404-562-9130

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**From:** Kung, Ashley <Ashley.Kung@dep.state.fl.us>  
**Sent:** Wednesday, October 21, 2020 3:26 PM  
**To:** Freeman, Caroline <Freeman.Caroline@epa.gov>; Worley, Gregg <Worley.Gregg@epa.gov>  
**Cc:** Lusky, Katy <Lusky.Kathleen@epa.gov>; McNeal, Dave <Mcneal.Dave@epa.gov>; Read, Hastings

<Hastings.Read@FloridaDEP.gov>; Jeff Koerner <jeff.koerner@dep.state.fl.us>; Long, Terri <Terri.Long@FloridaDEP.gov>

**Subject:** State Plan Pre-Hearing Submittal: Florida's MSW Landfill 111(d) State Plan

Dear Ms. Freeman and Mr. Worley:

In accordance with 40 C.F.R. 60.23, the Florida Department of Environmental Protection (Department) is submitting a Pre-Hearing State Plan Submittal for Florida's 111(d) State Plan for Municipal Solid Waste (MSW) Landfills. The Department's Pre-Hearing State Plan Submittal proposes to incorporate the August 29, 2016, promulgation of the Emission Guidelines for MSW Landfills, codified at 40 C.F.R. Part 60, Subpart Cf. 81 Fed. Reg. 59,276. The Department has identified 42 facilities that are subject to these regulations, which are included in the source inventory section of this State Plan submittal.

Attached, please find the Pre-Hearing Letter of Submittal, the Pre-Hearing State Plan Submittal, and a copy of the Notice of Hearing published in the Florida Administrative Register on October 21, 2020. The Department is requesting that EPA provide any comments on this Pre-Hearing Submittal by November 20, 2020.

Please let us know if you have any questions.

Thank you,



**Ashley Kung**  
Florida Department of Environmental Protection  
Division of Air Resource Management  
Program Administrator  
[Ashley.Kung@FloridaDEP.gov](mailto:Ashley.Kung@FloridaDEP.gov)  
Office: 850-717-9041  
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## **DEP Response to EPA Comments on Pre-Hearing State Plan Submittal**

### **Response to EPA comments:**

#### **Comment 1:**

DEP has addressed this comment on page 4 in the **Response to 40 C.F.R. Part 60, Subpart B, Criteria** section: "Pursuant to 40 C.F.R. § 60.30f(c)(1), this State Plan does not give DEP authority to approve an alternative method to determine the NMOC concentration or a site-specific methane generation rate constant (k) as specified in 40 C.F.R. § 60.35f(a)(5)."

#### **Comment 2:**

After discussions with EPA, it was determined that the regulatory language in Rule 62-204.800(9)(h), F.A.C., is enforceable upon affected facilities and no legal opinion is required. In addition, copies of relevant legal authorities (Sections 403.061 and 403.8055, F.S.) are included in **Appendix A**.

## Appendix A – Sections 403.061 and 403.8055, Florida Statutes

Select Year:

### The 2020 Florida Statutes

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[Title XXIX](#)  
PUBLIC HEALTH

[Chapter 403](#)  
ENVIRONMENTAL CONTROL

[View Entire Chapter](#)

**403.061 Department; powers and duties.**—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:

- (1) Approve and promulgate current and long-range plans developed to provide for air and water quality control and pollution abatement.
- (2) Hire only such employees as may be necessary to effectuate the responsibilities of the department.
- (3) Utilize the facilities and personnel of other state agencies, including the Department of Health, and delegate to any such agency any duties and functions as the department may deem necessary to carry out the purposes of this act.
- (4) Secure necessary scientific, technical, research, administrative, and operational services by interagency agreement, by contract, or otherwise. All state agencies, upon direction of the department, shall make these services and facilities available.
- (5) Accept state appropriations and loans and grants from the Federal Government and from other sources, public or private, which loans and grants shall not be expended for other than the purposes of this act.
- (6) Exercise general supervision of the administration and enforcement of the laws, rules, and regulations pertaining to air and water pollution.
- (7) Adopt rules pursuant to ss. [120.536\(1\)](#) and [120.54](#) to implement this act. Any rule adopted pursuant to this act must be consistent with the provisions of federal law, if any, relating to control of emissions from motor vehicles, effluent limitations, pretreatment requirements, or standards of performance. A county, municipality, or political subdivision may not adopt or enforce any local ordinance, special law, or local regulation requiring the installation of Stage II vapor recovery systems, as currently defined by department rule, unless such county, municipality, or political subdivision is or has been in the past designated by federal regulation as a moderate, serious, or severe ozone nonattainment area. Rules adopted pursuant to this act may not require dischargers of waste into waters of the state to improve natural background conditions. The department shall adopt rules to reasonably limit, reduce, and eliminate domestic wastewater collection and transmission system pipe leakages and inflow and infiltration. Discharges from steam electric generating plants existing or licensed under this chapter on July 1, 1984, may not be required to be treated to a greater extent than may be necessary to assure that the quality of nonthermal components of discharges from nonrecirculated cooling water systems is as high as the quality of the makeup waters; that the quality of nonthermal components of discharges from recirculated cooling water systems is no lower than is allowed for blowdown from such systems; or that the quality of noncooling system discharges which receive makeup water from a receiving body of water which does not meet applicable department water

[http://www.leg.state.fl.us/STATUTES/index.cfm?App\\_mode=Display\\_Statute&Search\\_...](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_...) 11/19/2020

quality standards is as high as the quality of the receiving body of water. The department may not adopt standards more stringent than federal regulations, except as provided in s. [403.804](#).

(8) Issue such orders as are necessary to effectuate the control of air and water pollution and enforce the same by all appropriate administrative and judicial proceedings.

(9) Adopt a comprehensive program for the prevention, control, and abatement of pollution of the air and waters of the state, and from time to time review and modify such program as necessary.

(10) Develop a comprehensive program for the prevention, abatement, and control of the pollution of the waters of the state. In order to effect this purpose, a grouping of the waters into classes may be made in accordance with the present and future most beneficial uses. Such classifications may from time to time be altered or modified. However, before any such classification is made, or any modification made thereto, public hearings shall be held by the department.

(11) Establish ambient air quality and water quality standards for the state as a whole or for any part thereof, and also standards for the abatement of excessive and unnecessary noise. The department is authorized to establish reasonable zones of mixing for discharges into waters. For existing installations as defined by rule 62-520.200(10), Florida Administrative Code, effective July 12, 2009, zones of discharge to groundwater are authorized horizontally to a facility's or owner's property boundary and extending vertically to the base of a specifically designated aquifer or aquifers. Such zones of discharge may be modified in accordance with procedures specified in department rules. Exceedance of primary and secondary groundwater standards that occur within a zone of discharge does not create liability pursuant to this chapter or chapter 376 for site cleanup, and the exceedance of soil cleanup target levels is not a basis for enforcement or site cleanup.

(a) When a receiving body of water fails to meet a water quality standard for pollutants set forth in department rules, a steam electric generating plant discharge of pollutants that is existing or licensed under this chapter on July 1, 1984, may nevertheless be granted a mixing zone, provided that:

1. The standard would not be met in the water body in the absence of the discharge;
2. The discharge is in compliance with all applicable technology-based effluent limitations;
3. The discharge does not cause a measurable increase in the degree of noncompliance with the standard at the boundary of the mixing zone; and
4. The discharge otherwise complies with the mixing zone provisions specified in department rules.

(b) Mixing zones for point source discharges are not permitted in Outstanding Florida Waters except for:

1. Sources that have received permits from the department prior to April 1, 1982, or the date of designation, whichever is later;
2. Blowdown from new power plants certified pursuant to the Florida Electrical Power Plant Siting Act;
3. Discharges of water necessary for water management purposes which have been approved by the governing board of a water management district and, if required by law, by the secretary; and
4. The discharge of demineralization concentrate which has been determined permissible under s. [403.0882](#) and which meets the specific provisions of s. [403.0882\(4\)\(a\)](#) and (b), if the proposed discharge is clearly in the public interest.

(c) The department, by rule, shall establish water quality criteria for wetlands which criteria give appropriate recognition to the water quality of such wetlands in their natural state.



This act may not be construed to invalidate any existing department rule relating to mixing zones. The department shall cooperate with the Department of Highway Safety and Motor Vehicles in the development of regulations required by s. 316.272(1).

(12)(a) Cause field studies to be made and samples to be taken out of the air and from the waters of the state periodically and in a logical geographic manner so as to determine the levels of air quality of the air and water quality of the waters of the state.

(b) Determine the source of the pollution whenever a study is made or a sample collected which proves to be below the air or water quality standard set for air or water.

(13) Require persons engaged in operations which may result in pollution to file reports which may contain information relating to locations, size of outlet, height of outlet, rate and period of emission, and composition and concentration of effluent and such other information as the department shall prescribe to be filed relative to pollution.

(14) In order to promote resilient utilities, require public utilities or their affiliated companies holding, applying for, or renewing a domestic wastewater discharge permit to file annual reports and other data regarding transactions or allocations of common costs and expenditures on pollution mitigation and prevention among the utility's permitted systems, including, but not limited to, the prevention of sanitary sewer overflows, collection and transmission system pipe leakages, and inflow and infiltration. The department shall adopt rules to implement this subsection.

(15) Establish 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 or water pollution and provide for the issuance and revocation of such permits and for the posting of an appropriate bond to operate.

(a) Notwithstanding any other provision of this chapter, the department may authorize, by rule, the Department of Transportation to perform any activity requiring a permit from the department covered by this chapter, upon certification by the Department of Transportation that it will meet all requirements imposed by statute, rule, or standard for environmental control and protection as such statute, rule, or standard applies to a governmental program. To this end, the department may accept such certification of compliance for programs of the Department of Transportation, may conduct investigations for compliance, and, if a violation is found to exist, may take all necessary enforcement action pertaining thereto, including, but not limited to, the revocation of certification. The authorization shall be by rule of the department, shall be limited to the maintenance, repair, or replacement of existing structures, and shall be conditioned upon compliance by the Department of Transportation with specific guidelines or requirements which are set forth in the formal acceptance and deemed necessary by the department to assure future compliance with this chapter and applicable department rules. The failure of the Department of Transportation to comply with any provision of the written acceptance shall constitute grounds for its revocation by the department.

(b) The provisions of chapter 120 shall be accorded any person when substantial interests will be affected by an activity proposed to be conducted by the Department of Transportation pursuant to its certification and the acceptance of the department. If a proceeding is conducted pursuant to ss. 120.569 and 120.57, the department may intervene as a party. Should an administrative law judge of the Division of Administrative Hearings of the Department of Management Services submit a recommended order pursuant to ss. 120.569 and 120.57, the department shall issue a final department order adopting, rejecting, or modifying the recommended order pursuant to such action.

(16) Consult with any person proposing to construct, install, or otherwise acquire a pollution control device or system concerning the efficacy of such device or system, or the pollution problem which may be related to the source, device, or system. Nothing in any such consultation shall be construed to

relieve any person from compliance with this act, rules and regulations of the department, or any other provision of law.

(17) Encourage voluntary cooperation by persons and affected groups to achieve the purposes of this act.

(18) Encourage local units of government to handle pollution problems within their respective jurisdictions on a cooperative basis and provide technical and consultative assistance therefor.

(19) Encourage and conduct studies, investigations, and research relating to pollution and its causes, effects, prevention, abatement, and control.

(20) Make a continuing study of the effects of the emission of air contaminants from motor vehicles on the quality of the outdoor atmosphere of this state and the several parts thereof and make recommendations to appropriate public and private bodies with respect thereto.

(21) Collect and disseminate information and conduct educational and training programs relating to pollution.

(22) Advise, 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. However, the secretary of the department shall not enter into any interstate agreement relating to the transport of ozone precursor pollutants, nor modify its rules based upon a recommendation from the Ozone Transport Assessment Group or any other such organization that is not an official subdivision of the United States Environmental Protection Agency but which studies issues related to the transport of ozone precursor pollutants, without prior review and specific legislative approval.

(23) Adopt, modify, and repeal rules governing the specifications, construction, and maintenance of industrial reservoirs, dams, and containers which store or retain industrial wastes of a deleterious nature.

(24) Adopt rules and regulations to ensure that no detergents are sold in Florida which are reasonably found to have a harmful or deleterious effect on human health or on the environment. Any regulations adopted pursuant to this subsection shall apply statewide. Subsequent to the promulgation of such rules and regulations, no county, municipality, or other local political subdivision shall adopt or enforce any local ordinance, special law, or local regulation governing detergents which is less stringent than state law or regulation. Regulations, ordinances, or special acts adopted by a county or municipality governing detergents shall be subject to approval by the department, except that regulations, ordinances, or special acts adopted by any county or municipality with a local pollution control program approved pursuant to s. [403.182](#) shall be approved as an element of the local pollution control program.

(25)(a) Establish a permit system to provide for spoil site approval, as may be requested and required by local governmental agencies as defined in s. [403.1835\(2\)\(c\)](#), or mosquito control districts as defined in s. [388.011\(5\)](#), to facilitate these agencies in providing spoil sites for the deposit of spoil from maintenance dredging of navigation channels, port harbors, turning basins, and harbor berths, as part of a federal project, when the agency is acting as sponsor of a contemplated dredge and fill operation involving an established navigation channel, harbor, turning basin, or harbor berth. A spoil site approval granted to the agency shall be granted for a period of 10 to 25 years when such site is not inconsistent with an adopted local governmental comprehensive plan and the requirements of this chapter. The department shall periodically review each permit to determine compliance with the terms and conditions of the permit. Such review shall be conducted at least once every 10 years.

(b) This subsection applies only to those maintenance dredging operations permitted after July 1, 1980, where the United States Army Corps of Engineers is the prime dredge and fill agent and the local governmental agency is acting as sponsor for the operation, and does not require the redesignation of currently approved spoil sites under such previous operations.

(26) Establish and administer a program for the restoration and preservation of bodies of water within the state. The department shall have the power to acquire lands, to cooperate with other applicable state or local agencies to enhance existing public access to such bodies of water, and to adopt all rules necessary to accomplish this purpose.

(27)(a) Develop standards and criteria for waters used for deepwater shipping which standards and criteria consider existing water quality; appropriate mixing zones and other requirements for maintenance dredging in previously constructed deepwater navigation channels, port harbors, turning basins, or harbor berths; and appropriate mixing zones for disposal of spoil material from dredging and, where necessary, develop a separate classification for such waters. Such classification, standards, and criteria shall recognize that the present dedicated use of these waters is for deepwater commercial navigation.

(b) The provisions of paragraph (a) apply only to the port waters, spoil disposal sites, port harbors, navigation channels, turning basins, and harbor berths used for deepwater commercial navigation in the ports of Jacksonville, Tampa, Port Everglades, Miami, Port Canaveral, Ft. Pierce, Palm Beach, Port Manatee, Port St. Joe, Panama City, St. Petersburg, Port Bartow, Florida Power Corporation's Crystal River Canal, Boca Grande, Green Cove Springs, and Pensacola.

(28) Establish rules which provide for a special category of water bodies within the state, to be referred to as "Outstanding Florida Waters," which water bodies shall be worthy of special protection because of their natural attributes. Nothing in this subsection shall affect any existing rule of the department.

(29) Perform any other act necessary to control and prohibit air and water pollution, and to delegate any of its responsibilities, authority, and powers, other than rulemaking powers, to any state agency now or hereinafter established.

(30)(a) Adopt by rule special criteria to protect Class II and Class III shellfish harvesting waters. Such rules may include special criteria for approving docking facilities that have 10 or fewer slips if the construction and operation of such facilities will not result in the closure of shellfish waters.

(b) Adopt by rule a specific surface water classification to protect surface waters used for treated potable water supply. These designated surface waters shall have the same water quality criteria protections as waters designated for fish consumption, recreation, and the propagation and maintenance of a healthy, well-balanced population of fish and wildlife, and shall be free from discharged substances at a concentration that, alone or in combination with other discharged substances, would require significant alteration of permitted treatment processes at the permitted treatment facility or that would otherwise prevent compliance with applicable state drinking water standards in the treated water. Notwithstanding this classification or the inclusion of treated water supply as a designated use of a surface water, a surface water used for treated potable water supply may be reclassified to the potable water supply classification.

(31) Establish requirements by rule that reasonably protect the public health and welfare from electric and magnetic fields associated with existing 230 kV or greater electrical transmission lines, new 230 kV and greater electrical transmission lines for which an application for certification under the Florida Electric Transmission Line Siting Act, ss. [403.52-403.5365](#), is not filed, new or existing electrical transmission or distribution lines with voltage less than 230 kV, and substation facilities.

Notwithstanding any other provision in this chapter or any other law of this state or political subdivision thereof, the department shall have exclusive jurisdiction in the regulation of electric and magnetic fields associated with all electrical transmission and distribution lines and substation facilities. However, nothing herein shall be construed as superseding or repealing the provisions of s. [403.523\(1\)](#) and (10).

(32) Adopt rules necessary to obtain approval from the United States Environmental Protection Agency to administer the Federal National Pollution Discharge Elimination System (NPDES) permitting program in Florida under ss. 318, 402, and 405 of the federal Clean Water Act, Pub. L. No. 92-500, as amended. This authority shall be implemented consistent with the provisions of part II, which shall be applicable to facilities certified thereunder. The department shall establish all rules, standards, and requirements that regulate the discharge of pollutants into waters of the United States as defined by and in a manner consistent with federal regulations; provided, however, that the department may adopt a standard that is stricter or more stringent than one set by the United States Environmental Protection Agency if approved by the Governor and Cabinet in accordance with the procedures of s. [403.804\(2\)](#).

(33) Coordinate the state's stormwater program.

(34) Establish and administer programs providing appropriate incentives that have the following goals, in order of importance:

- (a) Preventing and reducing pollution at its source.
- (b) Recycling contaminants that have the potential to pollute.
- (c) Treating and neutralizing contaminants that are difficult to recycle.
- (d) Disposing of contaminants only after other options have been used to the greatest extent practicable.

(35) Adopt rules which may include stricter permitting and enforcement provisions within Outstanding Florida Waters, aquatic preserves, areas of critical state concern, and areas subject to chapter 380 resource management plans adopted by rule by the Administration Commission, when the plans for an area include waters that are particularly identified as needing additional protection, which provisions are not inconsistent with the applicable rules adopted for the management of such areas by the department and the Governor and Cabinet.

(36) Exercise the duties, powers, and responsibilities required of the state under the federal Clean Air Act, 42 U.S.C. ss. 7401 et seq. The department shall implement the programs required under that act in conjunction with its other powers and duties. Nothing in this subsection shall be construed to repeal or supersede any of the department's existing rules.

(37) Establish statewide standards for persons engaged in determining visible air emissions and to require these persons to obtain training to meet such standards.

(38) Provide a supplemental permitting process for the issuance of a joint coastal permit pursuant to s. [161.055](#) or environmental resource permit pursuant to part IV of chapter 373, to a port listed in s. [311.09\(1\)](#), for maintenance dredging and the management of dredged materials from maintenance dredging of all navigation channels, port harbors, turning basins, and harbor berths. Such permit shall be issued for a period of 5 years and shall be annually extended for an additional year if the port is in compliance with all permit conditions at the time of extension. The department is authorized to adopt rules to implement this subsection.

(39) Provide a supplemental permitting process for the issuance of a conceptual joint coastal permit pursuant to s. [161.055](#) or environmental resource permit pursuant to part IV of chapter 373, to a port listed in s. [311.09\(1\)](#), for dredging and the management of materials from dredging and for other related activities necessary for development, including the expansion of navigation channels, port harbors,

turning basins, harbor berths, and associated facilities. Such permit shall be issued for a period of up to 15 years. The department is authorized to adopt rules to implement this subsection.

(40) Enter into a memorandum of agreement with the Florida Inland Navigation District and the West Coast Inland Navigation District, or their successor agencies, to provide a supplemental process for issuance of joint coastal permits pursuant to s. 161.055 or environmental resource permits pursuant to part IV of chapter 373 for regional waterway management activities, including, but not limited to, maintenance dredging, spoil disposal, public recreation, inlet management, beach nourishment, and environmental protection directly related to public navigation and the construction, maintenance, and operation of Florida's inland waterways. The department is authorized to adopt rules to implement this subsection.

(41) Maintain a list of projects or activities, including mitigation banks, which applicants may consider when developing proposals in order to meet the mitigation or public interest requirements of this chapter, chapter 253, or chapter 373. The contents of such list are not a rule as defined in chapter 120, and listing a specific project or activity does not imply department approval for such project or activity. Each county government is encouraged to develop an inventory of projects or activities for inclusion on the list by obtaining input from local stakeholders in the public, private, and nonprofit sectors, including local governments, port authorities, marine contractors, other representatives of the marine construction industry, environmental or conservation organizations, and other interested parties. A county may establish dedicated trust funds for depositing public interest donations to be used for future public interest projects, including improving on-water law enforcement capabilities.

<sup>1</sup>(42) Expand the use of online self-certification for appropriate exemptions and general permits issued by the department or the water management districts if such expansion is economically feasible. Notwithstanding any other provision of law, a local government may not specify the method or form for documenting that a project qualifies for an exemption or meets the requirements for a permit under chapter 161, chapter 253, chapter 373, or this chapter. This limitation of local government authority extends to Internet-based department programs that provide for self-certification.

(43) Serve as the state's single point of contact for performing the responsibilities described in Presidential Executive Order 12372, including administration and operation of the Florida State Clearinghouse. The Florida State Clearinghouse shall be responsible for coordinating interagency reviews of the following: federal activities and actions subject to the federal consistency requirements of s. 307 of the Coastal Zone Management Act; documents prepared pursuant to the National Environmental Policy Act, 42 U.S.C. ss. 4321 et seq., and the Outer Continental Shelf Lands Act, 43 U.S.C. ss. 1331 et seq.; applications for federal funding pursuant to s. 216.212; and other notices and information regarding federal activities in the state, as appropriate. The Florida State Clearinghouse shall ensure that state agency comments and recommendations on the environmental, social, and economic impact of proposed federal actions are communicated to federal agencies, applicants, local governments, and interested parties.

(44)(a) Implement ss. 403.067 and 403.088 in flowing waters consistent with the attainment and maintenance of:

1. The narrative criterion for nutrients and any in-stream numeric interpretation of the narrative water quality criterion for nutrients adopted by the department in streams, canals, and other conveyances; and
2. Nutrient water quality standards applicable to downstream waters.

(b) The loading of nutrients to downstream waters from a stream, canal, or other conveyance shall be limited to provide for the attainment and maintenance of nutrient water quality standards in the downstream waters.

1. If the downstream water does not have a total maximum daily load adopted under s. [403.067](#) and has not been verified as impaired by nutrient loadings, then the department shall implement its authority in a manner that prevents impairment of the downstream water due to loadings from the upstream water.

2. If the downstream water does not have a total maximum daily load adopted under s. [403.067](#) but has been verified as impaired by nutrient loadings, then the department shall adopt a total maximum daily load under s. [403.067](#).

3. If the downstream water has a total maximum daily load adopted under s. [403.067](#) that interprets the narrative water quality criterion for nutrients, then allocations shall be set for upstream water bodies in accordance with s. [403.067\(6\)](#), and if applicable, the basin management action plan established under s. [403.067\(7\)](#).

(c) Compliance with an allocation calculated under s. [403.067\(6\)](#) or, if applicable, the basin management action plan established under s. [403.067\(7\)](#) for the downstream water shall constitute reasonable assurance that a discharge does not cause or contribute to the violation of the downstream nutrient water quality standards.

(45) Adopt rules requiring or incentivizing the electronic submission of forms, documents, fees, or reports required under chapter 161, chapter 253, chapter 373, chapter 376, chapter 377, or this chapter. The rules must reasonably accommodate technological or financial hardship and provide procedures for obtaining an exemption due to such hardship.

The department shall implement such programs in conjunction with its other powers and duties and shall place special emphasis on reducing and eliminating contamination that presents a threat to humans, animals or plants, or to the environment.

**History.**—s. 7, ch. 67-436; ss. 19, 26, 35, ch. 69-106; s. 1, ch. 71-35; s. 2, ch. 71-36; s. 3, ch. 72-39; s. 1, ch. 72-53; s. 113, ch. 73-333; s. 3, ch. 74-133; s. 1, ch. 77-21; s. 137, ch. 77-104; s. 268, ch. 77-147; s. 2, ch. 77-369; s. 14, ch. 78-95; s. 2, ch. 78-437; s. 73, ch. 79-65; s. 1, ch. 79-130; s. 96, ch. 79-164; s. 160, ch. 79-400; s. 1, ch. 80-66; ss. 2, 5, ch. 81-228; s. 5, ch. 82-27; s. 1, ch. 82-79; s. 2, ch. 82-80; s. 66, ch. 83-310; s. 5, ch. 84-79; s. 1, ch. 84-338; s. 1, ch. 85-296; s. 5, ch. 85-345; s. 5, ch. 86-173; s. 52, ch. 86-186; s. 22, ch. 88-393; s. 31, ch. 89-279; s. 54, ch. 90-331; s. 24, ch. 91-305; s. 23, ch. 92-203; s. 127, ch. 92-279; s. 55, ch. 92-326; s. 36, ch. 93-213; s. 5, ch. 94-311; s. 1, ch. 94-321; s. 356, ch. 94-356; s. 55, ch. 95-144; s. 144, ch. 96-320; s. 8, ch. 96-370; s. 129, ch. 96-410; s. 26, ch. 97-160; s. 100, ch. 98-200; s. 3, ch. 98-326; s. 155, ch. 99-8; s. 2, ch. 2001-188; s. 1, ch. 2001-224; s. 8, ch. 2002-275; s. 68, ch. 2006-230; s. 42, ch. 2010-147; s. 4, ch. 2010-201; s. 2, ch. 2010-208; s. 12, ch. 2012-205; s. 1, ch. 2013-71; s. 17, ch. 2013-92; s. 94, ch. 2014-17; s. 30, ch. 2016-1; s. 47, ch. 2018-110; s. 10, ch. 2020-150.

<sup>1</sup>**Note.**—As enacted by s. 42, ch. 2010-147. For a description of multiple acts in the same session affecting a statutory provision, see preface to the *Florida Statutes*, "Statutory Construction." Subsection (41), redesignated as subsection (42) by s. 10, ch. 2020-150, was also enacted by s. 2, ch. 2010-208, and that version reads:

(42) Expand the use of online self-certification and other forms of online authorization for appropriate exemptions, general permits, and individual permits by the department and the water management districts if such expansion is economically feasible. The department shall report on the progress of these activities to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations by February 15, 2011. Notwithstanding any other provision of law, a local government may not specify the method or form for documenting that a project meets the requirements for authorization under chapter 161, chapter 253, chapter 373, or this chapter. This includes Internet-based department programs that provide for self-certification.

Select Year:  

## The 2020 Florida Statutes

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[Title XXIX](#)  
PUBLIC HEALTH

[Chapter 403](#)  
ENVIRONMENTAL CONTROL

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**403.8055 Department adoption of federal standards.**—Notwithstanding ss. [120.54](#) and [403.804](#), the secretary is empowered to adopt rules substantively identical to regulations adopted in the Federal Register by the United States Environmental Protection Agency pursuant to federal law, in accordance with the following procedures:

(1) The secretary shall publish notice of intent to adopt a rule pursuant to this section in the Florida Administrative Register at least 21 days prior to filing the rule with the Department of State. The secretary shall mail a copy of the notice of intent to adopt a rule to the Administrative Procedures Committee at least 21 days prior to the date of filing with the Department of State. Prior to filing the rule with the Department of State, the secretary shall consider any written comments received within 21 days after the date of publication of the notice of intent to adopt a rule. The rule shall be adopted upon filing with the Department of State. Substantive changes from the rules as noticed shall require republishing of notice as required in this section.

(2) Any rule adopted pursuant to this section shall become effective upon the date designated in the rule by the secretary; however, no such rule shall become effective earlier than the effective date of the substantively identical United States Environmental Protection Agency regulation.

(3) The secretary shall stay any terms or conditions of a permit implementing department rules adopted pursuant to this section if the substantively identical provisions of a United States Environmental Protection Agency regulation have been stayed under federal judicial review. A stay issued pursuant to this subsection shall terminate upon completion of federal judicial review.

(4) Any domestic for-profit or nonprofit corporation or association formed, in whole or in part:

- (a) To promote conservation or natural beauty;
- (b) To protect the environment, personal health, or other biological values;
- (c) To preserve historical sites;
- (d) To promote consumer interests;
- (e) To represent labor, commercial, or industrial groups; or
- (f) To promote orderly development;

and any other substantially affected person may, within 14 days after the date of publication of the notice of intent to adopt a rule, file an objection to rulemaking with the Environmental Regulation Commission. The objection shall specify the portions of the proposed rule to which the person objects and the reasons for the objection. The secretary shall not have the authority under this section to adopt those portions of a proposed rule specified in such objection. Objections which are frivolous shall not be considered sufficient to prohibit the secretary from adopting rules under this section.

(5) Whenever all or part of any rule proposed for adoption by the department is substantively identical to a regulation adopted in the Federal Register by the United States Environmental Protection

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Agency pursuant to federal law, such rule shall be written in a manner so that the rule specifically references such regulation whenever possible.

**History.**—s. 7, ch. 80-66; s. 11, ch. 82-27; s. 38, ch. 88-130; s. 43, ch. 2013-14.

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