



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

CLIFFORD D. WILSON III
INTERIM SECRETARY

December 29, 2014

Ms. Angela Isom
Air, Pesticides and Toxics
Management Division
U.S. EPA, Region 4
61 Forsyth Street
Atlanta, Georgia 30303-8960

**RE: Annual Summary Report FY 2014
Environmental Protection Agency (EPA) Air Planning Agreement**

Dear Ms. Isom:

This letter is submitted to address Commitment 4 under the Cross Cutting Issues "Planning" Section of the Fiscal Year (FY) 2014 Section 105 Air Planning Agreement, which requires each agency to evaluate its performance under the FY 2014 Air Planning Agreement. The Florida Department of Environmental Protection (DEP) appreciates the opportunity to outline its accomplishments over FY 2014.

Protecting and Improving Air Quality

Goal 1: Taking Action on Climate Change and Improving Air Quality

Objective 1.1: Improve Air Quality

Implement the PM_{2.5} NAAQS

During FY 2014, Florida had no areas violating or designated as nonattainment for the 1997 PM_{2.5} NAAQS. Based upon information obtained from its robust PM_{2.5} air quality monitoring network, DEP anticipates that the entire state of Florida will be designated attainment or unclassifiable/attainment with respect to the 2012 primary annual PM_{2.5} NAAQS.

Implement the 8-hour Ozone NAAQS

In 2014, there were no violations of the 2008 ozone NAAQS in Florida.

Implement the Lead NAAQS

On June 29, 2012, DEP submitted a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act (Submittal No. 2012-04). The proposed SIP revision consists of a Lead (Pb) Nonattainment Area Plan to ensure the attainment and maintenance of the revised Pb NAAQS in Florida's one Pb nonattainment area, which is located in Hillsborough County, and which centers upon a single facility – the EnviroFocus Technologies, LLC (EnviroFocus) lead recycling facility. On June 27, 2013, DEP amended its Pb Nonattainment Area Plan to incorporate the revised terms and conditions of a federally enforceable air construction permit for EnviroFocus, as it pertains to emissions of Pb. In December 2014, DEP submitted a supplement to the “Contingency Measures” provisions of its pending Pb Nonattainment Area Plan to reflect additional procedures and controls at the EnviroFocus facility that would be implemented immediately upon the occurrence of various triggering events related to any future monitored exceedances or violations of the Pb NAAQS. Florida is pleased to report that the most recent monitoring data for the nonattainment area reflect the significant emissions controls and process improvements undertaken at the EnviroFocus facility pursuant to the Plan.

Implement the Regional Haze Program

On August 29, 2013, EPA fully approved Florida's regional haze SIP, finding that the “SIP meets all of the regional haze requirements of the CAA” (78 FR 53250 -53269). Prior to EPA's approval of Florida's Regional Haze Plan, DEP committed to amending its SIP to incorporate a federally enforceable NO_x emissions limit for Lakeland Electric's C.D. McIntosh power plant Unit 1 by March 19, 2015. In keeping with this commitment, Florida has imposed a federally enforceable NO_x emission limit on Unit 1 through an air construction permit. DEP is on track to meet the deadline for proposing a Regional Haze SIP revision to incorporate this emissions limit, as well as the March 2015 deadline to submit Florida's five-year progress report pursuant to subparagraph 40 CFR 51.308(g) of the regional haze rule.

Attain and Maintain the Other NAAQS

On June 2, 2013, DEP provided confirmation to EPA that the requirements of Section 110(a)(2) of the CAA are adequately addressed in Florida's federally-approved SIP with respect to the implementation of the 2010 revised NAAQS for SO₂. On January 8, 2014, DEP submitted an addendum to its 2010 SO₂ Infrastructure SIP incorporating public comments and DEP's responses to those comments. The comments did not result in any substantive change to DEP's confirmation that Florida's infrastructure is adequate to implement the 2010 revised NAAQS for SO₂.

NAAQS Cross Cutting

DEP has continued to participate in the 10-state Southeastern Modeling, Analysis and Planning Project (SEMAP), which is managed by SESARM. While the specific work associated with SEMAP is drawing to a close, SESARM is preparing for the future needs of the states to address the next regional haze planning period, and new NAAQS requirements. SESARM has supported

and will continue to support regional haze efforts while also providing air modeling and other technical support to the member states with respect to attaining and maintaining the NAAQS. DEP staff members serve on the SEMAP project coordinating committee and technical analysis workgroup.

Implement New Source Review (NSR) Programs

DEP regulates minor sources in accordance with its current rules and EPA-approved program, which includes:

- Air general permits for 17 small industries with one primary function.
- Air construction permits to construct or modify minor sources.
- State air operation permits for minor sources.
- Federally enforceable state operation permits, which are facility-wide permits with specifications that establish the facility as a minor source.

Minor NSR is for pollutants from stationary sources that do not require Prevention of Significant Deterioration (PSD) or nonattainment area NSR permits.

DEP's District offices and local air program offices are responsible for processing applications for minor sources of air pollution. DEP's Division of Air Resource Management (Division) office in Tallahassee provides guidance on specific projects, holds quarterly teleconferences, and performs permit program reviews to ensure statewide consistency.

For major source PSD preconstruction review, DEP conducts thorough technical evaluations to support well-reasoned Best Available Control Technology (BACT) determinations. All PSD and non-attainment area preconstruction review permits are processed by the Division office in Tallahassee. DEP places a high priority on maintaining and updating Florida's data in EPA's RACT/BACT/LAER Clearinghouse. DEP notifies EPA Region 4 and the Federal Land Manager of all PSD applications received. As required by the 105 Agreement, DEP provides copies (or links to electronic files) for all PSD applications, requests for additional information, draft/final permit packages, and final determinations. The date a PSD application is considered complete is recorded in the Technical Evaluation and Preliminary Determination, which is provided as part of the draft permit package. DEP participates in the monthly teleconferences for the NSR/PSD Policy and Modeling Workgroup.

Ambient Air Monitoring

Florida has a robust air quality monitoring network that covers almost 92% of its population, a greater percentage than any other state in Region 4. DEP operates all criteria pollutant monitors and performs the requisite data reviews and quality assurance and quality control activities in accordance with the applicable Code of Federal Regulation (CFR) requirements, EPA orders, and other applicable federal policies and guidance. All of the valid, legally defensible ambient monitoring data collected at the State and Local Air Monitoring Stations (SLAMS) and applicable Special Purpose Monitors (SPMs), along with the associated quality assurance data,

were transmitted to the Air Quality System (AQS) in a timely fashion (on or before 90 days after the end of the reporting quarters). Data completeness reports were filed as necessary. Final certification of the CY 2013 ambient monitoring data was completed on May 1, 2014.

The 2014 Annual Ambient Monitoring Network Plan, as required by 40 CFR, 58.10 and prepared in coordination with the local air monitoring programs, was posted for public inspection before being submitted to EPA on June 30, 2014. On November 8, 2014, EPA approved the Plan. It is anticipated that three additional proposed sites will be approved by EPA following receipt of supplemental information.

DEP continues to review and update quality assurance procedures as federal requirements change, new equipment becomes operational, and/or new or revised ancillary equipment and programs are brought on line. DEP submitted the statewide air monitoring Quality Management Plan (QMP) which was approved on December 8, 2014, the Quality Assurance Project Plans (QAPPs) for the gaseous and particle pollution networks, and Standard Operating Procedures (SOPs) from both DEP and local air monitoring programs to the EPA Region 4 SEDS for review and approval. DEP reviewed local program SOPs and where necessary provided comments to the producing agency for correcting or improving the SOPs prior to submission to EPA. In addition, DEP provided quality assurance audit support for the DEP and local air program monitoring operations with 404 performance audits, 4 systems audits, and 101 site reviews. DEP auditors also performed 66 ozone primary site standard comparisons and 4 Technical Systems Audits (TSA) of the Chemical Speciation Network (CSN) located throughout Florida.

DEP conducted a review of all of the DEP-operated ambient monitors and ancillary equipment and plans to invest approximately \$250,000 to upgrade.

Exceedances of the NAAQS are infrequent in Florida, and all were reported to EPA as required. All of the required agencies, and several agencies that are not required, are producing Air Quality Index (AQI) information for dissemination to the public. All of the required Metropolitan Statistical Areas (MSAs) are submitting air quality forecasts to EPA's AIRNow web site. The ozone and PM_{2.5} information (both ambient data and the AQI) are also being disseminated through the DEP web site.

Reduce Air Toxics

Goal 1: Taking Action on Climate Change and Improving Air Quality

Objective 1.2: Improve Air Quality

DEP is continuing its coordination with local programs in collecting and reporting air toxics monitoring data to EPA. DEP remains current with reporting toxics data for our National Air Toxics Trend Sites (NATTS) to EPA's AQS.

Monitoring and Enforcement

Goal 2: Enforcing Environmental Laws

Objective 2.1: Enforce Environmental Laws

The Office of Permitting and Compliance (OPC) is organized into two sections: (1) Permitting; and (2) Compliance and Enforcement. The Permitting section processes applications for all PSD permits and Title V permits for power plants subject to acid rain provisions, waste-to-energy plants, and landfills. The Permitting section also provides guidance and technical assistance to the District offices and local air programs regarding permitting issues. Since the District offices and local air programs handle day-to-day compliance inspections and site investigations, compliance activities for OPC means assisting these programs with regulatory interpretations and promoting statewide consistency.

DEP has also updated and reorganized its Intranet site identifying core Compliance and Enforcement documents as well as other on-line training tools. This includes updated information regarding EPA's latest guidance on Federally Reportable Violations (FRV) and High-Priority Violations (HPV). The simplified website will enhance consistency and coordination among the six DEP district offices and the eight approved local programs across the state.

DEP also worked diligently with a contractor to develop the Florida Air Inspector Reference (FAIR) training program, which consists of a manual and face-to-face training course. This comprehensive training course provides core program information to DEP inspectors and further improves C&E data quality. DEP provided this basic training for over 150 air inspectors and managers in 2014. Additional FAIR training is scheduled for 2015.

DEP revamped its compliance and enforcement data interface. The new system, AirCom, provides a consistent look and feel for data input to the Air Resource Management System (ARMS) database. For planning purposes, activities can now be scheduled and tracked to ensure completeness and timeliness. Replacing the Electronic Access System for Inspection Information Retrieval (EASIIR), AirCom allows an inspector to use a laptop or tablet to record data collected during an inspection and upload directly into AirCom. Alternatively, if there is limited access to the Internet, an inspector can record data in an Adobe Acrobat fillable form created by AirCom and upload this data into AirCom once an Internet connection is established. Enhancements also include: a new programming language; a new interface to prompt inspectors through compliance and enforcement activities; active checks to prevent data entry errors; new reports; and improved data uploads to the federal AFS (now ICIS) database. The new system will improve consistency among the programs and ensure that the data uploaded to EPA's system is accurate.

DEP continues to update its web page for sharing compliance assistance activities conducted throughout the state at: http://intranetdev/darm/compliance_and_enforcement/compliance_assistance.htm. Users may access PowerPoint presentations, booklets, posters, calendars, and small business assistance contact information with links to related web sites. Note that all of the DEP websites are being updated to a new format, which will be completed in 2015.

DEP's goal is to review the permit program in each district and local air program office at least once every two years. Permit program reviews consist of onsite visits, discussions with permit

managers and staff, reviews of permits, and reviews of ARMS permitting and inventory data. For the 2014 federal fiscal year, DEP completed reports for the Northeast District, the Northwest District, the Southwest District, the South District, the Broward County Environmental Protection and Growth Management Department, and the Miami-Dade County Regulatory and Economic Resources Department. In addition, reports are pending for the Hillsborough Environmental Protection Commission and Sarasota County Air and Water Quality. DEP plans to conduct reviews for the six remaining offices by the end of the 2015 federal fiscal year.

DEP also conduct compliance and enforcement reviews, which consist of reviewing of electronic documents and ARMS data with a primary focus on getting EPA's State Review Framework (SRF) data right. Reviews are conducted for all programs each month and shared electronically to identify concerns, correct data, and prevent future timeliness issues. The purpose is to establish better working relationships with these offices, examine performance, identify common errors, promote statewide consistency, and place a priority on the SRF data. These reviews benefit DEP's air program by ensuring compliance with EPA grant commitments, seeking feedback from the District offices and local air programs, and enabling DEP to offer recommendations for improvement. DEP also looks to identify innovative and successful approaches that could benefit other programs.

District offices and local air programs routinely contact the Division with questions about technical issues or penalty calculation procedures, and this frequent communication has allowed DEP to foster a consistent state-wide approach to compliance and enforcement. In addition, the Compliance and Enforcement section holds monthly teleconferences attended by staff from district and local program offices. Difficult cases, new rules, and procedural solutions are discussed and feedback is provided.

DEP's division office in Tallahassee peer reviews all District cases going to formal enforcement with penalties. District offices provide to the District Director and the Division written reports summarizing the non-compliance issue(s), the actions leading up to enforcement, the recommendation, and the penalty assessment. The Environmental Administrator of the Compliance and Enforcement section reviews these reports and provides a separate recommendation to the District Director for consideration. Often the recommendation is a simple concurrence, but this review provides a valuable check for consistency. Local air programs may request enforcement peer reviews from the Division.

The Florida air program inspected 43% of the statewide asbestos notifications received in FY 2014, exceeding its expectation of at least 25%. DEP also maintains an online asbestos notification and fee payment system. Customers are able to submit notifications and pay asbestos removal fees via the secure online DEP Business Portal at: <http://www.fldepportal.com/go/>. Asbestos contractors and other relevant parties responsible for the fees can set up an account with a unique user name and password to pay fees with a Visa or MasterCard.

DEP Division staff members have expertise with regard to stack test methods and procedures, continuous emissions monitoring systems, equipment calibrations, cylinder gas audits, and

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relative accuracy test audits, among other areas. Staff in the Compliance and Enforcement section are responsible for reviewing and making determinations on all alternative sampling procedures (ASP) and alternative monitoring procedures (AMP).

The Compliance and Enforcement section holds monthly teleconferences with EPA Region 4 staff to provide updates on compliance and enforcement activities with a focus on tracking and resolving high-priority violations. This monthly interaction is beneficial to both DEP and EPA and has provided a solid working relationship.

Cross Cutting Issues

Goal 3: Taking Action on Climate Change and Improving Air Quality, and Enforcing Environmental Laws

Objective: see all objectives listed in this agreement

Emission Inventories – Criteria and Hazardous Air Pollutants

Consistent with the requirements of the Air Emissions Reporting Requirements (AERR) rule and in accordance with the procedures for reporting through the Emissions Inventory System (EIS) Gateway, DEP expects to have submitted Florida's 2013 point-source emissions inventory data for both criteria pollutants and hazardous air pollutants to EPA by the end of 2014. During FY 2014, DEP has frequently interacted with EPA through direct e-mail and the EIS Gateway in order to resolve any issues or questions that came about with the 2013 data as well as historical data. DEP representatives attended EPA's Emissions Inventory quarterly conference calls during FY 2014 in order to stay informed of current issues.

Conclusion

The State of Florida has worked diligently over the last year to meet all of the required 105 grant commitments. We look forward to working with EPA to maintain this progress. Please contact John Hughes at (850) 717-9009 or at john.hughes@dep.state.fl.us if you have any questions.

Sincerely,



Paula L. Cobb, Director
Division of Air Resource Management

PC/jh