

By Senator Constantine

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1 A bill to be entitled
2 An act relating to air emissions; amending s.
3 403.08735, F.S.; deleting an obsolete deadline for the
4 Department of Environmental Protection to adopt rules
5 relating to generic air emissions; providing an
6 effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (1) of section 403.08735, Florida
11 Statutes, is amended to read:

12 403.08735 Air emissions trading.—

13 (1) GENERIC AIR EMISSIONS BUBBLE RULE.—The department shall
14 adopt ~~promulgate by July 1, 1996,~~ a generic air emissions bubble
15 rule to the fullest extent consistent with federal law that
16 includes all elements necessary to obtain approval from the
17 United States Environmental Protection Agency to administer the
18 program. The generic air emissions bubble rule shall eliminate
19 the need for case-by-case federal determinations on individual
20 emissions trades within a single facility as individual State
21 Implementation Plan revisions. For purposes of promulgating a
22 generic air emissions bubble rule:

23 (a) The term "bubble" shall mean an air pollution control
24 strategy which allows multiunit aggregate emission limits to be
25 established within a facility, in lieu of unit-specific emission
26 limits, on a pollutant-specific basis at the request of the
27 facility owner or operator. The application of a bubble to a
28 facility would allow emissions at one or more emissions points
29 or units to fluctuate within a facility as long as the multiunit

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30 limit is not exceeded. Multiunit limits shall be established by
31 aggregating unit-specific limits for all new or existing units
32 being included in the bubble. The bubble shall also allow the
33 department to establish, at the request of the owner or operator
34 of a facility, alternative emission limits for individual units
35 as long as the aggregated emissions limit for all involved units
36 is not increased.

37 (b) The term "facility" shall mean all emissions units that
38 are located on one or more contiguous or adjacent properties
39 that are under common control of the same person or persons. For
40 purposes of this section, the terms "plantwide" and
41 "facilitywide" are used interchangeably.

42 Section 2. This act shall take effect July 1, 2009.