



**COMMISSION**

Kevin Beckner      Lesley "Les" Miller, Jr.  
Victor D. Crist     Sandra L. Murman  
Ken Hagan          Mark Sharpe  
Al Higginbotham

**DIVISION DIRECTORS**

Legal & Admin.      Richard Tschantz, Esq.  
Air Management     Jerry Campbell, P.E.  
Waste Management   Hooshang Boostani, P.E.  
Water Management   Sam Elrabi, P.E.  
Wetlands Management   Scott Emery, Ph.D.

**EXECUTIVE DIRECTOR**  
Richard D. Garrity, Ph.D.

In the Matter of an  
Application for Permit by:

File No.: 0570412-007-AC  
County: Hillsborough

Mr. Hershel Burton  
Vulcan Materials Company,  
Florida Rock Division  
3510 Pendola Point Road  
Tampa, FL 33619

---

**INTENT TO ISSUE**

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue an Air Construction Permit for the non-Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Vulcan Materials Company, Florida Rock Division, applied on September 11, 2013 to the permitting authority for an air construction permit to expand their bulk material handling operation located at 3510 Pendola Point Road, Tampa, Hillsborough County. Vulcan Materials is proposing to construct a new ship unloading and material handling operation at their facility as a result of the acquisition of the neighboring property to the east. Also included in this project is the addition of a portable screening operation.

The EPC has permitting jurisdiction under Chapter 403 Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-210. The project is not exempt from permitting procedures. The EPC has determined that an air pollution construction permit is required to commence or continue operations at the described facility. The EPC intends to issue this permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 and 62-4.

Pursuant to Section 403.815 and 403.0872, F.S. and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the

*An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation*

Roger P. Stewart Center  
3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • [www.epchc.org](http://www.epchc.org)

*An Affirmative Action/Equal Opportunity Employer*



county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the EPC at the address or telephone number listed below. **The applicant shall provide proof of publication to the EPC, Air Permitting Section, at 3629 Queen Palm Dr., Tampa, Florida 33619 (Phone 813-627-2600 - FAX 813-627-2660) within 7 (seven) days of publication.** Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C.

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr., Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.; or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the EPC's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number if known;
- (b) The name, address, and telephone number of the petitioner and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;
- (c) A statement of how and when the petitioner received notice of the EPC action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPC's proposed action;
- (f) A statement of specific rules or statutes that the petitioner contends requires reversal or modification of the EPC's proposed action, including an explanation of how the alleged

facts relate to the specific rules or statutes; and

- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner,
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any,
- (c) Each rule or portion of a rule from which a variance or waiver is requested,
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above,
- (e) The type of action requested,
- (f) The specific facts that would justify a variance or waiver for the petitioner,
- (g) The reason by the variance or waiver would serve the purposes of the underlying statute (implemented by the rule), and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the

application of the rule would create a substantial hardship or violate principles of fairness, as each of the those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

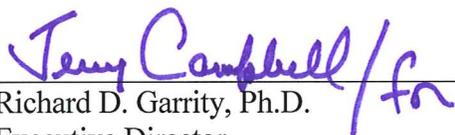
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, Florida 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY

  
\_\_\_\_\_  
Richard D. Garrity, Ph.D.  
Executive Director

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the DRAFT permit package) and all copies were sent by certified mail or electronically (with read receipt) before the close of business on 10/18/13 to the person(s) listed:

Hershel Burton / Vulcan Materials Company, Florida Rock Division

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the DRAFT permit package) were sent by U.S. mail or electronically (with Read Receipt) on the same date to the person(s) listed or as otherwise noted:

James Burkholder / Vulcan Materials Company, Florida Rock Division

Clerk Stamp

**FILING AND ACKNOWLEDGEMENT**

**FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated clerk, receipt of which is hereby acknowledged.

*Tatiana L. Torres*  
Clerk

10/18/13  
Date

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY  
PUBLIC NOTICE OF INTENT TO ISSUE PERMIT

DRAFT Air Construction Permit No: 0570412-007-AC  
Vulcan Materials Company, Florida Rock Division  
Hillsborough County

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue an Air Construction Permit to Vulcan Materials Company, Florida Rock Division to expand their bulk material handling operation located at 3510 Pendola Point Road, Tampa, Hillsborough County. Vulcan Materials is proposing to construct a new ship unloading and bulk material handling operation at their expanded facility. Also included in this project is the addition of a portable screening operation. Vulcan Materials is a Synthetic non-Title V source of particulate matter emissions. Emissions will be controlled by water sprays, partial enclosures, material moisture content, and best management practices.

A Best Available Control Technology (BACT) determination was not required.

The EPC will issue the FINAL permit with the conditions of the DRAFT permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. The procedures for petitioning for hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr., Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the F.A.C.

A petition that disputes the material facts on which the EPC's action is based is required to contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number if known;

(b) The name, address, and telephone number of the petitioner, and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of how and when petitioner received notice of the EPC action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPC proposed action;

(f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition this order will not be effective until further order of the EPC.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, Florida 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

The complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Environmental Protection Commission of Hillsborough County, 3629 Queen Palm Dr., Tampa, FL 33619. The complete project file includes the proposed Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Diana M. Lee, P.E., at the above address, or call 813-627-2600, for additional

information. Any written comments filed shall be available for public inspection. If written comments received result in a significant change in the proposed agency action, the EPC shall revise the proposed permit and require, if applicable, another Public Notice.

TECHNICAL EVALUATION  
AND  
PRELIMINARY DETERMINATION  
FOR

Vulcan Materials Company, Florida Rock Division

Hillsborough County

DRAFT Air Construction Permit

Application Number

0570412-007-AC

Environmental Protection Commission of

Hillsborough County

Tampa, FL

October 18, 2013

## I. Project Description

A. Applicant: Hershel Burton  
Vulcan Materials Company,  
Florida Rock Division  
3510 Pendola Point Road  
Tampa, FL 33619

B. Engineer: Michael A. Sussman, P.E.  
Kleinfelder Southeast, Inc.  
1174 Camp Avenue  
Mt. Dora, FL 32757

P.E. No.: 69286

### C. Project and Location:

Attached is DRAFT Air Construction Permit No. 0570412-007-AC which is being issued to Vulcan Materials Company, Florida Rock Division for the expansion of the bulk material sales yard located at 3510 Pendola Point Road, Tampa, FL. Vulcan Materials is proposing to construct an expansion of the existing facility to the east, as a result of acquiring the neighboring property from the Tampa Port Authority. Vulcan Materials is also requesting to increase the annual throughput limit of the expanded facility from 1.8 to 2.5 million tons per year, in order to accommodate the increased capacity.

Vulcan Materials will use existing equipment currently located on the new property, in addition to the equipment from the old Vulcan Sales Yard II to expand its current facility's operations. The expanded facility will include a new bulk material ship unloading and conveying system rated at 2,500 tons per hour and up to seven (7) material transfer points, a new portable screening system to screen up to 100,000 tons per year of bulk material material, stockpiling of materials, and a truck tire wash to minimize fugitive dust emissions from truck traffic. According to Vulcan, the expanded facility will handle the same types of materials as the existing sales yard facility.

Based on the changes proposed in this AC project, the facility-wide PTE for particulate matter will increase from 23.0 tons/yr to 69.1 tons/yr. Particulate matter emissions will be controlled by water sprays, partial enclosures, and material moisture content.

The project has been assigned Source Classification Code No. 3-05-020-06 - Industrial Processes, Mineral Products, Stone Quarrying, Miscellaneous: Conveying/Screening/Handling. The Standard Industrial Code for the project is No. 4491 (Marine Cargo Handling). The project is located at 3510 Pendola Point Road, Tampa, FL, 33619. UTM Coordinates of the location are 17-357.9 E and 3090.7 N.

### D. Process and Controls:

Vulcan Materials Company is a marine terminal facility which handles limestone, granite, gravel, silica sand, aragonite, granulated blast furnace slag, and black slag.

At the existing facility, material is received by ship and loaded onto a shipboard conveyor and belt conveyed to an on-site receiving hopper (H-1) via a ship mounted conveyor boom. The receiving hopper has a water spray system along the top perimeter of the hopper. From the receiving hopper, the material is gravity fed to a conveyor (C-1) which belt conveys the material to a second hopper (H-2), where it is gravity fed to the radial stacker (R-1), which forms the storage piles. Each transfer point has a water spray system. From the storage piles, front-end loaders either transfer the material to a different storage pile, to the washing station, or directly into open-bed trucks for shipment offsite.

Some of the limestone at the facility is washed prior to being loaded into trucks. If the limestone is to be washed, front-end loaders load the limestone from a storage pile into a hopper (H-3), which gravity feeds to a conveyor (C-2) that belt conveys the material into the washing station where it is thoroughly washed with water. After washing, the limestone is transferred to a conveyor belt (C-3) and then into a truck loading bin. Any oversized limestone is sent back to the storage pile using an oversize conveyor belt (C-4). From the truck loading bin, limestone is gravity fed into a truck. Limestone is only processed through the washing station when a truck is ready to be loaded. Limestone is not stored in the truck loading bin.

At the newly expanded facility, material will be received by ship and loaded onto a shipboard conveyor and belt conveyed to the east on-site receiving hopper (EH-1) via a ship mounted conveyor boom. The receiving hopper will have a water spray system along the top perimeter of the hopper. From the receiving hopper, the material will be gravity fed to a conveyor (EC-1) which will convey the material to a radial stacker (ER-1). From the radial stacker, material will be conveyed to either a second radial stacker (ER-2) to a storage pile, or to up to two (2) portable conveyors (EC-2 and EC-3) prior to feeding the second radial stacker (ER-2), which will then feed the storage pile. The new ship unloading system will have up to seven (7) material transfer points. Each material transfer point will have a water spray system, and the portable conveyors will have partial enclosures.

Also at the newly expanded facility will be a portable screener which will be authorized to screen up to 100,000 tons per year of material. The screening operation will involve the loading of material into a hopper via front-end loader which will gravity feed onto a conveyor belt. From the conveyor belt, the material will be fed to a vibrating screen where the material will be separated by size. The screened material will be gravity fed onto conveyor belts and into storage piles. Particulate matter emissions from the screening operation will be controlled by water sprays and material moisture content.

From the material storage piles, front-end loaders will either transfer the material to a different storage pile, to the existing washing station, or directly into open-bed trucks for shipment offsite or relocation of the material inside the expanded facility.

Particulate matter emissions from the conveyors, hoppers, radial stackers, transfer points, mobile screener, and storage piles will be controlled by water spray systems, partial enclosures, and the use of best management practices. This facility is subject to PM RACT (Rule 62-296.711, Materials Handling, Sizing, Screening, Crushing and Grinding Operations, F.A.C.) and Chapter 1-3, Rules of the EPCHC.

E. Application Information:

Received on: September 11, 2013

Information Requested: N/A

Application Complete: September 11, 2013

## II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes, Chapters, 62-204, 62-4, 62-210, 62-212, 62-296, and 62-297, Florida Administrative Code (F.A.C.) and Chapter 1-3 of the Rules of the Environmental Protection Commission of Hillsborough County.

This project is subject to the requirements of Rule 62-212.300, General Preconstruction Review Requirements, F.A.C., since the project is a source of air pollution.

This project is not subject to the requirements of Rule 62-212.400, Prevention of Significant Deterioration, F.A.C. or Rule 62-212.500, New Source Review for Nonattainment Areas, F.A.C., since the facility is a minor source of air pollution.

This project is not subject to the requirements of Rule 62-213, Operation Permits for Major Sources of Air Pollution, F.A.C., since the facility is a Synthetic non-Title V source by state definition.

This project is subject to the requirements of Rule 62-296.320, F.A.C., General Pollutant Emission Limiting Standards, since the operation is a source of Particulate Matter.

This project is not subject to the requirements of Rule 62-296.401 through 62-296.417, Specific Emission Limiting and Performance Standards, F.A.C., since there is not a defined category for this project.

This project is not subject to the requirements of Rule 62-296.500, Reasonably Available Control Technology (RACT) - Volatile Organic Compounds (VOC) and Nitrogen Oxide (NOx) Emitting Facilities, F.A.C., since there is not a defined category for this project.

This project is not subject to the requirements of Rule 62-296.600, Reasonably Available Control Technology (RACT) - Lead, F.A.C., since there is not a defined category for this project.

This project is subject to the requirements of Rule 62-296.700, Reasonably Available Control Technology (RACT) Particulate Matter, F.A.C., since it is located within the Hillsborough County Maintenance Area for the pollutant particulate matter and the potential to emit for PM emissions for the facility are greater than 15 TPY.

This project is not subject to the requirements of Rule 62-204.800(8), F.A.C., Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources, or Rule 62-204.800, F.A.C., Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

This project is subject to the requirements of Chapter 84-446, Laws of Florida and Chapter 1-3, Rules of the Environmental Protection Commission of Hillsborough County.

### III. Summary of Emissions

Emission Unit (EU) No(s).	EU Description	Regulated Pollutant	Actual Emissions (tons/yr) <sup>(1)</sup>	Potential Emissions (tons/yr) <sup>(2)</sup>	Increase in Emissions (tons/yr)	Allowable Emissions
006-010	West Ship Unloading System 1) Ship Conveyor to Receiving Hopper 2) Hopper to Conveyor (C-1) 3) Conveyor (C-1) to Hopper (H-2) 4) Hopper (H-2) to Radial Stacker (R-1) 5) Radial Stacker (R-1) to Pile	PM	1.7	22.1 <sup>(3)</sup>	20.4	5% opacity
011	Frontend Loader to 2nd Storage Pile; or,	PM	0.10	8.1	7.7	5% opacity
012	Frontend Loader to Truck;	PM	0.32			5% opacity
013	Frontend Loader to Washing Receiving Hopper (H-3)	PM	0.88	8.1	7.2	5% opacity
014	Washing Receiving Hopper (H-3) to Conveyor	PM	0.88	8.1	7.2	5% opacity
015	Conveyor to Washing Station	PM	0.88	8.1	7.2	5% opacity
016	East Ship Unloading System (Seven material transfer points)	PM	0	30.9 <sup>(3)</sup>	30.9	5% opacity
017	Portable Screening Operation (Four material transfer points)	PM	0	1.9	1.9	5% opacity
018	Truck Dump to Pile	PM	0	3.9	3.9	5% opacity
	TOTALS	PM	4.76	69.1	66.0	

- (1) Past actual emissions were based off of the average of emissions from the 2011-2012 AOR's.
- (2) Potential emissions for the ship unloading material transfer operations were estimated using a calculated emission factor of 0.0014 lb/ton based on a moisture content of 4.8%, and a calculated emission factor of 0.0043 lb/ton for the transfer of material after either of the ship unloading systems based on a moisture content of 2.1%. Potential emissions from the screening operation were estimated based on an emission factor of 0.025 lb/ton from AP-42 Chapter 11.19.2. Potential emissions from the handling of slag was calculated by using an emission factor (1.1 lbs/ton) derived from previous stack test data for a similar facility in Hillsborough County. Based on the analysis provided by Vulcan, material unloaded by ship comes in with a high moisture content, as the material is washed at the point of origin. The

material is expected to maintain a high moisture content as it is handled from the ship through the conveying systems, and into the storage pile.

- (3) The worst-case potential emissions from the ship unloading operations is represented by the East Ship Unloading System (EU 016) which has seven (7) material transfer points, rather than the West Ship Unloading System (EU's 006-010), which only has five (5) material transfer points. The overall facility throughput used in the calculations was 2.5 million tons per year. Therefore, the total PM PTE includes only the greater of the two ship unloading systems.

Inventory of Title III pollutants is estimated to be less than 10 TPY individually and less than 25 TPY collectively.

#### IV. Conclusions:

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C., and Chapter 1-3, Rules of the Commission.

The General and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

#### V. Proposed Agency Action:

Pursuant to Section 403.087, Florida Statutes and Rule 62-4.070, Florida Administrative Code the Environmental Protection Commission of Hillsborough County hereby gives notice of its intent to issue a permit to operate the aforementioned air pollution source in accordance with the DRAFT permit and its conditions as stipulated (see attached).



COMMISSION

Kevin Beckner      Lesley "Les" Miller, Jr.  
Victor D. Crist      Sandra L. Murman  
Ken Hagan          Mark Sharpe  
Al Higginbotham

DIVISION DIRECTORS

Legal & Admin.      Richard Tschantz, Esq.  
Air Management      Jerry Campbell, P.E.  
Waste Management      Hooshang Boostani, P.E.  
Water Management      Sam Elrabi, P.E.  
Wetlands Management      Scott Emery, Ph.D.

EXECUTIVE DIRECTOR  
Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION OF  
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Mr. Hershel Burton  
Vulcan Materials Company,  
Florida Rock Division  
3510 Pendola Point Road  
Tampa, FL 33619

Dear Mr. Burton:

Re: Hillsborough County - AP

Enclosed is Air Construction Permit Number No. 0570412-007-AC to expand the Tampa sales yard and construct a new ship unloading and bulk material handling operation located at 3510 Pendola Point Road in Tampa. This permit is being issued pursuant to Section 403.087, Florida Statutes. Additional details are documented in the Technical Evaluation attached to the DRAFT permit.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the EPC in the Legal Department at 3629 Queen Palm Drive, Tampa, FL 33619; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the clerk of the EPC.

Executed in Tampa, Florida.

Sincerely,

**DRAFT**

Richard D. Garrity, Ph.D.  
Executive Director

cc: FDEP Southwest District (via e-mail)

*An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation*

Roger P. Stewart Center  
3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • [www.epchc.org](http://www.epchc.org)

*An Affirmative Action/Equal Opportunity Employer*



CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on \_\_\_\_\_ to the listed persons.

Clerk Stamp

FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated clerk, receipt of which is hereby acknowledged.

***DRAFT***

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date



#### COMMISSION

Kevin Beckner      Lesley "Les" Miller, Jr.  
Victor D. Crist     Sandra L. Murman  
Ken Hagan          Mark Sharpe  
Al Higginbotham

#### DIVISION DIRECTORS

Legal & Admin.	Richard Tschantz, Esq.
Air Management	Jerry Campbell, P.E.
Waste Management	Hooshang Boostani, P.E.
Water Management	Sam Elrabi, P.E.
Wetlands Management	Scott Emery, Ph.D.

EXECUTIVE DIRECTOR  
Richard D. Garrity, Ph.D.

# DRAFT

#### PERMITTEE:

Vulcan Materials Company,  
Florida Rock Division  
3510 Pendola Point Road  
Tampa, FL 33619

#### PERMIT/CERTIFICATION:

Permit No.: 0570412-007-AC  
County: Hillsborough  
Expiration Date: October 16, 2015  
Project: Tampa Sales Yard Expansion

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 62-297, and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the EPC and made a part hereof and specifically described as follows:

#### Project Description

Vulcan Materials Company is an existing marine terminal facility which handles bulk limestone, granite, gravel, silica sand, aragonite, granulated blast furnace slag, and black slag.

Vulcan Materials is proposing to construct an expansion of the existing Tampa Sales Yard to the east, as a result of the acquisition of the neighboring property from the Tampa Port Authority. Vulcan Materials is also requesting to increase the annual throughput limit of the expanded facility from 1.8 to 2.5 million tons per year, in order to accommodate the increased capacity.

Vulcan Materials will use existing equipment currently located on the new property, in addition to the equipment from the old Vulcan Sales Yard II to expand its current facility's operations. The expanded facility will include a new bulk material ship unloading and conveying system rated at 2,500 tons per hour and up to seven (7) material transfer points, a new portable screening system to screen up to 100,000 tons per year of bulk material, stockpiling of materials, and a truck tire wash to minimize fugitive dust emissions from truck traffic. According to Vulcan Materials, the expanded facility will handle the same types of materials as the existing sales yard facility.

#### Process Description

At the newly expanded facility, material will be received by ship and loaded onto a shipboard conveyor and belt conveyed to the east on-site receiving hopper (EH-1) via a ship mounted conveyor boom. The receiving hopper will have a water spray system along the top perimeter of the hopper. From the receiving hopper, the material will be gravity fed to a conveyor (EC-1) which will convey the material to a radial stacker (ER-1). From the radial stacker, material will be conveyed to

*An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation*

Roger P. Stewart Center  
3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • [www.epchc.org](http://www.epchc.org)

*An Affirmative Action/Equal Opportunity Employer*



either a second radial stacker (ER-2) to a storage pile, or to up to two (2) portable conveyors (EC-2 and EC-3) prior to feeding the second radial stacker (ER-2), which will then feed the storage pile. The new ship unloading system will have up to seven (7) material transfer points. Each material transfer point will have a water spray system, and the portable conveyors will have partial enclosures.

Also at the newly expanded facility will be a portable screener which will be authorized to screen up to 100,000 tons per year of material. The screening operation will involve the loading of material into a hopper via front-end loader which will gravity feed onto a conveyor belt. From the conveyor belt, the material will be fed to a vibrating screen where the material will be separated by size. The screened material will be gravity fed onto conveyor belts and into storage piles. Particulate matter emissions from the screening operation will be controlled by water sprays and material moisture content.

From the material storage piles, front-end loaders will either transfer the material to a different storage pile, to the existing washing station, or directly into open-bed trucks for shipment offsite or relocation of the material inside the expanded facility.

Particulate matter emissions from the conveyors, hoppers, radial stackers, transfer points, mobile screener, and storage piles will be controlled by water spray systems, partial enclosures, and the use of best management practices. This facility is subject to PM RACT (Rule 62-296.711, Materials Handling, Sizing, Screening, Crushing and Grinding Operations, F.A.C.) and Chapter 1-3, Rules of the EPCHC.

Based on the changes proposed in this AC permit, the facility-wide PTE for particulate matter will increase from 23.0 tons/yr to 69.1 tons/yr. Particulate matter emissions will be controlled by water sprays, partial enclosures, material moisture content, and best management practices.

Location: 3510 Pendola Point Road, Tampa

UTM: 17-359.10 E 3086.90 N FACILITY ID NO: 0570412

**The following emissions unit(s) are being constructed as part of this project:**

EU ID No.	Emission Unit Description
016	<u>East Ship Unloading System</u> Ship Conveyor to Receiving Hopper (EH-1) Hopper (EH-1) to Conveyor (EC-1) Conveyor (EC-1) to Radial Stacker (ER-1) Radial Stacker (ER-1) to Radial Stacker (ER-2); or, Radial Stacker (ER-1) to Portable Conveyor (EC-2) Portable Conveyor (EC-2) to Portable Conveyor (EC-3) Portable Conveyor (EC-2 or EC-3) to Radial Stacker (ER-2) Radial Stacker to Storage Pile

**DRAFT**

017	Portable Screening Operation
018	Truck Dump to Pile

Replaces Permit Nos.: N/A

References Permit No.: 0570412-006-AO

PERMITTEE:  
Vulcan Materials Company,  
Florida Rock Division

PERMIT/CERTIFICATION NO.: 0570412-007-AC  
PROJECT: Tampa Sales Yard Expansion

## SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions. [Rule 62-4.160, F.A.C.]
2. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]
3. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]
4. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]
5. [RESERVED]
6. The permittee shall not cause, permit, or allow any visible emissions (five (5%) percent opacity) from any point in the aggregate handling operation including, but not limited to, the following emission points: [Rules 62-296.711(2)(a) and 62-4.070(3), F.A.C.]
  - A) Shiphold
  - B) Ship Unloading Conveyors
  - C) All Hoppers
  - D) All Conveyor Transfer Points
  - E) Radial Stacker to Storage Piles
  - F) Front-end Loader to Storage Pile
  - G) Front-end Loader to Truck
  - H) Front-end Loader to Washer Receiving Hopper
  - I) Washer Receiving Hopper to Conveyor
  - J) Conveyor to Washing Station
  - K) Washing Station
  - L) Truck Loading Bin
  - M) Truck Loading Bin to Truck
  - N) Truck to Storage Pile
  - O) Screening Operations
7. The following limitations and restrictions shall apply during any twelve consecutive month period: [Rule 62-4.070(3), F.A.C., Permit No. 0570412-006-AO, and Air Construction Permit Application Received September 11, 2013]

PERMITTEE:  
 Vulcan Materials Company,  
 Florida Rock Division

PERMIT/CERTIFICATION NO.: 0570412-007-AC  
 PROJECT: Tampa Sales Yard Expansion

SPECIFIC CONDITIONS:

**DRAFT**

A) The permittee shall handle only the following materials:

<u>Material</u>	<u>Tons/12 Consecutive Month Period</u>
a. Limestone, Granite, Gravel, Silica Sand, and Aragonite	2,450,000
b. Granulated Blast Furnace Slag and Black Slag	50,000

B)

<u>Operation</u>	<u>Maximum Material Handling Rate</u>	
	(tons/hour)	(tons/12 month period)
West Ship Unloading	6,000	2,500,000
East Ship Unloading	2,500	
Front-end Loader to Storage Pile and Truck Loading	600	2,500,000
Truck to Storage Pile	1,000	1,800,000
Portable Screening Operation	600	100,000

- C) Material unloaded from ships shall have a minimum in-bound moisture content of 4.8% by weight.
- D) Only saturated limestone shall be processed through the truck loading bin.
- E) Maintain a water spray system to reach the storage piles as needed.

8. Test each emission point associated with Emission Units 006 through 018 for visible emissions as follows. Submit two copies of the test results to the Environmental Protection Commission of Hillsborough County within 45 days of testing. Each test shall be at least 30 minutes in duration unless the operation is completed in less than 30 minutes and does not reoccur during the observation period. In that case, the visible emissions test duration shall be equal to the duration of the operation. The visible emission tests shall be conducted in accordance with Rule 62-297.310, F.A.C. [Rules 62-297.310(4)(a)2.a. and (7), F.A.C.]

- A) Test Emission Units 016, 017, and 018 for visible emissions at the point of highest opacity, the first time each material listed in Specific Condition No. 7.A is received and handled. Test annually thereafter (October 1 – September 30) while handling any of the materials listed in Specific Condition No. 7.A.
- B) Test Emission Units 006 through 015 for visible emissions at the point of highest opacity, the first time a new material listed in Specific Condition No. 7.A is received and handled. Test annually thereafter (October 1 – September 30) while handling any of the materials listed in Specific Condition No. 7.A.

PERMITTEE:  
Vulcan Materials Company,  
Florida Rock Division

PERMIT/CERTIFICATION NO.: 0570412-007-AC  
PROJECT: Tampa Sales Yard Expansion

**DRAFT**

SPECIFIC CONDITIONS:

9. Compliance with the emission limitation of Specific Condition No. 6 shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. The EPA Method 9 test shall be at least 30 minutes in duration or as otherwise specified in Specific Condition No. 8. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A. [Rules 62-297.310, 62-297.310(4)(a)2, and 62-296.711(3)(a) F.A.C.]

10. Testing of emissions shall be conducted with the source operating at capacity. Capacity is defined as 90-100% of rated capacity specified in Specific Condition No. 7. If it is impracticable to test at capacity, then the source may be tested at less than capacity; in this case subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. Failure to submit the input rates and actual operating conditions may invalidate the test. [Rules 62-4.070(3) and 62-297.310(2)(b), F.A.C.]

11. The owner or operator shall notify the Environmental Protection Commission of Hillsborough County, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted. [Rule 62-297.310(7)(a)9., F.A.C.]

12. In order to demonstrate compliance with Specific Condition Nos. 5 and 7, the permittee shall maintain monthly records of operations for the most recent three year period. The records shall be made available to the Environmental Protection Commission of Hillsborough County, state or federal air pollution agency upon request and shall include, but not limited to, the following: [Rules 62-4.070(3) and 62-4.160, F.A.C.; Permit No. 0570412-006-AO, and Air Construction Permit Application Received September 11, 2013]

- A) Month, Year
- B) Amount and type of material unloaded from ships
- C) Amount and type of unwashed material loaded into trucks
- D) Amount of washed limestone processed through the washing station and loaded into trucks
- E) Type and amount of material processed through the portable screening operation
- F) Type and amount of material transferred from truck to storage pile.
- G) Monthly summary and rolling twelve month total of B) through F) above.
- H) Records as required by Specific Condition No. 13.B)ii.
- I) Moisture content analysis for material unloaded from each ship.

13. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provision in Rule 62-296.320, F.A.C. These provisions are applicable to any source, including, but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading,

PERMITTEE:  
Vulcan Materials Company,  
Florida Rock Division

PERMIT/CERTIFICATION NO.: 0570412-007-AC  
PROJECT: Tampa Sales Yard Expansion

**DRAFT**

SPECIFIC CONDITIONS:

storing and handling. These reasonable precautions shall include, but are not limited to, the following: [Rules 62-4.070(3) and 62-296.320(4)(c), F.A.C.]

A) Daily (When in operation)

- i. Operate water spray heads on hoppers and conveyor drops as needed.
- ii. Check material for adequate moisture content at receiving hoppers.
- iii. Maintain material road and front-end loading activity areas moist.
- iv. Maintain vehicular speed to a minimum (10 mph or less). Post signs if necessary.
- v. Inspect material drop points and maintain a minimum drop height distance as reasonably possible.
- vi. Minimize the pile height as needed.
- vii. Properly operate and maintain the truck tire wash.

B) Weekly

- i. Inspect road and other paved surfaces. Clean as necessary.
- ii. Perform maintenance inspections on the sprinkler systems at the storage piles and conveyor drop points. Record the date the inspection was performed and any maintenance work performed.

14. When the Environmental Protection Commission of Hillsborough County (EPC) after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in Rules 62-204, 62-210, 62-212, 62-296, or 62-297, F.A.C., or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the source to conduct compliance tests which identify the nature and quantity of pollutant emissions from the source and to provide a report on the results of said tests to the EPC. [Rule 62-297.310(7)(b), F.A.C.]

15. The permittee shall provide timely notification to the Environmental Protection Commission of Hillsborough County prior to implementing any changes that may result in a modification to this permit pursuant to Rule 62-210.200(205), F.A.C., Modification. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation: [Rules 62-210.300 and 62-4.070(3), F.A.C.]

- A) Alteration or replacement of any equipment or major component of such equipment.
- B) Installation or addition of any equipment which is a source of air pollution.
- C) Handling any new materials not previously handled at the facility.

16. Submit to the Environmental Protection Commission of Hillsborough County each calendar year on or before April 1, completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year. [Rule 62-210.370(3), F.A.C.]

**DRAFT**

PERMITTEE:  
Vulcan Materials Company,  
Florida Rock Division

PERMIT/CERTIFICATION NO.: 0570412-007-AC  
PROJECT: Tampa Sales Yard Expansion

**SPECIFIC CONDITIONS:**

17. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted, in duplicate, to the Environmental Protection Commission of Hillsborough County within 30 days after the sale or legal transfer of the permitted facility. [Rule 62-4.120, F.A.C.]

18. Within sixty (60) days of completion of visible emissions compliance testing on EU's 016 and 018 as required by Specific Condition No. 8.A) of this permit, but no later than sixty days prior to the expiration of this permit, the permittee shall apply for a non-Title V permit revision using the current version of the permit application form along with the proper fee. The application shall also include a copy of the required compliance tests. [Rules 62-4.050(2) and 62-210, F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY

**DRAFT**

---

Richard D. Garrity, Ph.D.  
Executive Director

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. Not applicable to Air Permits.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- Determination of Best Available Control Technology (BACT)
- Determination of Prevention of Significant Deterioration (PSD)
- Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  - 1. the date, exact place, and time of sampling or measurements;
  - 2. the person responsible for performing the sampling or measurements;
  - 3. the dates analyses were performed;
  - 4. the person responsible for performing the analyses;
  - 5. the analytical techniques or methods used;
  - 6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.