FILE COPY

Florida Department of Environmental Protection

Northwest District
160 Governmental Center, Suite 308
Pensacola, Florida 32502-5794

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

December 29, 2009

BY ELECTRONIC MAIL
richard@gaccontractors.com

Mr. Richard Dodd, P.E., President
G.A.C. Contractors, Inc.
4116 Highway 231 North
Panama City, Florida 32404

Dear Mr. Dodd:

It has come to our attention that Page 8 of your air operation renewal permit (0050008-003-AO issued August 11, 2009) includes a requirement to comply with 40 CFR 60 subpart A in Specific Condition A.16 of Emissions Unit 001, Estee Baghouse. The facility predates and is not regulated under NSPS, 40 CFR 60 subpart I, because it was in operation in 1964, prior to the June 11, 1973 applicability date of subpart I. Therefore, the facility is also not subject to subpart A.

A corrected copy of page 8 is enclosed. Specific Condition A.16 is deleted. If you have any questions, please contact Deborah Moore at 850/595-8300, extension 1230 or Deborah.L.Moore@dep.state.fl.us.

Sincerely,

Rick Bradburn
Air Program Administrator

RB/dm/c

Enclosures
c: DEP Northwest District Branch Office, Panama City

NOTICE OF RIGHTS

Persons whose substantial interests are affected by this agency action have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the Department's Northwest District Office, 160 Governmental Center, Pensacola, Florida 32502. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the county in which the subject matter or activity is located;

(b) A statement of how and when each petitioner received notice of the agency action;

(c) A statement of how each petitioner's substantial interests are affected by the agency action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the agency action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the agency action;

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the agency action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject agency action have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
[Rule 62-297.310(5)(a) and (b), F.A.C.]

A.11. Required Stack Sampling Facilities for the Asphalt Concrete Plant. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power and sampling equipment support. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29CFR Part 1910, subparts D and E (See Appendix SS-1).
[Rule 62-297.310(6), F.A.C.]

Monitoring, Recordkeeping and Reporting Requirements

A.12. The operation of the baghouse shall be properly adjusted to maintain a range of 4 to 6 inches WG pressure differential across the bags at all times (normal operation is 4.75 inches WG). The pressure differential shall be checked twice per day. If the differential is below 4 inches WG or above 6 inches WG, corrective actions shall be taken as outlined in the operations and maintenance plan. The pressure readings shall be recorded in a logbook and made available for inspection by the Department for a period of at least two years.
[Rule 62-4.070, F.A.C. and OMP dated 3/31/09]

A.13. The owner or operator shall maintain records to document the monthly and the 12-month rolling totals of tons of asphalt concrete produced, tons of RAP used, the gallons of fuel oil consumed, and the hours of operation. Such records shall be available for inspection and retained for five years.
[Rules 62-4.070(1) and 62-210.300(3)(c)2.g., F.A.C.]

A.14. The owner shall maintain records to demonstrate that each shipment of fuel oil has 0.8 percent or less sulfur and that the sulfur content was determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294- 90, adopted and incorporated by reference in Rule 62- 297.440(1), F.A.C., or updated versions of the referenced ASTM methods.
[Rule 62-210.300(3)(c)2.c., F.A.C.]

A.15. This permit is a conditional exemption from Title V permitting in accordance with Rule 62-210.300(3)(c)2., F.A.C. An asphalt plant claiming this exemption from Title V air permitting shall not collocate with, or relocate to, any Title V source; nor shall it create a Title V source in combination with any other collocated facilities, emissions units or pollutant-emitting activities, including any such facility, emissions unit or activity that is otherwise exempt from permitting.
[Rules 62-210.300(3)(c) and 62-210.300(3)(c)2.j., F.A.C.]

Curle, Mary Beth

From: Richard Dodd [dodd@gaccontractors.com]
Sent: Tuesday, December 29, 2009 3:11 PM
To: Curle, Mary Beth
Subject: RE: DEP Air Program correction to permit 0050008-003-AO; G.A.C. Contractors, Inc.

GAC Contractors, Inc.
Richard Dodd, P.E., President
4116 Highway 231
Panama City, Florida 32404
Phone 850-769-3477
Mobile 850-527-5937
Fax 850-769-3456
Visit our website at http://www.gaccontractors.com

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From: Curle, Mary Beth [mailto:Mary.Beth.Curle@dep.state.fl.us]
Sent: Tuesday, December 29, 2009 1:58 PM
To: Richard Dodd
Cc: Cooey, Sally; Sumner, Mark C.; Bradburn, Rick; Sarasua, Armando; Moore, Deborah L.
Subject: DEP Air Program correction to permit 0050008-003-AO; G.A.C. Contractors, Inc.

Dear Sir/Madam:

Please send a reply message verifying receipt of the attached document by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document.

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The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: http://www.adobe.com/products/acrobat/readstep.html. When printing the attached document

from Adobe Acrobat Reader, select "Document and comments" from the "Print What:" menu item; if this is not done the signature may not appear on the printed document.

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