Engelhard Corporation
Quincy Operations
Facility ID No.: 0390005
Gadsden County

Air Construction Permit
Permit No.: 0390005-006-AC

Permitting and Compliance Authority:
Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, FL 32501-5794
Telephone: 850/595-8364
Fax: 850/595-8096

[electronic file name: 0390005-006-ac.doc]

Air Construction Permit
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Permittee:
Engelhard Corporation

Permit No.: 0390005-006-AC
Facility ID No.: 0390005
SIC Nos.: 3295
Project: Air Construction Permit

This permit is for the construction of an additional product storage bin and truck loading spout at Engelhard Corporation's Quincy Operations located at 1101 North Madison Street in Quincy, Gadsden County; UTM Coordinates: Zone 16, 732.6 km East and 3387.5 km North; Latitude: 30° 36' 15" North and Longitude: 84° 34' 25" West.

STATEMENT OF BASIS: This air construction permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. 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 permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:

Appendix G-1, General Conditions

Effective Date: June 29, 2000
Expiration Date: June 29, 2005

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

_____

Ed K. Middleswart, P.E.
Air Program Administrator

EKM/rvk

Section I. Facility Information.

Subsection A. Facility Description.

This facility is an Attapulgite Clay and Fullers Earth processing plant and consists of a raw clay receiving area, a primary crusher, crude granular clay and crude gelling clay covered storage areas, and granular clay and gelling clay product process lines. Granular processing essentially consists of crushing drying, sizing, and packing. Gel processing essentially consists of crushing, extruding with additives (magnesium oxide), drying/milling, classifying, and packing.

In general, emissions consisting of particulate matter resulting from clay handling and processing are controlled by baghouses. Some of the natural gas or propane fired equipment (Granular Clay Kilns, Gelling Clay Hammermills) is controlled by the use of scrubbers.

The facility is subject to a facility-wide limit of 124 tons per year NOx associated with a BACT determination for the construction of the north and south fluid bed dryers. (Construction permits AC20-41424, and AC20-41425 issued August 4, 1981)

This permit allows construction of an additional product storage bin and truck loading spout with an associated baghouse for particulate control (new stack No. 54) adjacent to the ACM Milling Project. This equipment will be included in existing emission unit 038 and is subject to NSPS (Subpart OOO, 40 CFR 60). The proposed permit limits are comparable to or more stringent than the limits contained in 40 CFR 60, Subpart OOO. The permit does not allow any increases in product capacity or product throughput.

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

E.U. ID No.	Brief Description
038	ACM Milling/Ultra Fine Grind Equipment subject to NSPS (Baghouses)

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are on file with permitting authority:
Permit Application received May 24, 2000.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

2. Not federally enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. 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.]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]

4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementation agency:

a. a risk management plant (RMP) when, and if, such requirement becomes applicable; and
b. certification forms and/or RMPs according to the promulgate rule schedule.

[40 CFR 68]

5. Not federally enforceable. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

Paving and maintenance of roads, parking areas, and yards

Application of water or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.

Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.

Landscaping or planting of vegetation.

Repair rotary feeder leaks, dust piping holes, general equipment leaks immediately upon detection.

Vacuum sweep regularly.

Minimize dust generation during bag stacking by using improved work procedures.

Use extreme caution and carefulness while changing out dust collector bags.

Utilize control equipment as necessary during loadout of open trucks.

Control belt speeds to minimize transfer points emissions, use regular maintenance of dust pick up points.

[Rule 62-296.320(4)(c)2., F.A.C, Application dated September 21, 1998]

6. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.
[Rule 62-213.440, F.A.C.]

7. Facility wide nitrogen dioxide emissions are limited to 124 tons per year.
[BACT, Application dated September 21, 1998]

8. The applicant shall retain a Professional Engineer, registered in the State of Florida, for the inspection of this project. Upon completion the engineer shall inspect for conformity to the permit application and associated documents. Application for inclusion in the Title V operation permit shall be submitted with the compliance test results and appropriate fee when applicable within 45 days after initial operation.
[Rules 62-210.300(2) and 62-4.050(3), F.A.C.]

9. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Northwest District office:

Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, Florida 32501-5794
Telephone: 850/595-8364
Fax: 850/595-8597

Copies of all compliance related notifications shall be submitted to:

Department of Environmental Protection
Northwest District Branch Office
2815 Remington Green Circle
Tallahassee, FL 32308
Telephone: 850/488-3704
Fax : 850/922-3620

10. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air & EPCRA Enforcement Branch
Air Compliance Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9099
Fax: 404/562-9095

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions unit(s).

E.U. ID No.	Brief Description
038	ACM Milling/Ultra Fine Grind Equipment subject to NSPS (Baghouses)

This permit allows construction of an additional product storage bin and truck loading spout with an associated baghouse for particulate control adjacent to the ACM Milling Project. The baghouse will be a Flex-Kleen 84-BVBS-25-IIG with 25 polyethylene bags and an air to cloth ratio of 4.9 to 1. The baghouse will have a magnehelic differential pressure gauge and will discharge through new stack no. 54. This equipment will be included in existing emission unit 038, and is subject to NSPS (Subpart OOO, 40 CFR 60). The emission limits for PM and VE are more stringent than the emission limits included in Subpart OOO. The permit does not allow any increases in product capacity or product throughput.

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

A.1. Capacity. The maximum process throughput rate shall not exceed 20 tons per hour or 80,000 tons per year.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., Construction permit application received May 24, 2000]

A.2. Hours of Operation. The hours of operation for this emissions unit shall not exceed 4000 hours/year.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., Construction permit application received May 24, 2000]

Emission Limitations and Standards

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.3. Visible Emissions: Visible emissions shall not exceed 5% opacity.
[Rule 62-297.620, F.A.C, Construction permit application received May 24, 2000]

A.4. Particulate Matter**:** Particulate matter shall not exceed 0.22 lbs/hr or 0.44 tons per year.
[Construction permit application received May 24, 2000]

Test Methods and Procedures

A.5. Emissions tests are required to show compliance with the standards of the Department. The test results must provide reasonable assurance that the source is capable of compliance at the permitted maximum operating rate. Such tests shall be scheduled within 30 days after initial operation. The Department shall be notified at least 15 days prior to testing to allow witnessing. Results shall be submitted to the Department within 45 days after testing.

Pollutant	Test Method
VE	DEP method 9

[Rules 62-4.070, 62-297.310(7), and 62-297.401(9), F.A.C.]

A.6. PM: Rule 62-297.620(4) allows the waiver of particulate matter compliance test requirements for an emission unit which has the potential to emit less than 100 tons per year of particulate matter and is equipped with a baghouse. If the Department has reason to believe that the particulate weight emission standard applicable to such emission unit is not being met, it shall require that compliance be demonstrated by the applicable test method. Compliance with the particulate matter emission limit shall be demonstrated by demonstration of compliance with the opacity standard of 5% as required by condition **A.3**. In the event, any emission unit does not satisfactorily demonstrate compliance as required by condition **A.5**., above, each such emission unit shall demonstrate compliance by EPA Method 5 within 45 days of the VE test date.
[Rule 62-297.620(4), F.A.C.]

A.7. The test reports shall comply with applicable portions of Rule 62-297.310, F.A.C., Test Reports. The Department can require special compliance tests in accordance with Rule 62-297.310(7) F.A.C. Other test methods and alternate compliance procedures may be used only after prior Departmental approval has been obtained in writing.
[Rules 62-297.310(7) and 62-297.620(1), F.A.C.]

A.8. Testing of emissions shall be conducted with the source operating at capacity. Capacity is defined as 90-100% of rated capacity. If it is impractical to test at capacity, then sources 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 Department.
[Rules 62-297.310(2) and 62-4.070, F.A.C.]

Monitoring of Operations

A.9. The permittee shall maintain a record of baghouse pressure differentials, recording the pressure drops at least at each shift change or every eight hours, whichever is more frequent.
[Rule 62-4.070(3), F.A.C.]

A.10. This emission unit is subject to applicable requirements from Part 60 - Standards of Performance for New Stationary Sources, including:

Subpart A, Section 60.7: Notification and record keeping 40 CFR 60
60.8: Performance Tests
60.11: Compliance with standards and maintenance requirements
60.12: Circumvention
60.14: Modification
60.15: Reconstruction
60.19: General notification and reporting requirements
[Rule 62-204.800, F.A.C.]

Special Compliance Tests

A.11. Special Compliance Tests. When the Department, 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 a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.
[Rule 62-297.620, F.A.C.]

Recordkeeping and Reporting Requirements

A.12. A Major Air Pollution Source Annual Operation Fee Form [DEP Form 62-213.900(11)] must be completed and submitted with appropriate fee between January 15 and March 1 of each year. A copy of the form and instructions may be obtained from the Department's Northwest District office. If the Department has not received the fee payment by March 1, the Department shall impose, in addition to the fee, a penalty of fifty (50) percent of the amount of the fee, plus interest on such amount computed in accordance with Section 220.807, Florida Statutes. The Department may revoke any major air pollution source operation permit if it finds that the permit holder has failed to pay timely and required annual operations license fee, penalty or interest.
[Rule 62-213, F.A.C.]

A.13. Determination of Process Variables/Monitoring of Operations.

The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, or baghouse or scrubber pressure drop, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
[Rule 62-297.310(5), F.A.C.]

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. 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), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute 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 the permit.

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.

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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

a. Having access to and copying any records that must be kept under the conditions of this permit;

b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and,

c. Sampling or monitoring any substances or parameters at any location reasonably 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 exact 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 proscribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with 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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. 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:
- the date, exact place, and time of sampling or measurement;
- the person responsible for performing the sampling or measurement;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. 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.

Permit Processing Data

Name, Title, and Mailing Address of Party to Receive Permit:
David Mihalik
Environmental, Health, and Safety Manager
1101 North Madison Street
Quincy, FL 32351

The Engineer to be Copied:
Paul William Ahnberg, P.E.

In the Matter of an
Application for Permit by:

Permit No.: 0390005-006-AC
Gadsden County

David Mihalik
Engelhard Corporation
Environmental, Health, and Safety Manager
1101 North Madison Street
Quincy, FL 32351
_____/

INTENT TO ISSUE PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit (copy of DRAFT Permit enclosed) for the source detailed in the application specified above, for the reasons stated below.

The applicant, Engelhard Corporation, applied on May 24, 2000, to the permitting authority for an air construction permit for an additional product storage bin and truck loading spout at their Quincy Operations located at 1101 North Madison Street in Quincy in Gadsden County.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. This source is not exempt from permitting procedures. The permitting authority has determined that an air construction permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE PERMIT." The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "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 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 permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the permitting authority's office, Northwest District, 160 Governmental Center, Pensacola, FL 32501-5794 (Telephone: 850/595-8364; Fax: 850/595-8417), 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 62-110.106, F.A.C.

The permitting authority will issue the permit, in accordance with the conditions of the enclosed DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will issue the permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3900 (Telephone: 850/488-9735; Fax: 850/487-4938). 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 other person 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. A petitioner must 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 28-5.207, F.A.C.

A petition must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;

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

(e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority'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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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, Florida 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 why 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 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 the 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.

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____
ED K. MIDDLESWART, P.E.
Air Program Administrator

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE PERMIT (including the PUBLIC NOTICE and the DRAFT permit) and all copies were sent by certified mail before the close of business on _____ to the person(s) listed:

David Mihalik, Engelhard Corporation

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

Paul William Ahnberg, P.E.
FDEP Northwest District Branch Office, Tallahassee

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

_____ _____
(Clerk) (Date)

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT
I.D. Number 0390005-006-AC

The Department of Environmental Protection gives notice of its intent to issue a permit to Engelhard Corporation to construct a product storage bin and loading spout at the Quincy Operations located at 1101 North Madison Street in Quincy.

The proposed permit allows construction of an additional product storage bin and truck loading spout with an associated baghouse for particulate control adjacent to the ACM Milling Project. This equipment will be included in existing emission unit 038, and is subject to NSPS (Subpart OOO, 40 CFR 60). The permit does not allow any increases in product capacity or product throughput. Maximum emissions will be 0.22 lbs/hr and 0.44 tons/year of particulate matter.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed 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 Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed 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 application 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 14 days of publication 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 Section 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 28-5.207, F.A.C.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except for legal holidays, at the Northwest District, 160 Governmental Center, Pensacola, Florida.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT

In the matter of an
Application for Permit
By:
David Mihalik
Engelhard Corporation
Environmental, Health, and Safety Manager
1101 North Madison Street
Quincy, FL 32351
_____/

DEP File No. 0390005-006-AC
Gadsden County

Enclosed is Permit Number 0390005-006-AC, issued pursuant to Section 403.087, Florida Statutes.

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 Department in the Office of General Counsel, 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 of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in Pensacola, Florida.

State of Florida Department
of Environmental Protection

_____
ED K. MIDDLESWART, P.E.
Air Program Administrator

160 Governmental Center
Pensacola, Florida 32501-5794
(850) 595-8364

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on _____ to the listed persons.

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

Clerk Date

Copies Furnished to:
Paul William Ahnberg, P.E.
FDEP Northwest District Branch Office, Tallahassee

MEMORANDUM

TO : Ed K. Middleswart, P.E.
FROM : Andy Allen, Bob Kriegel
DATE : May 31, 2000
SUBJECT : **Evaluation Summary for an additional product storage bin and loading spout, Engelhard Corporation, Quincy Operations 0390005-006-AC, Gadsden County**

We recommend issuing notice of intent to issue a construction permit to Engelhard Corporation for an additional product storage bin and loading spout.

Process Description

This permit allows construction of an additional product storage bin and truck loading spout adjacent to the ACM Milling Project. This equipment will be included in existing emission unit 038, and is subject to NSPS (Subpart OOO, 40 CFR 60). The permit does not allow any increases in product capacity or product throughput.

Pollution Control Equipment

The additional storage bin and loading spout have an associated baghouse (Flex-Kleen 84-BVBS-25-IIG with 25 polyethylene bags and an air to cloth ratio of 4.9 to 1) for particulate control (new stack no. 54).

Environmental Impact

Airborne Contaminant Emitted	FAC Rule	Estimated Emissions lbs/hr	Estimated Emissions T/yr	Allowable Emissions lb/hr	Allowable Emissions T/yr
PM	62-204.800			0.22	0.44
VE	62-297.620			Not more than 5% opacity	

Applicable Rules & Regulations

This source is regulated in accordance with FAC Rule 62-204.800, which incorporates 40 CFR 60, Subpart OOO. Subpart OOO includes a limit of 0.05 g/dscf for PM, and 7% for VE; the applicant has elected to comply with a limit of 0.02 g/dscf and demonstrate compliance with an alternate VE limit of 5% opacity.

Compliance Monitoring

Monitoring for VE within 45 days of initial operation.

Compliance History

Seems acceptable

Fee Summary

No fee, facility operates under a Title V permit.

Additional notes are attached.

rvk:rvkc