

MEMORANDUM

DATE: February 29, 2012

TO: Richard D. Garrity, Ph.D.

FROM: Jeff Sims **Thru:** Stephen R. Hathaway, P.E.
Sterlin K. Woodard, P.E.

**SUBJECT: DRAFT Construction Permit No. 0571342-004-AC
Blacklidge Emulsions, Inc. – Plant #11**

Attached is DRAFT Permit No. 0571342-004-AC being issued to Blacklidge Emulsions, Inc. for the after-the-fact construction of two asphalt storage tanks and an additional fuel oil heater at the existing asphalt blending facility. The facility is located at 5010 Montgomery Street, Tampa, FL 33619.

Blacklidge Emulsions, Inc., Tampa Plant #11 currently manufactures asphalt products used in the paving industry. The facility receives liquid asphalt cement and stores the material in heated tanks. Ground Tire Rubber (GTR), other aggregate materials, and flux oil are mixed with the asphalt cement in blending tanks and the finished asphalt products are directly loaded out to trucks or transferred to other heated storage tanks. The heat is provided by diesel-fired burners on the tanks and a central hot oil heater.

This project is to recognize the after-the-fact addition of Tanks #7 and #8 along with the heater dedicated to providing heat for Tank #8. Tank #7 was previously recognized in Construction Permit No. 0571342-002-AC as part of a temporary addition for a research trial for a new asphalt blend. Tank #8 was added to support Tank #7 during the trial study. Following completion of the initial stages of temporary trial, the facility realized that the other party involved may not likely resume the trials soon, if ever. Therefore, the facility elected to keep the tanks permanently on-site and utilize them as part of their normal operation, primarily for asphalt product storage. Tank #7 is currently used to store flux oil at ambient temperatures as an additive to the asphalt mixtures, but may also store asphalt. A steam boiler was added to provide heat for various parts of the facility during the trial, including Tank #7. However, the application indicated that the facility plans to remove the boiler and expand the existing hot oil heater loop to provide the necessary heat for Tank #7. The boiler was determined to be exempt from permitting pursuant to Rule 62-210.300(3)(a)34., F.A.C.

Based on information provided by the facility's consultant, the previously stated ratings for all the burners, including the burner for Tank #8, are for nominal heat output and don't necessarily reflect the true maximum fuel combustion capacity from the burners. Therefore, the burner rating for the Tank #8 burner was identified as 0.8 MMBtu/hr rather than 0.68 MMBtu/hr as stated in the application in order to reflect maximum heat input for the burner, and potential emissions were recalculated based on a maximum fuel usage of 5.5 gal/hr per burner to better reflect the maximum emissions from fuel combustion. The burner ratings were adjusted for all the tank burners and the hot oil heater burner in the initial operating permit issued concurrently with this project.

No increase in throughput was requested as part of this construction permit, and all visible emission testing has already been completed. Visible emission testing was performed on Tank #7 on December 27, 2010 and on Tank #8 on December 19, 2011, and both were found to be in compliance. This construction permit is being issued concurrently with the initial operating permit (Permit No. 0571342-003-AO), which will incorporate the additions since no further initial testing is required.

Based on our review, we recommend issuance of the permit as drafted.

JDS: 0571342-004-AC

TECHNICAL EVALUATION

AND

PRELIMINARY DETERMINATION

FOR

Blacklidge Emulsions, Inc. – Tampa Plant #11

Hillsborough County

Construction Permit

Application Number

0571342-004-AC

Environmental Protection Commission of

Hillsborough County

Tampa, FL

February 29, 2012

I. Project Description

a. Applicant:

Dan Sison
Plant Manager
Blacklidge Emulsions, Inc.
5010 Montgomery Street
Tampa, Florida 33619

b. Engineer:

Dean H. Myers, P.E.
Registration No.: 47666
General Environmental Engineering, Inc.
205 West Palmetto Street
Lakeland, Florida 33815

c. Project and Location:

This project is to authorize the “after-the-fact” construction of two asphalt storage tanks (Tank #7 and #8) and an additional fuel oil heater at the existing asphalt blending facility. The project is assigned the following NEDS Source Classification Codes (SCCs):

SCC Nos.

3-05-002-08 (Asphalt Heater: Distillate Oil, 1000 Gallons Burned)

3-05-002-12 (Heated Asphalt Storage Tanks, Tons Material Stored)

The facility is assigned the Standard Industrial Code of No. 2951 for Asphalt Paving Mixtures and Blocks. This corresponds to the NAICS Industry No. 324121. The project is located at 5010 Montgomery Street, Tampa, Hillsborough County, Florida; at latitude 27° 54' 21" N, longitude 82° 23' 55" W.

d. Process and Controls:

Blacklidge Emulsions, Inc., Tampa Plant #11 manufactures asphalt products used in the paving industry. The facility receives liquid asphalt cement, GTR, and other aggregate materials by tank truck and in 2,100 lb. super sacks. GTR from the super sacks is loaded into dedicated hoppers, via forklift, and screw-conveyed into a mixing tank. The liquid asphalt cement is stored in storage tanks and the desired additives are added and mixed with the asphalt in blending tanks. From the heated blending tanks, the finished product is loaded into tanker trucks by a loading rack as finished asphalt product or transferred into a storage tank. The truck loading operations, blending tanks, asphalt cement storage tanks, and each compartment of the horizontal paving asphalt reclaiming tank (Tank #4) are heated by a central, 2.2 MMBTU/hr, hot oil system manufactured by GENCOR, Model No. C2-GO-15. Each tank, except Tank #7, also uses a diesel-fired burner manufactured by R.W. Beckett Corporation (Model SF Oil Burner) to maintain operating temperatures from ~200 °F, however, not to exceed 375 °F. Based on information provided by the facility’s consultant, the previously

stated ratings for all the burners, including the burner for Tank #8, were for nominal heat output and don't necessarily reflect the true maximum fuel combustion capacity from the burners. Therefore, the burner rating for the Tank #8 burner is identified as 0.8 MMBtu/hr rather than 0.68 MMBtu/hr as stated in the application in order to reflect maximum heat input for the burner, and potential emissions were recalculated based on a maximum fuel usage of 5.5 gal/hr per tank burner to better reflect the maximum emissions from fuel combustion. The burner ratings were adjusted for all the tank burners and the hot oil heater burner in the initial operating permit issued concurrently with this project. Tank #4 has two of the described burners. The facility receives off-spec paving asphalt and stores it in a dual-compartment, horizontal "cook-off" tank (Tank #4), which is heated to remove moisture and reclaim the paving asphalt.

This project is specifically to recognize the after-the-fact permanent addition of Tanks #7 and #8 along with the heater dedicated to providing heat for Tank #8. Tank #7 was previously recognized in Construction Permit No. 0571342-002-AC as part of a temporary addition for a research trial for a new asphalt blend. Tank #8 was added to support Tank #7 during the trial study. Following completion of the initial stages of temporary trial, the facility realized that the other party involved may not likely resume the trials soon, if ever. Therefore, the facility elected to keep the tanks permanently on-site and utilize them as part of their normal operation, primarily for asphalt product storage. Tank #7 is currently used to store flux oil at ambient temperatures as an additive to the asphalt mixtures, but may also store asphalt. A steam boiler was added to provide heat for various parts of the facility during the trial, including Tank #7. However, the application indicated that the facility plans to remove the boiler and expand the existing hot oil heater loop to provide the necessary heat for Tank #7. The boiler was determined to be exempt from permitting pursuant to Rule 62-210.300(3)(a)34., F.A.C.

Particulate Matter (PM) and Volatile Organic Compounds (VOC) emissions from the heated storage and blending tanks, along with the truck loading rack, are uncontrolled. However, the vents from the mixing tanks are routed down to the ground and through a quench drum (barrel) to help reduce emissions and odors where practical. PM emissions from the screw-conveyors are controlled by covers, while PM emissions from GTR loading into the hoppers are controlled by the use of reasonable precautions. The loading of GTR into the hoppers and its transfer up and into the tanks were determined to be exempt from permitting due to the low level of emissions pursuant to Rule 62-210.300(3)(b), F.A.C.

VOC and PM are emitted from the storage, blending, and tank loading of asphalt products. According to the Owens Corning technical paper, asphalt fumes are approximately 78% VOC and 22% condensed PM, on average. The authors estimate VOC and PM emissions using the Clausius Clapeyron equation to determine the vapor pressures needed for applying the EPA, AP-42, Chapter 5.2 equation for calculating the VOC emitted from loading liquids into tanks. The resulting emission factor for asphalt loading/handling was determined to be 0.57 lb-VOC/kgal of asphalt product. The corresponding loading/handling losses of VOC from the tanks assuming 3 product transfers and the permitted throughput of 80,000 ton/yr were calculated as 16.0 ton/yr. The asphalt product tanks and truck loading operations are subject to a 20% opacity standard as per Rule 62-296.320(b), General Visible Emissions Standard, F.A.C. and Chapter 1-3.52.1., Rules of the EPC.

No increase in throughput was requested as part of this construction permit, and all visible emission testing has already been completed. This construction permit is being issued concurrently with the initial operating permit (Permit No. 0571342-003-AO), which will incorporate the additions since no further initial testing is required.

e. Application Information

Received on: December 30, 2011

Request for Additional Information: n/a

Application Complete: December 30, 2011

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes, Chapters, 62-204, 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 not exempt from the permit requirements in Rule 62-210.300, F.A.C.

This project is not subject to the requirements of Rule 62-212.400, Prevention of Significant Deterioration, F.A.C., since the facility is a minor source for PSD.

This project is not subject to the requirements Rule 62-212.500, Preconstruction Review for Nonattainment Areas, F.A.C., since the facility is not a major source and is not located in a designated nonattainment area.

This project is not subject to the requirements Rule 62-213, Operation Permits for Major Sources of Air Pollution, F.A.C., since this application is not for an operating permit and the facility has accepted limits below the major source thresholds of any regulated air pollutant.

This project is subject to the requirements of Rule 62-296.320, General Pollutant Emission Limiting Standards, F.A.C., since the project is a source of particulate matter, volatile organic compounds, and a potential source of odors.

This project is not subject to the requirements of Rule 62-296.401 through 62-296.480, Specific Emission Limiting and Performance Standards, F.A.C., since there is not an applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.500, Reasonably Available Control Technology (RACT) - Requirements for Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) Emitting Facilities, F.A.C., since there is not an applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.600, Reasonably Available Control Technology - Lead, F.A.C., since there is not an applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.700, Particulate Matter Reasonably Available Control Technology, F.A.C., since the potential PM emissions are below the exemption criteria from Rule 62-296.700(2), F.A.C.

This project is not subject to the requirements of Rule 62-204.800 Standards of Performance for New Stationary Sources, Federal Regulations Adopted by Reference, F.A.C., since there is no applicable source specific category in this rule.

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)	Regulated Parameter	Actual¹ Emissions (tons/yr)	Potential² Emissions (tons/yr)	Change in Emissions	Allowable Limits
Tanks & Truck Loading (EU002) ³	PM	0.95	3.53	2.58	-
	VOC	4.31	16.02	11.71	-
	VE	-	-	-	20%
Fuel Oil Heaters (EU003) (Tank #8 Heater only)	PM	0.01	0.01	0	-
	VOC	0.001	0.002	0.001	-
	NOx	0.06	0.11	0.05	-
	CO	0.02	0.03	0.01	-
	SO ₂	0.22	0.41	0.19	-
	VE	-	-	-	20%
Total PTE (regulated)	PM	-	3.5	-	-
	VOC	-	16.0	-	-

1. Actual emissions are based on facility data from 2010 and Oct. 2010-Oct. 2011. EU002 includes all throughput processed at facility through all tanks. EU003 was estimated based on 10% of the total fuel usage because single burner for Tank #8 is approximately 10% of total heat input for emission unit.
2. Potential emissions are based on the material usage limits requested by the permittee in the Air Construction Application No. 0571342-004-AC. Potential emissions for EU002 are reflecting all storage tanks because the % handled only through Tanks #7 and #8 during those years was not quantifiable. Potential emissions for EU003 only reflect the heater on Tank #8.
3. The emissions for Tank & Truck Loading (EU002) are calculated using the Clausius Clapeyron equation for vapor pressures from the technical paper, Estimates of Air Emissions from Asphalt Storage Tanks and Truck Loading, David C. Trumbore, Asphalt Technology Laboratory, Owens Corning, Summit, IL. 1999.

The inventory of hazardous air pollutant (HAP) emissions is estimated to be less than 10 TPY individually and less than 25 TPY, combined.

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 an air construction permit for the increase in material throughput at the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).

CERTIFIED MAIL

In the Matter of an
Application for Permit by:

File No.: 0571342-004-AC
County: Hillsborough

Danny Sison, Plant Manager
Blacklidge Emulsions, Inc.
5010 Montgomery Street
Tampa, Florida 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 a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Blacklidge Emulsions, Inc., applied on December 30, 2011 to the EPC for an air construction permit to authorize the “after-the-fact” construction of two asphalt storage tanks (Tank #7 and #8) and an additional fuel oil heater at the existing asphalt blending facility located at 5010 Montgomery Street, Tampa, Florida. The tanks were previously constructed as part of a temporary addition for a research trial for a new asphalt blend that was processed under Permit No. 0571342-002-AC; however, the facility has elected to keep the tanks permanently on-site and utilize them as part of their normal operation. No increase in throughput was requested as part of this construction permit, and all visible emission testing has already been completed. This construction permit is being issued concurrently with the initial operating permit (Permit No. 0571342-003-AO), which will incorporate the additions since no further initial testing is required.

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 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 Drive, 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 Drive, 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 Stephen R. Hathaway, 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 Drive, 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

Blacklidge Emulsions, Inc.
Tampa Plant #11

0571342-004-AC
Addition of Tank #7 and #8

cc: Florida Department of Environmental Protection (via e-mail)
Dean H. Myers., P.E., General Environmental Engineering, Inc. (via e-mail)

CERTIFICATE OF SERVICE

The undersigned duly designated clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed by certified mail or e-mail before the close of business on _____ to the listed persons.

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.

Clerk

Date

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

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 air pollution Permit No. 0571342-004-AC to Blacklidge Emulsions, Inc. – Tampa Plant #11, located at 5010 Montgomery Street, Tampa, Florida, 33619, to authorize the “after-the-fact” construction of two asphalt storage tanks (Tank #7 and #8) and an additional fuel oil heater at the existing asphalt blending facility. No increase in throughput was requested as part of this construction permit, and all visible emission testing has already been completed and found to be in compliance. This construction permit is being issued concurrently with the initial operating permit (Permit No. 0571342-003-AO), which will incorporate the additions since no further initial testing is required. The facility is a Synthetic Non-Title V Source.

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 Drive, 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 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 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 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.

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 Drive, 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 Drive, Tampa, Florida 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 Stephen R. Hathaway, 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.

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Mr. Danny Sison, Plant Manager
Blacklidge Emulsions, Inc. – Tampa Plant #11
5010 Montgomery Street
Tampa, Florida 33619

Re: Hillsborough County – AP
Project No. 0571342-004-AC

Dear Mr. Sison:

Enclosed is Permit Number 0571342-004-AC for the after-the-fact construction of two asphalt storage tanks (Tank #7 and #8) and an additional fuel oil heater at the existing asphalt blending facility located at 5010 Montgomery Street, Tampa, Florida, 33619, 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 EPC in the Legal Department at 3629 Queen Palm Drive, Tampa, Florida, 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,

Richard D. Garrity, Ph.D.
Executive Director

cc: Florida Department of Environmental Protection (via e-mail)
Dean H. Myers., P.E., General Environmental Engineering, Inc. (via e-mail)

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.

Clerk

Date

PERMITTEE:

Blacklidge Emulsions, Inc. – Tampa Plant #11
5010 Montgomery Street
Tampa, Florida 33619

PERMIT/CERTIFICATION

Permit No.: 0571342-004-AC
County: Hillsborough
Expiration Date: August 29, 2012
Project: Addition of Tank #7 and #8

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:

This air construction permit authorizes the after-the-fact addition of Tanks #7 and #8 along with the heater dedicated to providing heat for Tank #8 at the existing asphalt blending facility. Tanks #7 and #8 were previously constructed as part of a temporary addition for a research trial for a new asphalt blend. This permit recognizes the permanent addition of the two tanks and associated heater as part of the normal operations at the site.

Blacklidge Emulsions, Inc., Tampa Plant #11 manufactures asphalt products used in the paving industry. The facility receives liquid asphalt cement, GTR, and other aggregate materials by tank truck and in 2,100 lb. super sacks. GTR from the super sacks is loaded into dedicated hoppers, via forklift, and screw-conveyed into a corresponding for mixing tank. The liquid asphalt cement is stored in storage tanks and the desired additives are added and mixed with the asphalt in blending tanks.

From the heated blending tanks, the finished product is loaded into tanker trucks by a loading rack as finished asphalt product or transferred into a storage tank. The truck loading operations, blending tanks, asphalt cement storage tanks, and each compartment of the horizontal paving asphalt reclaiming tank (Tank #4) are heated by a central, 2.2 MMBTU/hr, hot oil system manufactured by GENCOR, Model No. C2-GO-15. Each tank, except Tank #7, also uses a diesel-fired burner with a maximum heat input of 0.8 MMBTU/hr manufactured by R.W. Beckett Corporation (Model SF Oil Burner) to maintain operating temperatures from ~200 °F, however, not to exceed 375 °F. Tank #4 has two of the described burners. The facility receives off-spec paving asphalt and stores it in a dual-compartment, horizontal “cook-off” tank (Tank #4), which is heated to remove moisture and reclaim the paving asphalt.

This permit is specifically to recognize the after-the-fact addition of Tanks #7 and #8 along with the heater dedicated to providing heat for Tank #8. Tank #7 is currently used to store flux oil at ambient temperatures as

an additive to the asphalt mixtures, but may also store asphalt. Tank #7 can be heated from a steam boiler previously added to provide heat for various parts of the facility, or may be heated through use of the central hot oil system. The boiler was determined to be exempt from permitting pursuant to Rule 62-210.300(3)(a)34., F.A.C.

Particulate Matter (PM) and Volatile Organic Compounds (VOC) emissions from the heated storage and blending tanks, along with the truck loading rack, are uncontrolled. However, the vents from the mixing tanks are routed down to the ground and through a quench drum (barrel) to help reduce emissions and odors where practical. PM emissions from the screw-conveyors are controlled by covers, while PM emissions from GTR loading into the hoppers are controlled by the use of reasonable precautions. The loading of GTR into the hoppers and its transfer up and into the tanks were determined to be exempt from permitting due to the low level of emissions pursuant to Rule 62-210.300(3)(b), F.A.C.

Initial visible emission testing on Tanks #7 and #8 and the heater for Tank #8 was previously performed prior to issuance of this construction permit, so no additional initial testing is required. This construction permit is being issued concurrently with the initial operating permit (Permit No. 0571342-003-AO), which incorporated the additions since no further initial testing is required.

Facility Information Summary

Location: 5010 Montgomery Street, Tampa, Hillsborough County

UTM Coordinates: 17- 362.4 E, 3087.5 N

Latitude: 27° 54' 21" N **Longitude:** 82° 23' 55" W

Facility ID No.: 0571342

Emission Unit ID	Description	Capacity
002*	Tanks and Truck Loading: Asphalt Cement Storage Tank (T7) Asphalt Cement Storage Tank (T8)	10,000 gallons 20,000 gallons
003*	Diesel-Oil Heaters: Asphalt Cement Storage Tank (T8)	0.8 MMBtu/hr

* - This construction permit is specifically to address the addition of Tanks #7 and #8 and the burner for Tank #8. The remaining 6 tanks and 8 burners are included in EU002 and EU003, respectively, as part of the initial operating permit (Permit No. 0571342-003-AO) issued concurrently with this permit.

SPECIFIC CONDITIONS:

- 1. General Conditions.** A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]
- 2. Applicable Requirements.** 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.]
- 3. Rules of the EPC.** 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.]
- 4. Chapter 84-446, Laws of Florida.** The use of property, facilities, equipment, processes, products, or compounds, or any other act that causes or materially contributes to a public nuisance is prohibited, pursuant to the Hillsborough County Environmental Protection Act, Section 16, Chapter 84-446, Laws of Florida, as Amended.

Operation and Emission Limitations

- 5. Hours of Operation.** The facility is permitted to operate continuously; 8,760 hours per 12-consecutive month period, except for the fuel oil heaters (EU003) which are limited to 2,080 hours per 12-consecutive month period. [Rule 62-210.200 (Potential to Emit), F.A.C.; and Construction Permit Application received on December 30, 2011]
- 6. Production Limitation.** In order to establish this facility as a Synthetic Non-Title V Source, and as requested by the permittee, the facility shall not produce more than 80,000 tons of GTR paving asphalt product in any 12-consecutive month period. [Rule 62-4.070(3), F.A.C.; and Construction Permit Application received on December 30, 2011]
- 7. Operational Limitations.** In order to help ensure proper operation of the units and establish this facility as a Synthetic Non-Title V Source, the facility operations shall be limited as follows:
 - A) The temperature of the asphalt binder storage tanks and the GTR paving asphalt blending tanks shall not exceed 375 °F;
 - B) The Fuel Oil Heaters (EU003) shall only be fired with No. 2 fuel oil containing a maximum sulfur content of 0.5% by weight. The heat input rate for the burner for Tank #8 shall not exceed 0.8 MMBtu/hr.

[Rules 62-4.070(3), F.A.C.; and Construction Permit Application received on December 30, 2011]

- 8. Visible Emissions (VE).** Visible emissions from the Tanks & Truck Loading activities (EU002) and Fuel Oil Heaters (EU003) shall not be equal to or greater than 20% opacity. [Rule 62-296.320, F.A.C.; and Chapter 1-3.52, Rules of the Environmental Protection Commission of Hillsborough County (EPC)]

SPECIFIC CONDITIONS:

9. Objectionable Odor. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. During tank loading/loadout and tank to tank/blending operations, if objectionable odors are noted, the operation(s) shall be curtailed or halted. If the Environmental Protection Commission of Hillsborough County receives odor complaints attributed to this facility and they are determined to be a nuisance, the permittee will need to evaluate their operations and propose corrective actions that may include installing additional odor control measures for this facility. [Rules 62-4.070(3) and 62-296.320(2), F.A.C.; and Chapter 1-3.22.3., Rules of the EPC]

10. Control of Unconfined PM. 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, storing and handling. Reasonable precautions shall include, but not be limited to, the following:

- A) Vehicle speeds will be limited to 10 mph in unpaved areas and 15 mph in paved areas of the facility.
- B) Wet roadways and unpaved areas as necessary to prevent excessive fugitive emissions. Paved areas shall be kept free of dirt and or debris by sweeping or vacuuming (no blowers permitted). If paved areas are not kept free of dirt and debris, they shall be maintained wet to the extent necessary to prevent excessive fugitive emissions.

[Rules 62-4.070(3) and 62-296.320, F.A.C.]

11. Open Burning. Open burning is prohibited unless it is specifically authorized by a separate open burn permit issued by the EPC pursuant to Rule 62-296.320(3), F.A.C.

Compliance Testing

12. Annual Compliance Testing. Visible emissions tests for each emission unit shall be performed annually during each federal fiscal year (October 1 through September 30), as specified in the current operating permit. [Rule 62-297.310(7)(a), F.A.C.; and Chapter 1-3.52.3., Rules of the EPC]

13. Testing Requirements. Visible emissions testing for opacity shall be performed by a certified observer in accordance with EPA Method 9 for a minimum of thirty (30) minutes and shall include the period during which the highest opacity emissions can reasonably be expected to occur. Testing of emissions shall be conducted at 90-100% of the maximum permitted process rates as stated in the operating permit. 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

SPECIFIC CONDITIONS:

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 tests. [Rules 62-297.310(2)(b) and 62-297.310(4)(a)2, F.A.C.; and Chapter 1-3.52.3., Rules of the EPC]

14. Compliance Test Notification. The permittee shall notify the Air Compliance Section of the EPC 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.]

15. Test Report Submittal. The permittee will submit two (2) copies of the compliance test reports to the Air Compliance Section of the EPC within forty-five (45) days of completion of compliance testing. The test report shall contain sufficient detail on the source tested and the test procedures used to allow the EPC to determine if the test was properly conducted and the test results properly computed. [Rule 62-297.310(8), F.A.C.]

16. Special Compliance Testing. 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 shall 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.]

Recordkeeping And Reporting Requirements

17. Records. In order to demonstrate compliance with Specific Condition Nos. 5, 6 and 7, the permittee shall maintain records of the GTR paving asphalt processing operations. The facility records shall include, but are not limited to, the following: [Rules 62-4.070(3), and 62-4.160(14), F.A.C.]

- A) Month, and Year of the data recorded;
- B) The total weight of paving asphalt produced, in short or metric tons (specified), on a monthly basis and the rolling total for the previous 12-consecutive month period;
- C) The total hours of operation of the fuel oil heaters, on a monthly basis and the rolling total for the previous 12-consecutive month period;
- D) The total amount of diesel fuel consumed, in gallons on a monthly basis and the rolling total for the previous 12-consecutive month period. Records of fuel oil sulfur content shall also be maintained.

18. Records Retention. All records shall be completed by the end of the following month, shall be maintained onsite and made available to the Environmental Protection Commission of Hillsborough County, state or federal air pollution agency upon request, and kept on file for at least three years from the date of measurement. [Rules 62-4.070(3), and 62-4.160(14)(b), F.A.C.]

SPECIFIC CONDITIONS:

19. Annual Reporting. The permittee shall submit to the Environmental Protection Commission of Hillsborough County, by April 1st of each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. [Rule 62-210.370(3), F.A.C.]

Permit Applications and Transfers

20. [Reserved.]

21. Transfer of Ownership. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of 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.]

22. Modifications. 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, 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:

- 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;

Note: Items A and B are not applicable to routine maintenance, repair, or replacement of component parts of an air emissions unit. [Rules 62-210.300 and 62-4.070(3), F.A.C.]

23. Modification for Permit Extension. The permittee may request that this permit be extended as a modification of the permit. Such a request must be submitted to the EPC in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. An extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. [Rule 62-4.080(3), F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

Richard D. Garrity, Ph.D.
Executive Director

