Florida Department of Environmental Protection

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FINAL PERMIT

PERMITTEE

Asphalt Production, LLC
10801 Cosmonaut Blvd.
Orlando, FL 32824

Authorized Representative:
Mr. Robert W. Pereira II, Manager

Air Permit No. 0690032-005-AO
Permit Expires: 06/30/2016
Site Name : Asphalt Production-Okahumpka
Synthetic Minor Air Operation Permit
Project Name: Asphalt Batch Plant

This is the final air operation permit, which authorizes renewal of Air Operation Permit No. 0690032-004-AO. **The plant has relocated out of the State of Florida; conditions of this permit will take effect upon return of the asphalt plant to the State of Florida.** The Asphalt Production/Okahumpka Site (Standard Industrial Classification No. 2951) is located in Lake County at 110 County Road 470 in Okahumpka, Florida. The UTM coordinates are Zone 17, 407.17 km East, and 3181.22 km North.

This final permit is organized by the following sections:

Section 1. General Information

Section 2. Administrative Requirements

Section 3. Facility-wide and Emissions Unit Specific Conditions

Section 4. Appendices

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

This air pollution permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit.

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 of the 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, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of final permit. Petitions filed by any persons other than those entitled to written notice

under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of final permit, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within 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 Florida Administrative Code.

All petitions filed under these rules shall contain:

(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; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(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 agency's proposed action;
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency'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 agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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 of the Florida Administrative Code.

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

Mediation is not available in this proceeding.

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 clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 Orange County, Florida

Caroline D. Shine 6/30/11

Caroline D. Shine
District Air Program Administrator
Central District

Effective Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Permit and the Appendices) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 6/30/11 to the persons listed below.

Mr. Robert W. Pereira II, Asphalt Production, LLC **(rwpjr@middlesexco.com)**
Mr. Max Lee, P.E., Koogler and Associates, Inc. **(mlee@kooglerassociates.com)**

Clerk Stamp

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) 6/30/11 (Date)

FACILITY AND PROJECT DESCRIPTION

Asphalt Production-Okahumpka

The Asphalt Batch Plant is manufactured by Barber-Green. Particulate emissions are controlled by six cyclones and a wet scrubber modified by additional sprays and a section with Kimre packing.

The existing facility consists of the following emissions unit.

Facility ID No. 0690032	
ID No.	Emission Unit Description
001	Asphalt Batch Plant

Project Description

The purpose of this project is to renew Air Operation Permit No. 0690032-004-AO.

NOTE: Please reference the Permit No., Facility ID, and Emission Unit ID in all correspondence, test report submittals, applications, etc.

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.
- The facility is a synthetic minor source for particulate matter (PM) and sulfur dioxide (SO_2).

PERMIT HISTORY/AFFECTED PERMITS

Replaces Permit No. 0690032-004-AO

1. Permitting Authority: The permitting authority for this project is the Florida Department of Environmental Protection, Central District Air Resource Management Section. The Central District's mailing address and phone number is:

   Florida Department of Environmental Protection
   Central District Office
   Air Resource Management Section
   3319 Maguire Blvd., Ste. 232
   Orlando, FL 32803-3767
   Telephone: 407-897-4100

   All documents related to applications for permits shall be submitted to the above address.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Central District Air Resource Management Section (see above mailing address and phone number).

3. Appendices: The following Appendices are attached as part of this permit:
   a. Appendix A. Citation Formats and Glossary of Common Terms;
   b. Appendix B. General Conditions;
   c. Appendix C. Common Conditions; and
   d. Appendix D. Common Testing Requirements.

4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.

5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

6. Modifications: Unless otherwise exempt by rule, the permittee shall not initiate any construction, reconstruction, or modification at the facility and shall not install/modify any pollution control device at the facility without obtaining prior authorization from the Department. Modification is defined as: Any physical change or changes in the method of operations or addition to a facility that would result in an increase in the actual emissions of any air pollutant subject to air regulations, including any not previously emitted, from any emission unit or facility. [Rules 62-210.200 - Definition of "Modification" and 62-210.300(1)(a), F.A.C.]

7. Annual Operating Report: On or before **April 1** of each year, the permittee shall submit a completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility" (AOR) for the preceding calendar year. The report may be submitted electronically in accordance

with the instructions received with the AOR package sent by the Department, or a hardcopy may be sent to the Compliance Authority.
[Rule 62-210.370(3), F.A.C.]

8. Operation Permit Renewal Application: A completed application for renewal of the operation permit shall be submitted to the Permitting Authority no later than 60 days prior to the expiration date of the operation permit. To properly apply for an operation permit, the applicant shall submit the following:
   a. the appropriate permit application form *(see current version of Rule 62-210.900, F.A.C. (Forms and Instructions), and/or FDEP Division of Air Resource Management website at: http://www.dep.state.fl.us/air/)*;
   b. the appropriate operation permit application fee from Rule 62-4.050(4)(a), F.A.C.;
   c. copies of the most recent compliance test reports required by Specific Condition No. **A.18.**, if not previously submitted; and
   d. copies of the most recent two months of records/logs specified in Specific Condition No. **A.20.**

   [Rules 62-4.030, 62-4.050, 62-4.070(3), 62-4.090, 62-210.300(2), and 62-210.900, F.A.C.]

IDE AND EMISSIONS UNIT SPECIF

A. EU No. 001- Asphalt Batch Plant

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
001	Each fuel oil has maximum sulfur content not to exceed **1.0 percent** by weight. Particulate emissions are controlled by six cyclones and a wet scrubber modified by additional sprays and a section with Kimre packing.

PERFORMANCE RESTRICTIONS

A.1. Permitted Capacity: This emission unit is limited to the following operating parameters:

a. The process rate shall not exceed 115 tons of a virgin or recycled mix product per hour.

b. The maximum sulfur content for all fuel oils fired shall not exceed **1.0 percent** by weight.

[Rule 62-210.200(PTE), F.A.C.]

A.2. Authorized Fuel: The asphalt plant shall **only** fire the following fuels:

a. natural gas;

b. propane;

c. new (virgin) No. 2 through No. 6 fuel oils; or

d. on-specification used fuel oil.

[Rule 62-210.200 (PTE), F.A.C.]

A.3. Restricted Operation: The hours of operation shall not exceed 3,000 hours per any consecutive 12-month period. [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

A.4. Used Fuel Oil Specifications: The permittee shall not burn off-specification used fuel oil. For each delivery of on-specification used oil, the vendor shall provide an analysis documenting the fuel oil meets the following requirements of 40 CFR 761.20(e)(2) and (3) and 40 CFR 279.11 (July 1, 2004):

Constituent/Property	Allowable Level	Test Methods
Arsenic	5 ppm maximum	Test Methods Used in EPA SW-846
Cadmium	2 ppm maximum	Test Methods Used in EPA SW-846
Chromium	10 ppm maximum	Test Methods Used in EPA SW-846
Lead	100 ppm maximum	Test Methods Used in EPA SW-846
Total Halogens	4,000 ppm maximum*	Test Methods Used in EPA SW-846
Flash Point	100°F minimum	Test Methods Used in EPA SW-846
PCB's	< 50 ppm	Test Methods Used in EPA SW-846

* Used oil containing between 1,000 and 4,000 ppm of total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste and cannot be utilized unless the applicant first rebuts this presumption by demonstrating that Used Oil does not contain hazardous waste and receives written approval from the Department. [Rules 62-4.070(3) and 62-710.210, F.A.C.; 40 CFR Part 279.11]

A.5. When used oil is fired the facility must operate in compliance with all applicable regulations and Department policy including the requirements of Rule 62-710, F.A.C. and 40 CFR Part 279, Subparts D and E and any new regulations subsequently adopted, and the following conditions shall apply:

a. Each time used oil is transferred to the facility storage tank a sample of used oil to be burned shall be analyzed for arsenic, chromium, cadmium, total halogens, PCB, flash point, and lead using EPA/DEP or ASTM approved methods prior to being fired. Alternately, the used oil vendors' analysis for the referenced parameters may be utilized to satisfy this condition. Results of the used oil sampling and analysis shall be retained on site for a three-year period.

b. The total quantity of used oil burned during each calendar year, on a monthly basis, shall be included in the Annual Operations Report for Air Emissions Sources.

c. The firing of used oil which contains PCB at concentrations greater than 2 ppm and less than 50 ppm is regulated by 40 CFR 761. The source cannot fire used oil which contains PCB concentrations in this range during startup or shutdown in accordance with 40 CFR 761.20(e)(3), and the source must submit to this office a copy of the written notice described in 40 CFR 761.20(e)(3). [Rule 62-4.070, F.A.C.]

EMISSIONS STANDARDS

A.6. Visible Emission (VE) Limitation: Visible emissions shall be limited to less than 20 percent capacity.
[Rule 62-296.320(4)(b), F.A.C.]

A.7. Particulate Matter (PM) Limitation: The maximum process rate of 115 tons per hour results in an allowable emission rate of 36.98 pounds per hour. For process weight rates up to 30 tons per hour, P_1, and for process weights greater than 30 tons per hour, P_2, the respective allowable emission rates, E_1 and E_2 in pounds per hour are given below:

$E_1 = 3.59\ (P_1^{0.62})$ $\qquad$ $E_2 = 17.31\ (P_2^{0.16})$

[Rule 62-296.320(4)(a)2., F.A.C.]

A.8. Sulfur Dioxide (SO_2) Limitation: The maximum SO_2 emissions shall not exceed 76 tons per any consecutive 12-month period.
[Rule 62-210.200(PTE), F.A.C.]

TESTING REQUIREMENTS

A.9. Compliance Tests: The emissions unit shall be tested to demonstrate compliance with the emissions standards for VE and PM emissions specified in **Specific Condition Nos. A.6. and A.7. within 60 days of operation after relocating back to the Florida site.**
[Rule 62-297.310, F.A.C.]

A.10. **Compliance Tests: During each federal fiscal year (October 1st to September 30th) after relocating back to the Florida site, the emission unit (asphalt batch plant) shall be tested to demonstrate compliance with the emissions standards and limits for VE and PM emissions as specified in Specific Condition Nos. A.6. and A.7.**

A.11. Test Requirements: Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.
[Rule 62-297.310(7)(a)9., F.A.C.]

A.12. Test Method(s): Required tests shall be performed in accordance with the following reference method(s).

Method(s)	Description of Method and Comments
EPA Method 5	Determination of Particulate Matter Emissions from Stationary Sources: **The sampling time and volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).**
EPA Method 9	Visual Determination of the Opacity of Emissions from Stationary Sources: **EPA Method 9 shall be used and the test run shall be conducted for 30 minutes.**

The above method(s) are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other method(s) may be used unless prior written approval is received from the Department.
[Rules 62-204.800 and 62-297.401, F.A.C.; Appendix A of 40 CFR 60; 40 CFR 60.93(b)(1) & (2)]

A.13. Additional PM Testing Requirements – Stack sampling facilities must comply with the following:

a. Rule 62-297.310 (6), F.A.C., regarding minimum requirements that include, but are not limited to: location of sampling ports, work platform area hand rails and toe rails, caged ladder access, and electrical power; and

b. A differential pressure gauge is required to measure the pressure drop across the baghouse, a minimum of 10 days prior to conducting the stack test.

[Rules 62-297.310(6) and 62-297.310(5)(b), F.A.C.]

A.14. Operating Rate During Testing: Testing of emissions shall be conducted within 90 to 100 percent of the maximum permitted operating rate of 115 tons/hr. If it is impracticable to test at the maximum permitted operating rate, then the emission unit may be tested at a lesser rate. In this case, subsequent emission unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purposes of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2), F.A.C.]

MONITORING REQUIREMENTS

A.15. Fuel Oil Sulfur Content: The fuel sulfur content, percent by weight, for liquid fuel oils shall be evaluated using ASTM methods ASTM D4057-88 and one of ASTM D2622-94, ASTM D4294-98, ASTM D1552-95 or ASTM D129-91 or more recent editions adopted and incorporated by reference in Rule 62-297.440(1), F.A.C. Alternately, after written notification to and approval by the Department, the permittee may use other DEP Air Program-approved methods, i.e. alternate sampling procedures, for sulfur in petroleum products.
[Rule 62-4.070, F.A.C.]

NOTIFICATION REQUIREMENTS

A.16. Notification of Operation Commencement: The permittee shall notify the Compliance Authority in writing of the **relocation back to the Florida site and the date of commencing operation** of the EU No. 001, no later than five (5) business days after **the date of commencing operation.** Commencing operation means setting into operation of any emissions unit for any purpose.
[Rule 62-4.070, F.A.C., and Rule 62-210.200, F.A.C., (Definition of Commence Operation)]

A.17. Test Notification: The permittee shall notify the Compliance Authority at least 15 days prior to any required tests. The permittee shall indicate the date, time, and place of such tests, and the test contact person who will be responsible for coordinating and having such test conducted for the permittee.
[Rules 62-4.070(3) and 62-297.310(7)(a)9., F.A.C.]

RECORDS AND REPORTS

A.18. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. For each test run, the report shall also indicate the following:

a. The type of air pollution control devices installed and their normal operating parameters during each test run.
b. Type, manufacturer, and configuration of the sampling equipment used.
c. All measured and calculated data required to be determined by each applicable test procedure for each run.

d. The detailed calculation for one run that relate the collected data to the calculated emission rate.

[Rule 62-297.310(8), F.A.C.]

A.19. Fuel Oil Sulfur Content Record: In order to document continuing compliance with the sulfur content limitation in Specific Condition No. **A.1.**, in percent by weight of the fuel oil, the permittee shall keep records on either vendor provided as-shipped analysis or on analysis of as-received samples taken at the plant for all fuel oils specified in Specific Condition No. **A.2.** The analysis shall be determined in accordance with the methods listed in Specific Condition No. **A.15.**
[Rule 62-4.070(3), F.A.C.]

A.20. Monthly Recordkeeping Requirements: In order to demonstrate compliance with Specific Condition Nos. **A.1.**, **A.2.**, and **A.3.**, the permittee shall maintain a log at the facility for a period of at least 5 years from the date the data is recorded and made available to the Department upon request. The log shall contain the following:

a. Facility Name, Facility ID No. (i.e., 0690032);
b. Month and year of record;
c. Consecutive 12-month total of hours of operation;
d. Consecutive 12-month total of hourly asphalt product (tons);
e. Type of fuel burned in the asphalt plant; and
f. Fuel records relating to General Condition 14.c. in Appendix B (General Conditions).

The monthly logs shall be completed by the end of the following month.
Note: A consecutive 12 months total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12-months total treats each month of the year as the end of a 12-months period. A 12-months total is not a year-to-date total. Facilities or emission units that have not been operating for 12 months should retain 12 months totals using whatever number of months of data are available until such a time as a consecutive 12 months total can be maintained each month.
[Rule 62-4.070(3), F.A.C.]

A.21. Records Retention – All records shall be recorded in a permanent form suitable for inspection by the Department upon request and shall be kept at the facility for a minimum of the most recent five (5) year period.
[Rule 62-4.070(3), F.A.C.]