ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

Gary Yelvington
President
Conrad Yelvington Distributors, Inc.
13101 Telecom Drive, Suite 101
Tampa, FL 33637
_____/

File No.: 7770473-009-AO
County: Hillsborough

Enclosed is Renewal Permit No.7770473-009-AO to operate a material handling facility, issued pursuant to Section 403.087, Florida Statutes. Please read this new permit thoroughly as there are changes from the previous permit.

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 receipt of this permit. 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 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 the petitioner contends requires reversal or modification of the EPC's proposed action; and
(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice. 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 person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statues, 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

RDG/KRZ/krz

cc: Pradeep Raval – Koogler and Associates, Inc.

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.

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

_____ _____
Clerk Date

PERMITTEE:
Conrad Yelvington Distributors, Inc.
13101 Telecom Drive, Suite 101
Tampa, FL 33637

PERMIT/CERTIFICATION
Permit No: 7770473-009-AO
County: Hillsborough
Expiration Date: March 4, 2019
Project: Material Handling Facility

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 of hereof and specifically described as follows:

Conrad Yelvington Distributors, Tampa Terminal, is an aggregate material handling and storage facility. There is no further processing of the material at this site except material transferring. The facility is restricted to handling 1,000,000 tons of various types of aggregate materials and 150,000 tons of bottom ash per year. The aggregate materials may include limestone, granite, river gravel, sand, decorative rock, crushed concrete and RAP. Limestone is the most handled aggregate material at this site.

The aggregate materials are normally received by railcar, which are bottom unloaded onto an underground conveyor belt that feeds onto a second long conveyor belt before the material is dropped into a pile. This second conveyor operates as a radial stacker, which gives the facility the flexibility to create separate piles depending on the type of aggregate being unloaded. A front-end loader is used to transport the materials around facility and into trucks, which transport the materials off-site. The bottom ash is received by dump truck and shipped off-site by railcars.

Particulate matter (PM) emissions at the transfer points are controlled by the application of water and the use of work practices. Unconfined PM emissions (principally vehicular traffic and storage piles) are controlled by the use of water, and dust suppressant or binder.

Location: 4800 Cone Road, Tampa, FL 33610

UTM: 17-361.78 E 3096.90 N

NEDS NO: 0473

Emission Unit ID:	01 – Railcar Unloading Hopper 02 – Feed Conveyor Drop 03 – Stacking (Radial) Conveyor Drop 04 – Front-end Loader to Storage Bin 05 – Truck Loading 06 – Bottom Ash Truck Unloading 07 – Bottom Ash Railcar Loading

Replace Permit No.: 7770473-008-AO

SPECIFIC CONDITIONS:

1. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]

2. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]

3. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]

4. Visible emissions from all the material handling operations (EU 001 thru EU 007) shall not exceed 5% opacity. [Rule 62-4.070(3), F.A.C., Chapter 1-3.52.2, Rules of the EPC]

5. In order to ensure compliance with the opacity limitation in Specific Condition No. 4, the following restrictions and terms shall apply. [Rule 62-4.070(3), F.A.C.]

A) Minimize transfer/drop height at all times.
B) Adequately moisten the material to comply with Specific Condition No. 4.
C) Only aggregate materials of an inert nature and bottom ash are allowed to be handled.
D) Should the silt content of the material change, the permittee shall adjust water application rates and/or reduce the material drop height as necessary to comply with Specific Condition No. 4.

6. The hours of operation are not restricted. [Rule 62-4.070(3), F.A.C. and Permit 0570473-006-AC]

7. The maximum annual throughput of aggregate materials (limestone, granite, river gravel, sand, decorative rock, crushed concrete and RAP) handled at the facility shall not exceed 1,000,000 tons during any 12 consecutive month period. [Rule 62-4.070(3), F.A.C. and Permit 7770473-006-AC]

8. The maximum annual throughput of bottom ash handled at the facility shall not exceed 150,000 tons during any 12 consecutive month period. [Rule 62-4.070(3), F.A.C. and Permit 7770473-006-AC]

9. Test all emission units (EU 001 thru EU 007) for visible emissions once per federal fiscal year (October 1 – September 30) with a target date of January 7th. The readings shall be taken on the highest point of opacity from the operation. Submit two (2) copies of test data to the Air Compliance Section of the Environmental Protection Commission of Hillsborough County within 45 days of such testing. [Rules 62-297.310 and 62-4.070(3), F.A.C.]

10. Compliance with the emission limitations of Specific Condition No. 4 shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. The EPA Method 9 test period shall be at a minimum:

SPECIFIC CONDITIONS:

A) Thirty minutes in duration for the railcar loading, railcar unloading, conveyor transfer point, and the material drop onto a pile;
B) Three truck loadings or twelve minutes in duration for the truck loading operation. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.

[Rules 62-297 and 62-4.070(3), F.A.C.]

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

12. Emissions testing shall be conducted with the source operating at capacity. Capacity is defined as 90-100% of rated capacity which is the maximum handling rate (tons per hour) for each material handled. If it is impracticable to test at capacity, then the emission points may be tested at less than capacity; in this case subsequent operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. The permittee shall submit a statement specifying the unloading, handling and loading operating rates as part of the compliance test. Failure to submit an operation rate statement may invalidate the test report. [Rules 62-4.070(3) and 62-297.310, F.A.C.]

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

14. Operation and Maintenance Plan for Particulate Control: [Rule 62-297.700, F.A.C., Permit 0570473-001-AC, Consent Final Judgment dated July 6, 2004 (Case No. 04-3770), and Fugitive Dust Plan in Letter dated January 14, 2005]

I. Process Parameters and Control Technologies

A) Water Supply: (City of Tampa or shallow well water).
B) Manually controlled water spray system: portable sprinkler systems, spray bar at head of feed conveyor, and use of water truck on roadways and areas as required.
C) Street sweeper: the area of Cone Road (last 100') that is closest to the facility entrance.

SPECIFIC CONDITIONS:

D) Minimize material transfer/drop heights.

II. The following observations, checks, and operations apply to this source and shall be conducted as specified:

A) The manually controlled water spray system shall be inspected prior to use. Its components shall be repaired or replaced as needed to ensure that the storage piles or the material being handled are wetted to the extent necessary to maintain compliance with the permit conditions.
B) The facility shall implement work practice standards directed at minimizing all transfer/drop heights at the conveyor system, loader bucket to truck, and railcar loading areas. The goal of minimizing drop heights is to minimize particulate matter emissions from the facility and assure continual compliance with Specific Condition No. 4.
C) Visual inspections of the traffic conditions and road debris/dust shall be conducted daily during business activity.
D) Visual inspections of the unpaved roadway shall be inspected daily for evidence of the dust suppressant or binding quality of the product.
E) Observe the drop height during the unloading process and inspect stacker height adjustment components each day of use.
F) Employees shall verbally warn vehicles using excessive speed.
G) The speed limit signs and speed swales/bumps condition shall be checked weekly.
H) The berm shall be visually inspected weekly for grass height, ant hills, and washouts.

III. Records:

A) Records of inspection, maintenance, and performance parameters shall be retained for a minimum of two years and shall be made available to the Environmental Protection Commission of Hillsborough County upon request. [Rule 62-296.700(6)(e), F.A.C.]

15. In order to ensure compliance with Specific Condition Nos. 7 and 8, the following monthly records shall be kept for the previous three (3) years and made available to the EPC, state, or federal air pollution agency upon request: [Rules 62-4.070(3) and 62-4.160(14)(b), F.A.C.]

A) Date (month/year)
B) Type of material received and handled and grade (grade meaning the approximate silt content or relative degree of dustiness of the aggregate)
C) Monthly total of material loaded (aggregate or bottom ash) into trucks and railcars (tons)
D) 12 month rolling total of Item 15.C)

SPECIFIC CONDITIONS:

16. 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 are not limited to the following:

A) Minimizing material drop height
B) Curtailing operations if winds are entraining particulate matter
C) Adequately watering the section of Cone Road that lies within 100 feet of the facility's entrance onto Cone Road once daily (except during periods of wet weather)
D) Adequately watering unpaved roadways and storage piles on an as needed basis
E) Posting speed limit signs (10 mph or less)
F) Maintaining vegetation on non-traffic areas
G) Installing speed bumps
H) Reserved.
I) Applying a dust suppressant or binder to the unpaved roadway within the facility on an annual basis to reduce potential emissions and particulate matter tracked out from the facility
J) Manually watering down of aggregate in open top hopper railcars during unloading
K) Maintaining the berm by mowing (as needed and weather permitting) to maintain grass height not to exceed 24", treating insect infestations (ant hills) with over the counter type products, and repairing ruts and washouts.

[Rule 62-4.070(3), F.A.C., Consent Final Judgment dated July 6, 2004 (Case No. 04-3770), and Fugitive Dust Plan in Letter dated January 14, 2005]

17. The use of property, facilities, equipment, processes, products, or compounds, or the commission of paint overspraying 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.

18. 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. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation: [Rules 62-210.300 and 62-4.070(3), F.A.C.]

A) Alteration or replacement of any equipment or major component of such equipment.
B) Installation or addition of any equipment which is a source of air pollution.

SPECIFIC CONDITIONS:

19. The permittee must submit to the Environmental Protection Commission of Hillsborough County 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. The AOR shall be submitted by April 1 of the following year. [Rule 62-210.370(3), F.A.C.]

20. 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.]

21. Prior to sixty days before the expiration of this permit, the permittee shall apply for a renewal of the permit using the current version of the permit renewal application form. A renewal application shall be timely and sufficient. If the application is submitted prior to sixty days before the expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the EPC or, if there is court review of the final agency action, until a later date is required by Section 120.60, Florida Statutes. [Rule 62-4.090, F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

_____

Richard D. Garrity, Ph.D.
Executive Director