Florida Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Mimi A. Drew
Secretary

FINAL PERMIT

PERMITTEE

Conrad Yelvington Distributors, Inc.
P.O. Box 11637
Daytona Beach, FL 32120

Authorized Representative:
Mr. Gary Yelvington, President

Air Permit No. 7775115-004-AO
Permit Expires: 07/10/2013
Minor Air Operation Permit
Project Name: Portable Materials Handling Railcar Unloader

This is the final air operation permit, which authorizes the operation of a portable materials handling railcar unloader. The proposed work is conducted at three (3) locations (Standard Industrial Classification No. 5032). The facility is portable and may be located in Polk County at:

- 3770 Maine Avenue, Eaton Park
  Latitude: 28°00′54″ North Longitude: 81°52′54″ West

- 4201 Bonnie Mine Road, East of Mulberry
  Latitude: 27°51′52″ North Longitude: 81°55′51″ West

- 500 Highway 676, West of Mulberry
  Latitude: 27°52′49″ North Longitude: 82°01′47″

This final permit is organized by the following sections:

Section 1. General Information

Section 2. Administrative Requirements and Facility-wide Specific Conditions

Section 3. 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 Hillsborough County, Florida

_____ _____

Mara Grace Nasca Effective Date
District Air Program Administrator
Southwest District

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 _____ to the persons listed below.

Mr. Gary Yelvington, Conrad Yelvington Distributors, Inc., GARYY@CYDI.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) (Date)

FACILITY AND PROJECT DESCRIPTION

Existing Facility

The existing facility is a portable natural non-Title V facility that unloads bulk materials from railcars and consists of the following emissions unit.

Facility ID No. 7775115	
ID No.	Emission Unit Description
001	Portable Materials Handling Railcar Unloader

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

Exempt Emission Units/Activities

- The railcar unloader is powered by a Hatz, Model 4L41C, diesel fired generator rated at 48.8 KW that has a maximum fuel consumption rate of 4.0 gallons/hour. [Rule 62-210.300(3)(a), F.A.C.]

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 62-213, F.A.C.

– The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.

– This facility is a natural minor source of air pollution.

PERMIT HISTORY/AFFECTED PERMITS

Replaces Operation Permit No. 7775155-003-AO

SECTION 2. ADMINISTRATIVE REQUIREMENTS AND FACILITY-WIDE SPECIFIC CONDITIONS (FINAL)

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

   Florida Department of Environmental Protection
   Southwest District Office
   Air Resource Management Section
   13051 North Telecom Parkway
   Temple Terrace, Florida 33637-0926
   Telephone: 813-632-7600

   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 Southwest District Office's 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. Permit Expiration Date: As of the effective date of this permit, the facility (Emission Unit No. 001) has been shutdown since July 10, 2008. Therefore, the expiration date of this permit is July 10, 2013.
[Rule 62-210.300(2)(a)3.b., 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 report required by Specific Condition No. A.9., if not previously submitted; and

   d. copies of the most recent month of records/logs specified in Specific Condition No(s). A.10.

   [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.]

B. E.U. No. 001 – Portable Materials Handling Railcar Unloader

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
001	For the operation of a portable RBT Services, Inc., Model 3625, portable drag-a-flight conveyor materials handling railcar unloader designated by the facility as Unit 342. The unloader consists of a raisable railcar unloading conveyor with foam seal to railcar, enclosed conveyor, truck loading spout with foam seal to truck. Emissions are controlled by a DCE, Inc., Model C16HK7AD 1,200 cfm baghouse having a total cloth filtration area of 150 square feet.

PERFORMANCE RESTRICTIONS

A.1. Permitted Capacity: The portable materials handling railcar unloader's maximum unloading rate is 100 tons/hr., based on a daily average.
[Rule 62-210.200(PTE), F.A.C.]

A.2. Restricted Operation: The hours of operation are not limited (8760 hours per year).
[Construction Permit No. 7775115-001-AC]

EMISSIONS STANDARDS

A.3. Visible Emission Limitation: Visible emissions from the baghouse shall not be equal to or exceed 20% opacity.
[Rule 62-296.320(4)(b), F.A.C.]

A.4. Reasonble Precautions to Control Unconfined Particulate Matter: All reasonable precautions shall be taken to prevent and control generation of unconfined particulate matter. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Additionally, the following work practices shall be followed:

a. Use of water when necessary to control fugitive emissions, such as the use of water to keep roadways and work areas damp to control dust and airborne emissions.
b. Exercise good housekeeping practices at all times.
c. Attend to upset conditions promptly.
d. Clean up spillage after completion of each unloading operations.
e. Make applicable personnel aware of the environmental requirements in the permit.

As an indicator that the reasonable precautions listed above are adequate, visible emissions from the activities related to this facility should not exceed 5% opacity. If this value is exceeded it shall not be considered a violation in and of itself, but an indication that the reasonable precautions may not be adequate.
[Rules 62-4.070(3) and 62-296.320(4)(c), F.A.C.; Construction Permit No. 7775115-001-AC]

TESTING REQUIREMENTS

A.5. Compliance Tests: Within 30 days of this emission unit being placed back in operation (startup/reactivated) after the effective date of this permit and during each federal fiscal year (October 1st to September 30th) thereafter, the emissions unit's baghouse shall be tested to demonstrate compliance with the emissions standards for visible emissions.
[Rules 62-210.300(2)(a)4. and 62-297.310, F.A.C.]

A.6. 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, F.A.C.]

A.7. Test Method(s): Required tests shall be performed in accordance with the following reference method(s).

Method(s)	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources

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 62-297.100, F.A.C.; and Appendix A of 40 CFR 60]

NOTIFICATION REQUIREMENTS

A.6. Test Notification: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. The notification must include the following information: the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and the telephone number of the person conducting the test.
{*Permitting Note: The notification should also include the relevant emission unit ID No(s)., test method(s) to be used, and pollutants to be tested.*}
[Rules 62-4.070(3) and 62-297.310(7)(a)9., F.A.C.]

A.7. Notification of Startup/Reactivate: The owner or operator of any emission unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Compliance Authority in writing of the intent to startup/reactivate such emission unit or facility, a minimum of 60 days **prior** to the intended startup/reactivation date.

a. The notification shall include the following information:

1. The startup/reactivation date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emissions rates, and any other conditions which may differ from the valid outstanding operating permit.

2. That such startup/reactivation would not constitute any modification or reconstruction pursuant to Chapter 62-210, F.A.C. or any federal regulation adopted by reference at Rule 62-204.800, F.A.C.

b. If, due to an emergency, a startup/reactivation date is not known 60 days **prior** thereto, the owner shall notify the Compliance Authority at least five (5) business days **prior** to actual startup/reactivation.

[Rules 62-210.300(2)(a)4. and 62-210.300(5), F.A.C.]

A.8. Notification of Actual Reactivation: The permittee shall notify the Compliance Authority in writing of the actual reactivation date of this emission unit, no later than fifteen (15) days **after** that date. The notification may be submitted in conjunction with the visible emission test notification required in Specific Condition No. A.6.
[Rule 62-4.070(3), F.A.C.]

REPORTS AND RECORDS

A.9. 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. The test report shall include the actual railcar unloader's material unloading rate in tons/hr. for the test period and a copy of the records required by Specific Condition No. A.10. for the month the test was conducted.
[Rules 62-4.070(3) and 62-297.310(8), F.A.C.]

A.10. Recordkeeping Requirements: The permittee shall maintain a daily operation log and at a minimum contain the following:

a. Date, Facility Name, Facility ID No. (7775115), and Emission Unit ID No. (001)
b. Total unloading operating hours.
c. Total material (in tons) unloaded.
d. Calculate the average hourly unloading rate (tons/hr.) for each day of operation.
e. Type of maintenance performed.
f. Comments
g. Operator's signature.

The records shall be completed as follows:

- Items a., b., c., e., f., and g. above shall be completed within 3 business days.
- Item d. above, calculation of the daily average hourly unloading rate, shall be completed within 15 days of the following month.

These records shall be maintained at the facility for at least three (3) years and made available to the Department upon request.
[Rules 62-4.070(3) and 62-4.160, F.A.C.]