Environmental Protection and Growth Management Department
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION – AIR QUALITY
One North University Drive, Suite: 203, Plantation, Florida 33324
954-519-1260 • FAX 954-519-1495

NOTICE OF PERMIT

Mr. Wayne Weekley
Secretary Treasurer
Weekley Asphalt Paving, Inc.
20701 Stirling Road
Pembroke Pines, Florida 33332

VIA ELECTRONIC MAIL
RETURN E-MAIL RECEIPT REQUESTED

Dear Mr. Weekley:

Enclosed is construction permit number 7775212-006-AC to construct an air pollution source issued pursuant to Section 403.087 of the Florida Statutes, Broward County's Specific Operating Agreement with the Florida Department of Environmental Protection, and Broward County Code Chapter 27 Article IV which adopts Florida Administrative Code (FAC) 62-4, 62-204, 62-210, 62-296 and 62-297.

Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 62-103 and 28-5.201, FAC, and must be filed (received) in the Pollution Prevention, Remediation and Air Quality Division (PPRAQ), One North University Drive, Suite: 203, Plantation, Florida 33324 within fourteen (14) days of receipt of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes and Chapter 27.

This permit is final and effective on the date filed with the Clerk of the PPRAQ unless a petition is filed in accordance with this paragraph or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, FAC. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the PPRAQ. When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order 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 Pollution Prevention, Remediation and Air Quality Division, One North University Drive, Suite: 203, Plantation, Florida 33324; 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 the Final Order is filed with the Clerk of the PPRAQ.

Executed in Broward County, Florida
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION

Daniela Banu

Daniela Banu, Air Quality Administrator

cc: Lennon Anderson, DEP Southeast District Office (VIA EMAIL)
Veronica N. Sgro, P.E., Koogler & Associates, Inc. (VIA EMAIL)

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on 5/31/2011 to the listed persons.

Clerk

5/31/2011
Date

Environmental Protection and Growth Management Department
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION – AIR QUALITY
One North University Drive, Suite 203, Plantation, Florida 33324
954-519-1260 • FAX 954-519-1495

NOTICE OF AIR POLLUTION PERMIT

ISSUED TO:

PERMITTEE:
Weekley Asphalt Paving, Inc.
Authorized Representative:
Wayne Weekley, Secretary Treasurer
20701 Stirling Road
Pembroke Pines, Fl 33332

AIRS ID NO: 7775212
Permit Number: 7775212-006-AC
Issue Date: May 31, 2011
Expiration Date: April 13, 2012

Facility Name: Weekley Asphalt Paving, Inc.

Project Description: Construction permit for Weekley Asphalt Paving, Inc. to add used oil as permitted fuel in the plant. SIC Code: 2951 Location: 20701 Stirling Road, Pembroke Pines, FL 33332.

Lat/Long: 26°02'41" N / 80°25'17" W **UTM:** Zone 17; 442.1 Km E; 2880.6 Km N

Statement of Basis: This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) Florida Administrative Code (F.A.C.) Rules 62-4 and 62-210 through 62-297 (permitting requirements) and Broward County Code, Chapter 27 (emission limitations) and in conformance with all existing regulations of the Florida Department of Environmental Protection (FDEP). 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 Broward County Pollution Prevention, Remediation and Air Quality Division (PPRAQD) and made a part hereof.

In accordance with: Application to Construct Air Pollution Source received July 2, 2003 and Public Notice of Intent issued August 26, 2003 and published in the Broward Daily Business Review on September 12, 2003, Application for Renewal of Permit to Operate Air Pollution Source received August 3, 2004, Extension of Air Construction Permit issued October 26, 2004, Application for Renewal of Permit to Operate Air Pollution Source received October 9, 2009 and additional information received February 1, 2010, Application to Construct Air Pollution Sources received June 10, 2010, additional information received September 15, 2010 and November 4, 2010, Public Notice of Intent issued December 6, 2010, and published in the Sun Sentinel newspaper on December 14, 2010, construction permit application received April 6, 2011, Public Notice of Intent issued April 26, 2011, and published in the Sun Sentinel newspaper on May 4, 2011 (none are attached).

This permit is organized by the following sections.
1. Facility Description
2. General Conditions
3. Facility-wide Conditions
4. Emissions Unit Specific Conditions

Executed in Broward County, Florida

Daniela Banu
Air Quality Administrator
Broward County Pollution Prevention, Remediation and Air Quality Division

1. FACILITY DESCRIPTION

This is an existing relocatable counter-flow drum mix asphalt paving plant in which the material flow in the drum is opposite or counter flow to the direction of exhaust gases. Also, the liquid asphalt cement mixing zone is located behind the burner zone so as to remove the materials from direct contact with hot exhaust gases. The facility is located at the above-referenced address in Pembroke Pines. The plant operates an ADM CEI 1500, 1.5 mmBtu/hr asphalt cement heater as part of the entire asphalt plant which is exempt per air construction permit application received July 2, 2003 and Rule 62-210.300(b), F.A.C. The emission unit is shown below. The most significant ducted source of emissions is the rotary drum dryer. Emissions from the drum consist of water (as steam evaporated from the aggregate); PM; products of combustion; CO; and small amounts of organic compounds of various species including VOC, CH4 and HAP). The CO and organic compound emissions result primarily from incomplete combustion of the fuel, and can also be released from the heated asphalt.

This asphalt plant is capable of burning natural gas, #2 fuel oil and biofuel oil, and now is adding used oil, with less than 1% sulfur content and up to 40% recycled asphalt pavement (RAP). The used oil is a byproduct of No. 6 fuel oil; it is used lube oil with less than 1 ppm of PCBs, less than 4 ppm of cadmium and less than 4 ppm of chromium. The used oil is obtained from Cliff Berry Company located in Fort Lauderdale, Florida. DARM – Per -03, March 1, 2000 Guidance on Burning used Oil Containing Low Concentrations of PCBcs specifies that "On-specification" used oil containing less than 2 ppm PCBs can be burned in any combustion device (industrial or non industrial) if authorized by PPRAD permit. The PCBs content shall be determined using EPA, DEP, or ASTM approved methods. The used oil analysis, submitted by the applicant, is dated March 1, 2011 and was performed in accordance with the approved methods. The guidance also specifies that used oil containing less than 50 ppm PCBs is an excluded PCB product, but is subject to restrictions on use of PCB containing oil as a fuel. According with DARM – Per -03, DEP Guidance excluded PCBs products as applied to used oil, which means; oil which have a concentration of less than 50 ppm PCBs that were legally before October 1, 1984; and have not been mixed with a material containing more than 50 ppm PCBs. The specific requirements outlined in DARM-Per-03, DEP Guidance will be part of the specific conditions of this permit.

This plant is sketched in the figure on next page.

The facility consists of the following emissions units:

E.U. ID No.	Brief Description
001	One (1) ADM MM225 counter-flow drum mix asphalt plant with ADM BHS525-10 filter baghouse.

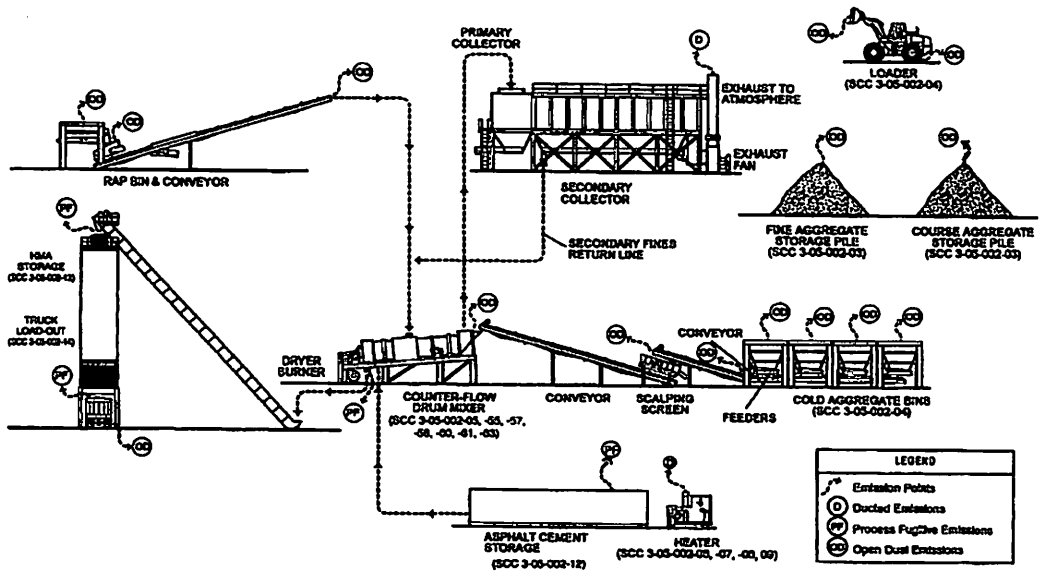

Figure 11.1-3. General process flow diagram for counter-flow drum mix asphalt plants (source classification codes in parentheses).[3]

2. GENERAL CONDITIONS

1. Terms of Permit. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The Permittee is placed on notice that the PPRAQD will review this permit periodically and may initiate enforcement action for any violation of these conditions.
[Rule 62-4.160 (1), F.A.C.]

2. Permit Validity. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the PPRAQD.
[Rule 62-4.160 (2), F.A.C.]

3. Disclaimer. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other permit that may be required for other aspects of the total project which are not addressed in this permit.
[Rule 62-4.160 (3), F.A.C.]

4. Disclaimer. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein

provided and the necessary title or leasehold interest have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
[Rule 62-4.160 (4), F.A.C.]

5. Liability. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and FDEP rule, unless specifically authorized by an order from the PPRAQD.
[Rule 62-4.160 (5), F.A.C.]

6. Operation and Maintenance. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by county and state rules. This provision included the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by PPRAQD and FDEP rules.
[Rule 62-4.160 (6), F.A.C.]

7. Onsite Inspection Activities. The Permittee, by accepting this permit, specifically agrees to allow authorized PPRAQD personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (depending on the nature of the concern being investigated), access to the premises where the permitted activity is located or conducted to:
   (a) Have access to and copy any records that must be kept under conditions of the permit;
   (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
   (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or PPRAQD and FDEP rules.
   [Rule 62-4.160 (7), F.A.C.]

8. Notice of Noncompliance. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide PPRAQD with the following information:
   (a) A description of and cause of noncompliance; and
   (b) The period of noncompliance, including dates and times, or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any enforcement action by PPRAQD for penalties or for revocation of this permit.
   [Rule 62-4.160 (8), F.A.C.]

9. Reporting Noncompliance. The Permittee shall report any periods of noncompliance to the PPRAQD immediately by phone at 954-519-1499 or by Email at EPDHOTLINE@broward.org. This also applies when the period of non-compliance is first determined after normal business hours or on weekends and holidays.
[Rules 62-4.130 and 62-4.070(3), F.A.C.]

10. Evidence Materials. By accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted facility or activity, that are submitted to the PPRAQD, may be used by the PPRAQD as evidence in any enforcement proceeding arising under the Florida Statues or F.A.C. rules, except where such use is prohibited by Section 403.111 and 403.73, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
[Rule 62-4.160 (9), F.A.C.]

11. Rule Changes. The Permittee agrees to comply with changes in Florida Department of Environmental Protection rules and Florida Statutes after a reasonable time for compliance; provided, however, the Permittee does not waive any other rights granted by Florida Statutes or FDEP rules.
[Rule 62-4.160 (10), F.A.C.]

12. Permit Transfer. This permit is transferable only upon PPRAQD approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The Permittee shall be liable for any non-compliance of the permitted activity until the transfer approved by the PPRAQD.
[Rule 62-4.160 (11), F.A.C.]

13. Work Site Copy. This permit or a copy thereof shall be kept at the work site of the permitted activity.
[Rule 62-4.160 (12), F.A.C.]

14. Miscellaneous Compliance Requirements. The Permittee shall comply with the following:

    (a) Upon request, the Permittee shall furnish all records and plans required under FDEP rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the PPRAQD.
    (b) The Permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recording for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by PPRAQD rule.
    (c) Records of monitoring information shall include:
        1. The date, exact place, and time of sampling or measurements;
        2. The person responsible for performing the sampling or measurements;
        3. The dates analyses were performed.
        4. The person responsible for performing the analyses;
        5. The analytical techniques or methods used;
        6. The results of such analyses.

        [Rule 62-4.160 (14), F.A.C.]

15. Information Submittal. When requested by the PPRAQD, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the Permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the PPRAQD, such facts or information shall be corrected promptly.
[Rule 62-4.160 (15), F.A.C.]

16. Rules Adoption. Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, as amended, are adopted by Broward County Code, Sec. 27-173.
[Broward County Code, Sec. 27-173]

3. FACILITY-WIDE CONDITIONS

17. Objectionable Odor. No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]

18. Volatile Organic Compound Emissions or Organic Solvent Emissions. No person shall store, pump, handle, process, load, unload or use in any process or installation volatile organic compounds or organic solvents

without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the (PPRAQD).
[Rule 62-296.320(1), F.A.C., Rule 62-4.070(3), F.A.C. and Broward County Code, Sec. 27-175(f)]

19. General Visible Emissions. No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from sources, the opacity of which is equal to or greater than 20 percent. If the presence of uncombined water is the only reason for failure to meet visible emission standards given in this section, such failure shall not be a violation of this prohibition.
[Rule 62-296.320(4) (b), F.A.C. and Broward County Code, Section 27-175(i)]

20. Unconfined emissions of particulate matter. No person shall cause, let, permit, suffer or allow emission of particulate matter from any source whatsoever, including but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial-related activities such as loading, unloading, storing or handling without taking reasonable precautions to prevent such emissions.

    Reasonable precautions may include, but shall not be limited to, the following:

    a) Paving and maintenance of roads, parking areas and yards;
    b) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing;
    c) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar sources;
    d) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the source to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne;
    e) Landscaping or planting of vegetation;
    f) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter;
    g) Confining abrasive blasting where possible;
    h) Enclosing or covering of conveyor systems.

    [Rule 62-296.320(4) (c), F.A.C., Rule 62-4.070(3), F.A.C. and Broward County Code, Sec. 27-177(b)]

21. Concealment. No person shall build, erect, install, or use any article, machine, equipment or other contrivance, the use of which will conceal any emission which would otherwise constitute a violation of any provisions of Broward County Codes.
[Rule 62-4.070(3), F.A.C. and Broward County Code, Sec. 27-175(b)]

22. Circumvention. No person shall circumvent any air pollution device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.650 F.A.C and Broward County Code, Sec. 27-175(c)]

23. Maintenance. No person shall operate any air pollution control equipment or systems without proper and sufficient maintenance to assure compliance with Broward County Codes.

24. Special Compliance Tests. When PPRAQD, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a PPRAQD rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the PPRAQD.
[Rule 62-297.310(7) (b), F.A.C.]

25. Annual Operation Report (AOR). The AOR shall be submitted to the PPRAQD by April 1 of the following year. If the permittee elects to use FDEP's electronic annual operation report software (EAOR), the report must be submitted directly to FDEP and there is no requirement to submit a copy to PPRAQD.
[Rule 62-210.370(3), F.A.C.]
{Permitting Note. Information on the EAOR submittal is available at http://www.dep.state.fl.us/air/eproducts/eaor/default.htm}

26. Operating Permit Renewal. Sixty days before the expiration date of this operation permit [or construction permit], the Permittee shall apply for a renewal of permit using the forms incorporated by reference in the specific rule chapter for this type of permit.
[Rule 62-4.090 F.A.C.]
{Permitting Note: The Permittee may also elect to submit the application electronically using the Electronic Permit Submittal and Processing system (EPSAP) via the http://www.dep.state.fl.us/air/software.htm website, along with the processing fee established in Rule 62-4.050(4), F.A.C. , [62-4.090(1) and 62-4.050(4), F.A.C.]

4. EMISSIONS UNIT SPECIFIC CONDITIONS

Subsection A. This section addresses the following emissions unit.

E.U. ID No.	Description of Emissions Unit
001	One (1) ADM MM225 counter-flow drum mix asphalt plant with ADM BHS525-10 filter baghouse.

Emission Limiting Standards

{Permitting Note: The Code of Federal Regulation (CFR) "*40 CFR 60, Subpart I, Hot Mix Asphalt Facilities for which Construction or Modification commenced after June 11, 1973*" cited in this permit is adopted by Florida Administration Code (F.A.C.) Rule 62-204.800(8)(b)12.}

{Permitting Note: The facility shall meet permit specific conditions to be conditionally exempted from Title V permitting requirements per Rule 62-210.300(3) (c) 2, F.A.C.}

27. Production Rate. The production rate of asphalt concrete at this location shall not exceed 500,000 tons in any consecutive twelve-month period.
[Rule 62-210.300(3) (c) 2.a, F.A.C. and Construction Permit 7775212-001-AC]

{Permitting Note: The mix can include recycled asphalt pavement (RAP) up to 40 % (specified in the construction permit application) of the process capacity.}

28. Fuels. Fuel (#2) oil, used lube oil with less than 1 ppm PCBs; and biofuel oil consumption at the facility shall not exceed 1.2 million gallons in any consecutive twelve-month period. Fuel oil and biofuel oil shall not contain more than 1.0 percent sulfur content, by weight.
[Rule 62-210.300(3) (c) 2.b&c, F.A.C., Construction Permit 7775212-001-AC; and construction permit application received June 10, 2010, additional information received September 15, 2010; and construction permit application received April 6, 2011, additional information received April 21, 2011 and Fuel Oil Analysis Report dated March 1, 2011]

29. The permittee is only allowed to use used oil containing less than 50 ppm PCBS to be an exempt product, but it is subject to the restrictions on use of PCBs containing oil as a fuel.
[40CFR 761.3(4) and 761.20(e), DARM-Per-03 – DEP Guidance on Burning Oil Containing Low Concentrations of PCBs, March 1, 2000]

30. The permittee is only allowed to burn used oil while operating at their normal temperature of the asphalt heater. The permittee cannot burn used oil containing PCBs during start up and shutdown.
[40CFR 761.20(e) (3), DARM-Per-03 – DEP Guidance on Burning Oil Containing Low Concentrations of PCBs, March 1, 2000]

31. Collocation/Relocation. The asphalt plant shall not collocate with or relocate to any Title V source nor shall it create a Title V source in combination with any other collocated facilities, emission units, or pollutant emitting activities, including any such facility, emission unit or activity that is otherwise exempt from permitting.
[Rule 62-210.300(3) (c) 2.j, F.A.C. and Rule 62-4.070(3), F.A.C.]

32. Particulate Matter (PM) Emissions. PM emissions shall not exceed 0.04 grains per standard cubic foot averaged over a three-hour period.
[Rules 62-210.300(3) (c) 2.d, F.A.C.]

Test Methods and Procedures

33. (a) The owner or operator shall conduct the following compliance tests:

Pollutant	Test Method	Frequency
VE	EPA Method 9	Every federal fiscal year (October 1 – September 30)
PM	EPA Method 5 (or 5A)	Every federal fiscal year (October 1 – September 30)

(b) Compliance tests shall be conducted and data reduced in accordance with the test methods and procedures outlined in this permit unless PPRAQD (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for compliance tests because the owner or operator of a source has demonstrated by other means to PPRAQD's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate PPRAQD's authority to require testing under section 114 of the Act.
[Rule 62-210.300(3) (c) 2, i., F.A.C., Rule 62-297.310(7) (a) 4.a, F.A.C., Rule 62-297.401(5) & (9), F.A.C., and 40 CFR 60.8(b)]

34. Operating Rate During Testing.

(a) Compliance tests shall be conducted under such conditions as PPRAQD shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to PPRAQD such records as may be necessary to determine the conditions of the compliance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a compliance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit.

(b) Compliance testing shall be conducted with the emissions unit operation at permitted capacity which is defined as 90 to 100 percent of the maximum operation rate (i.e. 225 tons asphalt concrete per hour). If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions 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 purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rules 62-297.310(2), F.A.C.; and 40 CFR 60.8(c)]

35. Required Number of Test Runs. The PM compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, PPRAQD may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard.
[Rules 62-297.310(1), F.A.C.]

36. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule.
[Rules 62-297.310(3), F.A.C.]

Applicable Test Procedures.

37. (a) Required Sampling Time.
    1. The required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
    2. *Opacity Compliance Tests*. The required minimum period of observation for a compliance test shall be thirty (30) minutes. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.

(b) Minimum Sample Volume. In accordance with 40 CFR 60.93(b) (1), the minimum sample volume per run shall be 31.8 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C. (see below).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

[Rules 62-297.310(4), F.A.C., 40 CFR 60.93(b) (1)]

TABLE 297.310-1 CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings, .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually	Spirometer or calibrated wet test or dry gas test meter	2%
	3. Check after each test series	Comparison check	5%

38. Determination of Process Variables.

(a) Required Equipment. The owner or operator shall install, operate, and maintain equipment or instruments necessary to determine process variables when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

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

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

39. Required Stack Sampling Facilities. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and PPRAQD elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the PPRAQD and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.
2. The ports shall be capable of being sealed when not in use.
3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
4. [Reserved]
5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.
2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.
3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.
4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toe board, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.
2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

(f) Electrical Power.

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.
2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

(g) Sampling Equipment Support.

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.
   a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.
   b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.

c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.

2. A complete monorail or dual rail arrangement may be substituted for the eyebolt and bracket.
3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

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

40. Special Compliance Tests. When PPRAQD, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a PPRAQD rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the PPRAQD.
[Rule 62-297.310(7) (b), F.A.C.]

Notification, Recordkeeping and Reporting Requirements

41. Fuel Sulfur Content Records. The owner or operator shall maintain records from the vendor and from optional independent fuel sampling (see note below) to demonstrate that each shipment of fuel (#2) oil, used oil and biofuel oil has 1.0 percent or less sulfur and that the sulfur content was determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in subsection 62-297.440(1), F.A.C.
[Rule 62-4.070(3) F.A.C., Construction Permit Application received June 10, 2010, Construction Permit Application received April 6, 2011]

{Permitting Note: Independent fuel sampling and analysis conducted by the owner or operator to verify the accuracy of the vendor's fuel oil sulfur content may be considered to be an affirmative defense for enforcement action for unknowingly using fuel oil and/or biofuel oil and/or #2 used oil with a sulfur content greater than 1.0 percent sulfur content, by weight. Independent fuel sampling and analysis shall be conducted in accordance with the approved ASTM methods.}

42. Asphalt and Fuel Oil Records. The owner or operator shall maintain records to document the monthly and the twelve-month rolling totals of tons of asphalt concrete produced, percent RAP used in production, the gallons of fuel (#2) oil and/or biofuel oil and/or used oil consumed, and fuel(#2) oil, used oil and biofuel sulfur content. Also, the permittee shall maintain records of the fuel analysis including the PCBs content of the used oil. Records shall be retained for five years.
[Rule 62-210.300(3) (c) 2.g, F.A.C. and Rule 62-4.070(3) F.A.C., Construction Application received June 10, 2010, Construction Application received April 6, 2001, DARM-Per-03 – DEP Guidance on Burning Oil Containing Low Concentrations of PCBs, March 1, 2000]

43. Compliance Testing Notification. The owner or operator shall notify the PPRAQD, 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 for the owner or operator.
[Rule 62-297.310(7), 9., F.A.C.]

44. Compliance Test Report.

(a) The owner or operator shall file a report with the PPRAQD as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow PPRAQD to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report for EPA Method 5 shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals, who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted is true and correct. When a compliance test is conducted for PPRAQD, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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