



Florida Department of Environmental Protection

Northwest District
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Pensacola, Florida 32502-5740

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Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

March 13, 2012

By Electronic Mail, Received Receipt Requested
csgjc@panhandle.rr.com

Mr. James E. Campbell, President
Fort Walton Concrete, Inc.
930 Campbell Road
Century, Florida 32535

Subject: Warning Letter NWAP 131-1908

Dear Mr. Campbell:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A February 29, 2012, Department field inspection (copy enclosed) of Fort Walton Concrete DeFuniak Springs, ID 1310018, and subsequent file review indicates that a violation of Florida Statutes and Rules may exist at the above-described facility. Department of Environmental Protection personnel note the following:

Department records indicate that a performance test for visible emissions to determine compliance with Department standards was not conducted at the facility during calendar year 2011.

Rule 62-296.414(4)(a), Florida Administrative Code (F.A.C.), provides that the owner or operator of any concrete batching plant using an air general permit shall have a performance test conducted for visible emissions for no later than 30 days after commencing operation, and annually thereafter.

Rule 62-296.414(3)(b), F.A.C., provides that test procedures shall conform to the procedures specified in Rule 62-297.310, F.A.C. All test results shall be reported to the Department in accordance with the provisions of Rule 62-297.310, F.A.C.

Rule 62-297.310 (7)(a)9, F.A.C., provides that the owner or operator shall notify the Department, 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

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be responsible for coordinating and having such test conducted for the owner or operator.

Rule 62-297.310(8)(b), F.A.C., provides that the required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.

Section 403.161(1)(b), Florida Statutes, states that it is a violation to fail to comply with any rule, regulation, order, permit or certificate adopted or issued by the Department pursuant to its lawful authority.

You are requested to contact Jennifer Waltrip at 850/595-0662 or jennifer.waltrip@dep.state.fl.us within 15 days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



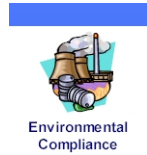
Rick Bradburn
Air Program Administrator

RB/jw/c
Enclosure

c: Zac Sims, Fort Walton Concrete: ftwal26@yahoo.com
Matthew R. Parker, PE, JP Engineering: parkermatt@cox.net
John Thompson, Fort Walton Concrete: ftwal26@yahoo.com



CONCRETE BATCHING PLANT



COMPLIANCE INSPECTION CHECKLIST

INSPECTION TYPE: ANNUAL (INS1, INS2) COMPLAINT/DISCOVERY (CI)
 RE-INSPECTION (FUI) ARMS COMPLAINT NO:

AIRS ID#: 1310018	DATE: <u>2/29/12</u>	ARRIVE: _____	DEPART: _____
FACILITY NAME: DEFUNIAK SPRINGS CONCRETE BATCH PLANT			
FACILITY LOCATION: 1 S NORWOOD RD DEFUNIAK SPRINGS 32435			
OWNER/AUTHORIZED REPRESENTATIVE: WAYNE SIMS		PHONE: (850)243-8114	
Email:		Mobile: (850)373-7019	
CONTACT NAME:		PHONE:	
Email:		Mobile:	
ENTITLEMENT PERIOD: 1/15/2011 / 1/15/2016 (effective date) (end date)			

Facility Section

PART I: INSPECTION COMPLIANCE STATUS (check only one box)

IN COMPLIANCE MINOR Non-COMPLIANCE SIGNIFICANT Non-COMPLIANCE

PART II: ONSITE INTRODUCTORY MEETING (check only one box for each question)

1. Name(s) of facility representative(s): Facility not in operation at the time of the inspection.
 Brief Notes: _____

2. Is the Authorized Representative still WAYNE SIMS? ----- Yes ..No
 If no, who is?: James Campbell, Owner
 If different, did the facility provide an administrative update within 30 days? ----- Yes ..No

3. Is the facility contact still ? ----- Yes ..No
 If no, who is?: Zac Sims, Manager

4. Will facility be conducting VE test(s) during today's inspection? ----- Yes ..No
 If yes, was the compliance authority notified at least 15 days in advance? ----- Yes ..No

Emissions Unit Section

1 –CCB Plant-2silos(1flyashbin&1cement)ea.w/silotophse 150 Bbl subject to 5% Opacity Limit

PART I: FILE REVIEW PRIOR TO INSPECTION

(check only one
box for each question)

1. Date of last inspection: 11/16/11
2. Past Visible Emissions (VE) tests:
 - a. Was a VE test performed within each of the past 4 calendar years? ----- Yes No
 - b. Has a VE test been performed yet within the current calendar year? ----- Yes No
 - c. If first year of operation, was a VE test performed within 30 days of commencing operation? ----- N/A Yes No
 - d. Date of last VE test: 3/16/10
 - e. Was the VE test report filed with the compliance authority no later than 45 days after the test? ----- Yes No
 - f. Did the report state the actual silo loading rate during emissions testing? ----- Yes No
 - g. What was the actual silo loading rate? According to facility personnel, each silo could only hold 8 tons
 - h. If weigh hopper(batcher) emissions controlled by the silo dust collector, did the report state whether or not batching occurred during emissions testing? ----- N/A Yes No
 - i. Did the test report state the actual batching rate during emissions testing? ----- Yes No
 - j. What was the actual batching rate? _____ tons/hour
 - k. Did the emissions unit demonstrate compliance with the 5% opacity limit during the last VE test?-- Yes No
If not, what was the problem (if known)? _____

PART II: STACK EMISSIONS from a silo, weigh hopper(batcher) or other enclosed storage and conveying equipment

(check only one
box for each question)

1. Was a visible emissions test conducted by the facility for this unit during this site visit? ----- Yes No
 - a. Was the visible emissions test conducted according to EPA Method 9? ----- Yes No
 - b. The visible emission test resulted in an opacity of _____ % for the highest six-minute average.
 - c. Did the visible emissions test demonstrate compliance with the 5% opacity limit? ----- Yes No
If not, what was the problem (if known)? _____
 - d. During visible emissions tests of the silo dust collector exhaust points was the loading of the silo conducted at a rate that is representative of the normal silo loading rate? --- Yes No N/A – silo not loaded during inspection.
 - e. If silo loaded, was the minimum loading rate of 25 tons/hour achievable in practice? ----- Yes No
 - f. What was the silo loading rate? _____ tons/hour
 - g. Are emissions from the weigh hopper (batcher) operation controlled by the silo dust collector? --- Yes No
If YES, then continue on to questions g.1) – g.3) below. If answer NO, then skip g.1) – g.3) and go to h.
 - 1) Was the weigh hopper (batcher) in operation during the visible emissions test? ----- Yes No
 - 2) During the visible emissions test, was the batching rate representative of the normal batching rate and duration?----- Yes No
 - 3) What was the batching rate? _____ tons/hour . What was the batching duration? _____ minutes
 - h. 1) If emissions from the weigh hopper (batcher) operation are controlled by a dust collector which is separate from the silo dust collector, was the visible emissions test of the weigh hopper (batcher) dust collector conducted while batching at a rate that is representative of the normal batching rate and duration? Yes No
2) What was the batching rate? _____ tons/hour. What was the batching duration? _____ minutes.
2. Was a visible emissions test conducted by the inspector for this unit during this site visit? ----- Yes No
 - a. Was the visible emissions test conducted according to EPA Method 9? ----- Yes No
 - b. The visible emission test resulted in an opacity of _____ % for the highest six-minute average.
 - c. Did the visible emissions test demonstrate compliance with the 5% opacity limit? ----- Yes No
 - d. What was the process rate? _____ tons/hour.

Emissions Unit Section

3 –CCB Plant-truck load-out w/spray-bar subject to Reasonable Precautions

PART I: FILE REVIEW PRIOR TO INSPECTION

(check only one box for each question)

- 1. Date of last inspection: 11/16/10
- 2. Did the emissions unit use reasonable precautions during the last inspection? ----- Yes No
If not: a. Did the inspector perform a general VE test (20% opacity)? ----- Yes No
b. If tested: (_____)% opacity. Were the visible emissions < 20% opacity? ----- N/A Yes No
c. What caused the problem(s) (if known)? _____

PART II: FIELD OBSERVATIONS – Rule 62-296.414(2), F.A.C.

(check only one box for each question)

Unconfined Emissions from Truck Loading and Unloading, Hoppers, Storage and Conveying Equipment, Conveyor Drop Points, Roads, Parking Areas, Stock Piles, and Yards

- 1. Does the owner/operator of the concrete batching plant take reasonable precautions to control unconfined emissions by:
 - a. Management of roads, parking areas, stock piles, and yards, which shall include one or more of the following:
 - 1) paving and maintenance of roads, parking areas, stock piles, and yards? ----- Yes No
 - 2) application of water or environmentally safe dust-suppressant chemicals when necessary to control emissions? ----- Yes No
 - 3) removal of particulate matter from roads and other paved areas under control of the owner/operator to re-entrainment, and from building or work areas to reduce airborne particulate matter? ----- Yes No
 - 4) reduction of stock pile height, or installation of wind breaks to mitigate wind entrainment of particulate matter from stock piles? ----- Yes No
 - b. Use of spray bar, chute, or partial enclosure to mitigate emissions at the drop point to the truck? ---- Yes No
- 2. If reasonable precautions not being taken:
 - a. Did the inspector perform a general VE test (20% opacity)? ----- Yes No
 - b. If tested: (_____)% opacity. Were the visible emissions < 20% opacity? ----- Yes No
 - c. What caused the problem(s) (if known)? _____

Facility Section (continued)

CONFIRMATION OF GENERAL PERMIT ELIGIBILITY

(check only one
box for each question)

1. Does this facility keep records to show that it does not have the potential to emit:
 - a. 10 tons per year or more of any hazardous air pollutant? ----- Yes No
 - b. 25 tons per year or more of any combination of hazardous air pollutants? ----- Yes No
 - c. 100 tons per year or more of any other regulated air pollutant? ----- Yes No

2. Does this facility include:
 - a. Any emission units or activities not covered by the applicable air general permit (with the exception of units and activities that are exempt from permitting pursuant to subsection Rule 62-210.300(3) or Rule 62-4.040, F.A.C.)? ----- Yes No
 If YES, what non-exempt units or activities? _____

 - b. Any emissions units or activities authorized by another air general permit where such other air general permit and this general permit specifically allow the use of one another at the same facility? ----- Yes No
 If YES, what other general permit units or activities? _____

3. Is the total combined annual facility-wide fuel usage of all plants less than or equal to:
 - a. 275,000 gallons of diesel fuel? ----- Yes No
 - b. 23,000 gallons of gasoline? ----- Yes No
 - c. 44 million standard cubic feet on natural gas? ----- Yes No
 - d. 1.3 million gallons of propane? ----- Yes No
 - e. Or an equivalent prorated amount if multiple fuels are used onsite (use equation below)? ----- Yes No
$$\frac{\text{gal diesel/yr}}{275,000 \text{ gal diesel/yr}} + \frac{\text{gal gasoline/yr}}{23,000 \text{ gal gasoline/yr}} + \frac{\text{MM SCF nat. gas/yr}}{44 \text{ MM SCF nat. gas/yr}} + \frac{\text{MM gal propane/yr}}{1.3 \text{ MM gal propane/yr}} \leq 1.00?$$

4. Has the owner/operator maintained, available for inspection, site-wide records of monthly fuel consumption for each consecutive 12-period for the past 5 years? ----- Yes No

GENERAL CONDITIONS

(check only one
box for each question)

1. Has the owner or operator allowed the circumvention of any air pollution control device, or allowed the emission of air pollutants without the proper operation of all applicable air pollution control devices? ----- Yes No
2. Does the owner or operator:
 - a. Maintain the authorized facility in good condition? ----- Yes No
 - b. Ensure that the facility maintains its eligibility to use the air general permit and complies with all terms and conditions of the air general permit? ----- Yes No
3. Has the owner or operator allowed you, as the duly authorized representative of the Department, access to the facility at reasonable times to inspect and test and to determine compliance with the air general permit and Department rules? ----- Yes No

RELOCATABLE PLANT:

(check only one box for each question)

1. Is the facility: stationary ; relocatable ; or consisting of both stationary and relocatable concrete batching and/or nonmetallic mineral processing plants? *(If only stationary, skip the following question 2.)*
2. Is the relocatable concrete batching plant used to mix cement and soil for onsite soil augmentation or stabilization? ----- Yes No
(If YES, answer 2. a and 2 .b; if NO, answer question 2.c below.)
 - a. Did the owner or operator notify the appropriate Department or Local Air Program by telephone, e-mail, fax, or written communication at least one business day prior to changing location? ----- Yes No
 - b. Did the owner or operator transmit a Facility Relocation Notification Form [DEP No. 62-210.900(6)] to the Department or Local Air Program no later than five business days following a relocation? ---- Yes No
 - c. Did the owner or operator transmit a Facility Relocation Notification Form [DEP No. 62-210.900(6)] to the appropriate Department or Local Air Program at least five business days prior to relocation? --- Yes No
3. If the relocatable plant was co-located at a facility with a separate air construction or air operation permit, and the relocatable batch plant is not included as an emissions unit in that separate permit:
 - a. Was the relocatable batch plant being used for a non-routine purpose (i.e, there is no repeated usage)? Yes No
 If YES, what was the purpose?
 - b. Were records kept by the owner/operator to indicate how long it was co-located at the permitted facility? ----- Yes No
 If YES, were any periods more than 6 months in duration? ----- Yes No

CHANGES

(check only one box for each question)

Administrative Changes:

1. Were there any changes in the name, address, or phone number of the facility or authorized representative not associated with a change in ownership or with a physical relocation of the facility or any emissions units or operations comprising the facility; or any other similar minor administrative change at the facility? ---- Yes No
2. If YES, did the facility provide written notification within 30 days of the change? ----- Yes No

New or Modified Process Equipment or Change in Ownership:

3. Since the last registration form submittal has there been
 - a. Installation of any new process equipment? ----- Yes No
 - b. Alterations to existing process equipment without replacement? ----- Yes No
 - c. Replacement of existing equipment with equipment that is substantially different? ----- Yes No
 - d. A change in ownership? ----- Yes No
4. If the answer to any question 3a. – d. is YES, was a new registration form and the appropriate fee submitted 30 days prior to the change? ----- Yes No

Jennifer Waltrip

February 29, 2012

Inspector's Name (Please Print)

Date of Inspection

February 2013

Approximate Date of Next Inspection

COMMENTS: On February 29, 2012, Department personnel conducted an unannounced annual air compliance inspection of Fort Walton Concrete DeFuniak Springs concrete batch plant. The facility was not in operation and no representative was on site during the inspection. The Department appreciates the help of Mr. John Thompson following the on-site inspection.

Following a review of Department records, it appears testing for visible emissions did not occur during calendar year 2011.