



Jeb Bush  
Governor

# Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Colleen M. Castille  
Secretary

## NOTICE OF PERMIT

**ELECTRONIC MAIL**  
**[wwgasphalt@bellsouth.net](mailto:wwgasphalt@bellsouth.net)**

Good IV-TKLC, Inc. dba WWG Asphalt  
P.O. Box 560366  
Cocoa, FL 32956-0366

Attention: Raymond Hammons,  
Plant Manager

Brevard County - AP  
Asphalt Batch Plant No.1

Dear Mr. Hammons:

Enclosed is Permit Number 0090015-002-AO to operate the above-referenced source issued pursuant to Section(s) 403.087, Florida Statutes.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department permit file number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

*"More Protection, Less Process"*

*Printed on recycled paper.*

- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

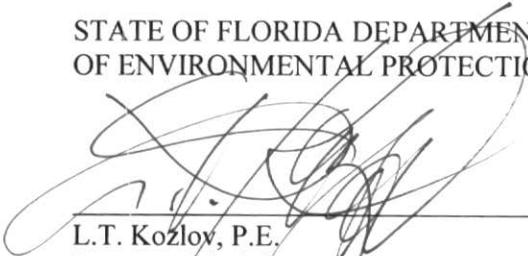
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs 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, F.A.C. 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 Department.

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 Department 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 of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



L.T. Kozlov, P.E.  
Program Administrator  
Air Resources Management

Date: 9-18-06





# Department of Environmental Protection

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Central District  
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Permittee:  
Good IV-TKLC, Inc. dba WWG Asphalt  
P.O. Box 560366  
Cocoa, FL 32956-0366

Attn: Raymond Hammons,  
Plant Manager

I.D. Number: 0090015  
Permit Number: 0090015-002-AO  
**Expiration Date: March 30, 2008**  
County: Brevard  
Latitude/Longitude:  
29° 15' 53"N/80° 42' 00"W  
Project: Asphalt Batch Plant No. 1

This permit is issued under the provisions of Chapter(s) 403, F.S., and Florida Administrative Code Rule(s) 62-210. 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 Department and made a part hereof and specifically described as follows:

The permittee may operate Asphalt Batch Plant No. 1 equipped with an Alpha Mark III, Model 30, pulse jet baghouse which has a particulate matter (PM) reduction efficiency of 99 percent.

This modified permit supercedes and replaces the previous version of this operating permit issued March 19, 2003.

The facility is classified as a **synthetic minor** and is located 500 feet south of Ansin Road near U.S. Highway 1 (Nova Industrial Park), Rockledge, Brevard County, Florida.

## GENERAL CONDITIONS:

1. 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, Florida Statutes (F.S.) The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. 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 Department.
3. 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 any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. 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 interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. 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 Department rules, unless specifically authorized by an order from the Department.
6. 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 Department rules. This provision includes the operation of backup and auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, 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 this 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 Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. 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 the Department 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 and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

## GENERAL CONDITIONS:

9. In 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 source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department 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 Department rules.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, Florida Administrative Code (F.A.C.), as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - ( ) Determination of Best Available Control Technology (BACT)
  - ( ) Determination of Prevention of Significant Deterioration (PSD)
  - ( ) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
  - ( ) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
  - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - (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 recordings for continuous monitoring information) 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 Department 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.
15. When requested by the Department, 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 Department, such facts or information shall be corrected promptly.

**SPECIFIC CONDITIONS:**

**OPERATING CONDITIONS**

1. The emission unit maximum operating limits are as follows:
  - a) The process rate shall not exceed 312,000 tons of asphaltic concrete product in any consecutive 12 month period.
  - b) The heat input of natural gas, propane, new no. 2 fuel oil, new no. 6 fuel oil, or on-specification used oil shall not exceed 93,600 MMBTU in any consecutive 12 month period.
  - c) The operating hours shall not exceed 2,600 hours in any consecutive 12 month period.
  - d) The maximum sulfur content of all fuel oils fired shall not exceed 1.0 percent by weight.

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

2. The emission unit will be fired with natural gas, propane, new no. 2 fuel oil, new no. 6 fuel oil, or on-specification used oil only.
 

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

3. The following used oil specifications are applicable. Used oil within the allowable levels is “on-specification” and used oil exceeding any allowable level is “off-specification.”

<u>Constituent/Property</u>	<u>Allowable Levels</u>	<u>Test Methods</u>
Arsenic	5 ppm maximum	Test Methods per EPA SW-846
Cadmium	2 ppm maximum	Test Methods per EPA SW-846
Chromium	10 ppm maximum	Test Methods per EPA SW-846
Lead	100 ppm maximum	Test Methods per EPA SW-846
Flash Point	100° F minimum	Test Methods per EPA SW-846
Total Halogens	4,000 ppm maximum*	Test Methods per EPA SW-846
PCB	< 50 ppm	Test Methods per EPA SW-846

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

4. When used oil is fired the facility must operate in compliance with all applicable regulations and Department policy including the requirements of Rule 62-710, F.A.C. and 40 CFR Part 279, Subparts D and E and any new regulations subsequently adopted, and the following conditions shall apply:
  - a) Each time used oil is transferred to the facility storage tank a sample of used oil to be burned shall be analyzed for arsenic, chromium, cadmium, total halogens, PCB, flash point, and lead using EPA/DEP or ASTM approved methods prior to being fired. Alternately, the used oil vendors' analysis for the referenced parameters may be utilized to satisfy this condition. Results of the used oil sampling and analysis shall be retained on site for a three-year period.
  - b) The total quantity of used oil burned during each calendar year, on a monthly basis, shall be included in the Annual Operations Report for Air Emissions Sources.

**SPECIFIC CONDITIONS:**

- c) The firing of used oil which contains PCB at concentrations greater than 2 ppm and less than 50 ppm is regulated by 40 CFR 761. The source can not fire used oil which contains PCB concentrations in this range during startup or shutdown in accordance with 40 CFR 761.20(e)(3), and the source must submit to this office a copy of the written notice described in 40 CFR 761.20(e)(3)].  
[Rule 62-4.070, F.A.C.]
- 5. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any source whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission. The area must be watered down should unconfined emissions occur.  
[Rule 62-296.320(4)(c)1., F.A.C.]
- 6. No person shall circumvent any pollution control device or allow the emissions of air pollutants without the applicable air pollution control device operating properly.  
[Rule 62-210.650, F.A.C.]

**EMISSION LIMITS**

- 7. The visible emissions from the emission unit must comply with Rule 62-296.310(2), F.A.C. (limited to less than 20% opacity).
- 8. No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.  
[Rule 62-296.320(2) F.A.C. and Rule 62-210.200(181), F.A.C.]
- 9. The emission unit is subject to Rule 62-296.320(4)(a)2. F.A.C. For process weight rates up to 30 tons per hour,  $P_1$ , and for process weights greater than 30 tons per hour,  $P_2$ , the respective allowable emission rates,  $E_1$  and  $E_2$  in pounds per hour are given below:

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

The maximum process rate of 120 tons per hour results in an allowable emission rate of 37.24 pounds per hour and 48.4 tons per year.

**COMPLIANCE**

- 10. The emission unit shall be tested concurrently in accordance with DEP Method 9 and EPA Method 5 at least 60 days prior to permit expiration date. The DEP Method 9 test shall be conducted for 30 minutes.  
[Rule 62-297.401,F.A.C.]

**SPECIFIC CONDITIONS:**

11. At least 15 days prior to the date on which each formal compliance test is due to begin, the permittee shall provide written notification of the test to the air compliance section of this office. 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 telephone number of the person conducting the test.  
[Rule 62-297.310(7)(a)9., F.A.C.]
12. The maximum permitted operating rate is 120 tons per hour. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. 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.  
[Rule 62-297.310(2), F.A.C.]
13. The stack sampling facility must comply with Rule 62-297.310(6), F.A.C., regarding minimum requirements that include but are not limited to: location of sampling ports, work platform area hand rails and toe rails, caged ladder, access and electrical power.
14. A differential pressure gauge is required to measure the pressure drop across the scrubber, a minimum of 10 days before the stack test is performed.  
[Rule 62-297.310(5)(b), F.A.C.]

**RECORDKEEPING AND DOCUMENT SUBMITTAL**

15. The permittee shall maintain records to demonstrate that the sulfur content, by weight, of each shipment of new and on-spec used oil is 1.0 percent or less and that the sulfur content was determined in accordance with the methods listed in specific condition 16.  
[Rule 62-210.300(3)(c)1.c., F.A.C.]
16. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using ASTM methods ASTM D4057-88 and one of ASTM D2622-94, ASTM D4294-98, ASTM D1552-95 or ASTM D129-91 adopted and incorporated by reference in Rule 62-297.440(1), F.A.C. Alternately, after written notification to and approval by the Department, the permittee may use other DEP Air Program-approved methods, i.e. alternate sampling procedures, for sulfur in petroleum products.  
[Rules 62-210.300(3)(c)1.c., F.A.C.]
17. In order to demonstrate compliance with operating condition number 1, 2, and 3, the permittee shall maintain a log at the facility for a period of at least 5 years from the date the data is recorded. The log at a minimum shall contain the following:  
  
Monthly
  - a) designation of the month and year of operation for which the records are being tabulated
  - b) consecutive 12 month total of asphalt concrete product (tons), the amount of fuel consumed, the sulfur content of the fuel oil fired, the hours of operation and the used oil specification parameters.  
[Rule 62-4.070(3), F.A.C.]

**SPECIFIC CONDITIONS:**

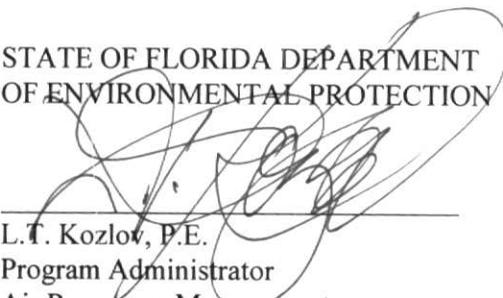
Note: A consecutive 12 month total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12-month total treats each month of the year as the end of a 12-month period. A 12-month total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12 month totals using whatever number of months of data are available until such a time as a consecutive 12 month total can be maintained each month.

- 18. The owner or operator shall submit a copy of the compliance test results to the air compliance section of this office within 45 days after the last sampling run of each test is completed.  
[Rule 62-297.310(8)(b), F.A.C.]
- 19. The owner or operator shall complete DEP Form No. 62-210.900(5), F.A.C. "Annual Operating Report for Air Pollutant Emitting Facility", including the Emissions Report, for each calendar year and submit to the air compliance section of this office on or before March 1 of the following year.  
[Rule 62-210.370(3), F.A.C.]

**PERMIT APPLICATION**

- 20. **At least sixty days prior to the expiration date of this operation permit**, the permittee shall submit to this office four copies of air permit application, DEP Form No. 62-210.900(2), along with the processing fee established in 62-4.050(4), F.A.C.  
[Rule 62-4.090(1), F.A.C.]

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



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L.T. Kozlov, P.E.  
Program Administrator  
Air Resources Management

Issued: 9-18-06