



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

Central District  
3319 Maguire Blvd., Ste. 232  
Orlando, FL 32803

RICK SCOTT  
GOVERNOR

JENNIFER CARROLL  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

*Electronically Sent- Received Receipt Requested*

**FINAL PERMIT**

**PERMITTEE**

V.A. Paving Inc.  
P.O. Box 1046  
Cocoa, FL 32923-1046

Authorized Representative:  
Ms. Debra D. Mallard, President

Air Permit No. 009104-009-AO  
Permit Expires: 12/15/2017  
Site Name: Drum Mix Asphalt Plant  
Minor Source Air Operation Permit  
Project Name: Permit Modification and  
Renewal

This is the final air operation permit, which authorizes operation of a drum mix asphalt plant. The plant is located at the V.A. Paving Inc. facility (Standard Industrial Classification No. 2951). The facility is located in Brevard County at 800 Cidco Road in Cocoa, Florida. The UTM coordinates are Zone 17, 522.38 km East, and 3142.84 km North.

This final permit is organized by the following sections:

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Facility-wide and 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 Orange County, Florida



December 4, 2012

\_\_\_\_\_  
Caroline D. Shine  
District Air Program Administrator  
Central District

\_\_\_\_\_  
Date

### 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 December 4, 2012 to the persons listed below.

Ms. Debra D. Mallard, President, V.A. Paving Inc. (**vapave@aol.com**)

Ms. Veronica N. Sgro, P.E., Koogler and Associates, Inc. (**vsgro@kooglerassociates.com**)

Ms. Tammy Reed, Environmental Scientist, Koogler and Associates, Inc.  
(**treed@kooglerassociates.com**)

Clerk Stamp

**FILED**, on this date, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



December 4, 2012

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Date)

**SECTION 1. GENERAL INFORMATION (FINAL)**

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**FACILITY AND PROJECT DESCRIPTION**

**Existing Facility**

The existing facility consists of the following emissions units.

Facility ID No. 0090104	
ID No.	Emission Unit Description
001	Drum Mix Type Plant w/Baghouse

**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 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.

**PERMIT HISTORY/AFFECTED PERMITS**

Renews Operation Permit No. 0090104-005-AO, and incorporates terms and conditions of Construction Permits 0090104-006-AC, 0090104-007-AC, and 0090104-008-AC.

## SECTION 2. ADMINISTRATIVE REQUIREMENTS (FINAL)

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

Florida Department of Environmental Protection  
Central District Office  
Air Resource Management Section  
3319 Maguire Blvd., Ste. 232  
Orlando, FL 32803-3767  
Telephone: 407-897-4100

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 Central District 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.
  - e. Appendix E. NSPS- 40 CFR 60, Subpart A, General Provisions
  - f. Appendix F. NSPS- 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities
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.]

## SECTION 2. ADMINISTRATIVE REQUIREMENTS (FINAL)

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7. Annual Operating Report: On or before **April 1** of each year, the permittee shall submit a completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility" (AOR) for the preceding calendar year. The report may be submitted electronically in accordance with the instructions received with the AOR package sent by the Department, or a hardcopy may be sent to the Compliance Authority.  
[Rule 62-210.370(3), 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:
- 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/>*);
  - the appropriate operation permit application fee from Rule 62-4.050(4)(a), F.A.C.;
  - copies of the most recent compliance test reports required by Specific Condition No. **A.9**, if not previously submitted; and,
  - copies of the most recent two months of records/logs specified in Specific Condition No(s). **A.17**.

[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.]

**SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)**

**A. EU No. 001- Drum Mix Type Plant w/ Baghouse**

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
001	Drum mix type plant w/ Baghouse. The plant includes a 300-ton per hour (TPH) Astec Industries, Inc. Drum Mix Type Plant. Emissions are controlled by a Standard Havens baghouse.

**PERFORMANCE RESTRICTIONS**

A.1. Federal Regulatory Requirements: This emission unit is subject to 40 CFR 60, Subpart A, General Provisions, Subpart A- General Provisions and New Source Performance Standards (NSPS) - 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities which is adopted by reference in Rule 62-204.800, F.A.C.  
[Rule 62-204.800(x), F.A.C.]

A.2. Permitted Capacity: - This emission unit is limited to the following operating parameters:

- a. The process rate shall not exceed 249,600 tons of a virgin product per any consecutive 12-month period.
- b. The daily average maximum operating rate shall not exceed 300 tons of a virgin product per hour.
- c. The maximum sulfur content for all fuel oils fired shall not exceed 0.5 percent by weight.

[Permit application dated 10/31/2012 and Rule 62-210.200 (PTE), F.A.C.]

A.3. Authorized Fuel: The asphalt dryer shall **only** fire the following fuels and shall be limited to a permitted operating rate of 97,760 MMBTU per any consecutive 12-month period:

- a. natural gas;
- b. propane;
- c. new No. 2 fuel oil; or
- d. on-specification used fuel oil.

[Permit Application dated 10/31/2012 and Rule 62-210.200(PTE), F.A.C.]

A.4. Restricted Operation: The hours of operation are not limited (8,760 hours per year).

[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

**EMISSIONS STANDARDS**

A.5. Visible Emission (VE) Limitation: Visible emissions shall not be equal to or greater than 20 percent opacity.

**SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)**

**A. EU No. 001- Drum Mix Type Plant w/ Baghouse**

[40 CFR 60 Subpart I, 60.92(a)(2) and adopted by reference in Rule 62-204.800(8)(b), F.A.C.]

A.6. Particulate Matter (PM) Limitation: Particulate emissions shall not exceed 0.04 grains per dry standard cubic foot averaged over a three (3) hour period.  
[40 CFR 60 Subpart I, 60.92(a)(1) and adopted by reference in Rule 62-204.800(8)(b), F.A.C.]

A.7. Used Fuel Oil Specifications – The permittee shall not burn off-specification used fuel oil. For each delivery of on-specification used oil, the vendor shall provide an analysis documenting the fuel oil meets the following requirements of 40 CFR 761.20(e)(2) and (3) and 40 CFR 279.11 (July 1, 2004):

Constituent/Property	Allowable Level	Test Methods
Arsenic	5 ppm maximum	Test Methods Used in EPA SW-846
Cadmium	2 ppm maximum	Test Methods Used in EPA SW-846
Chromium	10 ppm maximum	Test Methods Used in EPA SW-846
Lead	100 ppm maximum	Test Methods Used in EPA SW-846
Total Halogens	Shall not exceed 1000 ppm	Test Methods Used in EPA SW-846
Flash Point	100°F minimum	Test Methods Used in EPA SW-846
PCB's	Shall be less than 2 ppm	Test Methods Used in EPA SW-846

[Rules 62-4.070(3) and 62-710.210, F.A.C.]

A.8. Unconfined Emissions of Particulate Matter - In addition to the conditions in Appendix C., Condition No. 9, the following reasonable precautions shall be followed:

- a. Paved parking and trafficked areas shall be maintained and kept free of particulate matter build-up.
- b. Sprinkling with water shall be used as necessary on paved areas, unpaved areas, stockpiles, and during loading/unloading operations.

[Rule 62-4.070(3), F.A.C.]

**TESTING REQUIREMENTS**

A.9. Annual Compliance Tests: During each federal fiscal year (October 1<sup>st</sup> to September 30<sup>th</sup>), the emissions unit shall be tested to demonstrate compliance with the emissions standards for VE and PM emissions specified in Specific Condition Nos. A.5. and A.6.  
[Rule 62-297.310, F.A.C.]

A.10. 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.]

**SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)**

**A. EU No. 001- Drum Mix Type Plant w/ Baghouse**

A.11. Test Method(s): Required tests shall be performed in accordance with the following reference method(s).

<b>Method(s)</b>	<b>Description of Method and Comments</b>
EPA Method 5	Determination of Particulate Matter Emissions from Stationary Sources
DEP Method 9	Visual Determination of the Opacity of Emissions from Stationary Sources DEP Method 9 and the procedures in 40 CFR 60.11 shall be used, and the test shall be conducted for 30 minutes.

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 62-297.401, F.A.C.; and Appendix A of 40 CFR 60]

A.12. Operating Rate During Testing: Testing of emissions shall be conducted within 90 to 100 percent of the maximum permitted operating rate of 300 tons/hr. If it is impracticable to test at the maximum permitted operating rate, then the emission unit may be tested at a lesser rate. In this case, subsequent emission 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 purposes of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rule 62-297.310(2), F.A.C.]

**MONITORING REQUIREMENTS**

A.13. Fuel Oil Sulfur Content: 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 or more recent editions 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.

[Rule 62-4.070, F.A.C.]

**NOTIFICATION REQUIREMENTS**

A.14. Test Notification: The permittee shall notify the Compliance Authority 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.

[Rules 62-4.070(3) and 62-297.310(7)(a)9., F.A.C.]

A. EU No. 001- Drum Mix Type Plant w/ Baghouse

**RECORDS AND REPORTS**

- A.15. 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.  
[Rule 62-297.310(8), F.A.C.]
- A.16. Fuel Oil Sulfur Content Record: In order to document continuing compliance with the sulfur content limitation in Specific Condition No. A.3., in percent by weight of the fuel oil, the permittee shall keep records on either vendor provided as-shipped analysis or on analysis of as-received samples taken at the plant for all fuel oils specified in Specific Condition A.4. The analysis shall be determined in accordance with the methods listed in Specific Condition Number A.16.  
[Rule 62-4.070(3), F.A.C.]
- A.17. Monthly Recordkeeping Requirements: In order to demonstrate compliance with Specific Condition Nos. A.3. and A.4., the permittee shall maintain a log at the facility for a period of at least 5 years from the date the data is recorded and made available to the Department upon request. The log shall contain the following:
- a. Facility Name, Facility ID No. (i.e., 0090104);
  - b. Month and year of record;
  - c. Most recent consecutive 12-month rolling total of asphalt concrete product (tons/consecutive 12-month period);
  - d. Type and quantity (million cubic feet or gallons) of fuel burned in the dryer including the overall monthly average MMBtu/hour heat input rate
  - e. Most recent consecutive 12-month rolling total of fuel oil consumed; and
  - f. Fuel records relating to General Condition 14.c. in Appendix B (General Conditions).

**The monthly logs shall be completed by the end of the following month.**

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

[Rule 62-4.070(3), F.A.C.]

**SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)**

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**A. EU No. 001- Drum Mix Type Plant w/ Baghouse**

A.18. Records Retention – All records shall be recorded in a permanent form suitable for inspection by the Department upon request and shall be kept at the facility for a minimum of the most recent five (5) year period.

[Rule 62-4.070(3), F.A.C.]