



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. John A. Lynn
Plant Manager
High Sierra Terminaling, LLC.
1326 S.E. 17th Street, #546
Fort Lauderdale, Fl 33316

**VIA ELECTRONIC MAIL
RETURN E-MAIL REQUESTED**

Dear Mr. Lynn:

Enclosed is operation permit number 0110034-007 -AF to operate 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, Air Quality Administrator

cc: Lennon Anderson, DEP Southeast District Office (VIA EMAIL)
Brad James, P.E., Trinity Consultants (VIA EMAIL)
Aubrey Jones, Trinity Consultants (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 2/23/2011 to the listed persons.

[Signature]
Clerk

2/23/2011
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

PERMITTEE:
 Mr. John A. Lynn III
 Plant Manager
 High Sierra Terminals, LLC.
 1326 S.E. 17th Street #456
 Fort Lauderdale, Florida 33316

AIRS ID NO: 0110034
Permit Number: 0110034-007 -AF
Issue Date: February 23, 2011
Expiration Date: February 23, 2016

Project: Air Federally Enforceable State Operation Permit (FESOP) to limit the operation below the major source (Title V) applicable requirements and to opt out of major source (Title V) status.

Lat/Long: 26°5'46"N/ 80°07'55"W
UTM: Zone 17; 587.00 Km. E; 2886.40 Km.N.

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) Florida Administrative Code (F.A.C.) Rules 62-4 and 62-204 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 (DEP). 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 Pollution Prevention, Remediation and Air Quality Division (PPRAQ) and made a part hereof and specifically described as follows:

Operate: An air pollution source engaged in the manufacture of roofing, paving and cutback asphalt. Asphalt and other liquid raw materials may be shipped to the plant by barge, truck, and railcar. Barges are unloaded at a nearby dock and piped directly into the tanks. Asphalt tank fumes are collected and incinerated, vented through a fiberbed filter to the atmosphere. Fumes, which are nearly all solvent, from the truck loading operation escape to the atmosphere. The following are the emission units:

<u>E.U. ID</u>	<u>Brief Description</u>
026	Petroleum Product Storage Tanks (not subject to Subpart UU)
027	Petroleum Product Storage Tanks (subject to Subpart UU)
016	Cutback Asphalt Loading Rack
019	Fuel Burning (Preheaters/ Incinerator)
014	Steam Boiler
021	Asphalt Blowing Stills (No. 2 and 3) and Neuces Incinerator (subject to Subpart AAAAAAA)
022	Asphalt Truck Loading Racks 1 and 2 *
024	Asphalt Keg Pouring Station *

* Unregulated emission units. The air emissions at EU#022 are controlled by a regenerative thermal oxidizer (RTO).

High Sierra Terminaling, LLC.
Permit Number: 0110034-007-AF

Executed in Broward County, Florida



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

Facility Description.

High Sierra Terminaling, LLC.'s primary business is the marketing of paving asphalt, roofing asphalt, and cutback asphalt. The plant uses "blowing stills" to produce asphalt products. The plant uses "blowing stills" to produce asphalt. Blowing stills mean the equipment in which air is blown through asphalt materials to change the softening point, penetration rate and viscosity.

Asphalt and other liquid raw materials may be shipped to the plant by barge, truck, and railcar. The unit operations are shown on the following process flow diagram (Figure 1):

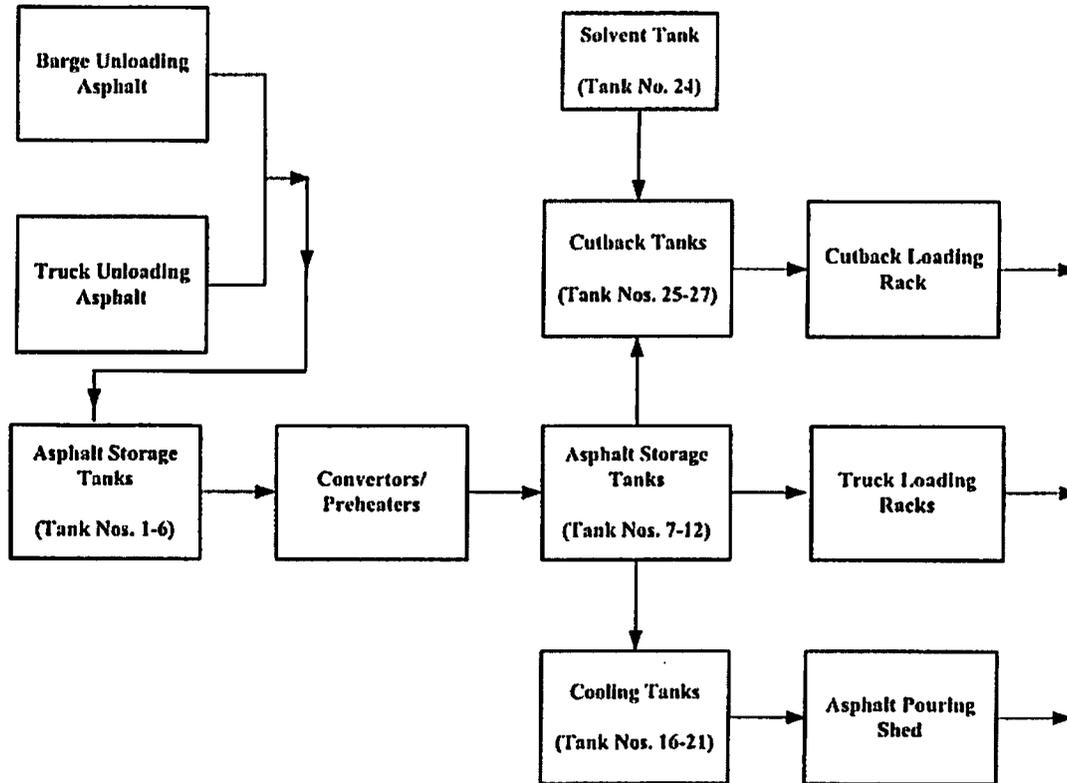


Figure 1. General Process Overview

Oxidized asphalt is produced by processing asphalt materials in blowing stills. Exhaust fumes are directed to a Neuces Incinerator or a back-up UIP Incinerator/Preheater. A regenerative thermal oxidizer (RTO) is used to process fumes from the non-cutback loading rack or from asphalt tanks No, 7-12 to prevent nuisance odors from impacting the nearby residences and commercial establishments.

The following emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

1. Tank 1 Burner #1 – natural gas fuel
2. Tank 1 Burner #2 – natural gas fuel
3. Tank 2 Burner – natural gas fuel
4. Tank 3 Burner – natural gas fuel
5. Tank 4 Burner – natural gas fuel
6. Tank 7 Burner Tubes – natural gas fuel
7. Tank 8 Burner – natural gas fuel
8. Tank 10 Burner Tubes – natural gas fuel
9. Tank 11 Burner Tubes – natural gas fuel
10. Tank 12 Burner Tubes – natural gas fuel
11. Fire and safety equipment
12. Equipment used exclusively for space heating
13. Hot water heaters – natural gas fuel
14. Tank 22 (Additive)
15. Tank 23 (Cutler Stock)

In accordance with: FESOP application received May 17, 2010; Additional information received September 3, 2010, and the Notice of Intent issued on October 6, 2010 and published on February 7, 2010 in the Sun-Sentinel newspaper (none are attached).

Location: 1200 S.E. 20th Street, Fort Lauderdale, Broward County, Florida.

To serve: An Asphalt Processing Facility (SIC #2951).

Subject to: General Conditions 1-16, Facility-Wide Conditions 17 - 27 and Specific Conditions Subsections A thru F.

Permitting Note:

This facility is subject to the new area source MACT, 40 CFR 63 – Subpart AAAAAAA, Asphalt Processing and Asphalt Roofing Manufacturing, which has not been adopted by Florida DEP, and which is only federally enforceable at this time. The compliance date for this rule will be December 2, 2010. The facility submitted the initial notification March 30, 2010. The facility will demonstrate compliance with the minimum temperature based on a 3-hour averaging period, notification of compliance status and semi-annual compliance summary reports to PPRAQ, as required by this Subpart; and will develop a site-specific monitoring plan, as required by §63.11563(b). The facility is a synthetic minor source of Sulfur Dioxide (SO₂) air pollutant under the Prevention of Significant Deterioration (PSD) and Title V programs, and a synthetic minor source of Hazardous Air Pollutants (HAPs) under the Title III Program, and a minor source of VOC and CO under the Title V program. The permit will limit the CO emissions to 99 tons in a consecutive twelve-month period and the VOC emissions to 66.9 tons in a consecutive twelve-month period, which is the potential emissions of all air emission sources, reported in the FESOP application. The HAPs emissions are already limited to below the major source (Title V) threshold in the previous Title V permit.

No change in stored materials in storage tanks has occurred since previous permit.

Appendices part of this permit:

Appendix 1. Calibration Schedule.

Appendix 2. Stack Sampling Facilities (version dated 10/07/96).

Appendix 3 . NSPS - Notification and Recordkeeping.

Appendix 4. General Notification and Reporting Requirements.

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 PPRAQ will review this permit periodically and may initiate enforcement action for any violation of these conditions.
[Rules 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 PPRAQ.
[Rules 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.
[Rules 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.
[Rules 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 DEP rule, unless specifically authorized by an order from the PPRAQ.
[Rules 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 includes 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 PPRAQ and DEP rules.
[Rules 62-4.160 (6), F.A.C.]
7. **Onsite Inspection Activities.** The Permittee, by accepting this permit, specifically agrees to allow authorized PPRAQ 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 PPRAQ and DEP rules.[Rules 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 PPRAQ 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 educe, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any enforcement action by PPRAQ for penalties or for revocation of this permit.[Rules 62-4.160 (8), F.A.C.]

9. **Reporting Noncompliance:** The Permittee shall report any periods of noncompliance to the PPRAQ immediately by phone at 954-519-1499 or by email at EPDHOTLINE@broward.org. This also applies when the period of noncompliance 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 PPRAQ, may be used by the PPRAQ as evidence in any enforcement proceeding arising under the Florida Statutes 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.
[Rules 62-4.160 (9), F.A.C.]

11. **Rule Changes.** The Permittee agrees to comply with changes in DEP 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 DEP rules.
[Rules 62-4.160 (10), F.A.C.]

12. **Permit Transfer.** This permit is transferable only upon PPRAQ 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 PPRAQ.
[Rules 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.
[Rules 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 DEP rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the PPRAQ.
 - (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 PPRAQ 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.

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

15. **Information Submittal.** When requested by the PPRAQ, 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 PPRAQ, such facts or information shall be corrected promptly.

[Rules 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]

Facility-wide Conditions

17. **Facility Wide VOC, Total HAP and Individual HAP Emissions.** In order to avoid major source (Title V) applicable standards, the volatile organic compounds (VOC) emissions shall be less than 66.9 tons in any consecutive twelve -month period, the individual hazardous air pollutants (HAP) emissions shall be less than 10 tons in any consecutive twelve -month period and the total HAP emissions shall be less than 24 tons in any consecutive twelve-month period and CO emissions shall be less than 99 tons in any consecutive twelve-month period.

[Rules 62-213.420.1.a., c. and d. & 62-4.070(3), F.A.C.,]

18. **Potential to Emit (PTE).** The owner or operator shall maintain records to demonstrate that in any consecutive twelve month period, the throughput of materials handled at the facility do not exceed the following:

<u>Material</u>	<u>Throughput (Tons per Year)</u>
Paving Asphalt	300,000
Asphalt Flux	200,000
Oxidized Asphalt	200,000
Cutback Asphalt	30,000
Mineral Spirits	15,000

[Rule 62-4.160(2), F.A.C. and Rule 62-210.200, F.A.C., Definitions - (PTE); Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

{**Permitting Note.** The throughput limits serve to maintain a synthetic minor classification under the PSD, the Title III (for HAPs) and Title V permitting programs. }

19. In order to demonstrate compliance with Facility Wide Condition No. 17, the permittee shall maintain records of process throughput for each of the materials listed in Facility Wide Condition number 18, and shall also keep records of the fuel usage on a twelve- month rolling period basis.

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

20. **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.]
21. **General Visible Emissions Standard.** Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rules 62-296.320(4) (b) 1. & 4., F.A.C.]
22. **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.
[Broward County Code, Sec. 27-175(b)]
23. **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.
[Broward County Code, Sec. 27-175(c)]
24. **Maintenance.** No person shall operate any air pollution control equipment or systems without proper and sufficient maintenance to assure compliance with Broward County Codes.
[Broward County Code, Sec. 27-175(d)]
25. **Annual Operation Report (AOR).** The AOR shall be submitted to the PPRAQ 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 PPRAQ.
[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. Compliance with the material throughput and fuel usage limitations included in Specific Condition A.1(b), B.1(b), C.1, D.1, E.1, and F.1 shall be deemed compliance with the facility-wide emissions limits outlined in Specific Condition #17 of this permit.
[Rule 62-4.070(3), F.A.C.]
27. The permittee shall maintain the records required by this permit for a period of five (5) years from the date the records were created and be made available for PPRAQ staff review, if necessary.
[Rule 62-4.070(3), F.A.C.]
26. **Operating Permit Renewal.** Sixty days before the expiration date of this operation 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.
[F.A.C. Rule 62-090. (1)]

{**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.]

Specific Conditions

Subsection A. This section addresses the following emission unit.

<u>E.U. ID No.</u>	<u>Brief Description</u>
026	Petroleum Product Storage Tanks (not subject to Subpart UU)

This emission unit consists of fixed roof tanks for storing and handling paving asphalt, asphalt flux, oxidized asphalt, mineral spirits, and cutback asphalt. Tanks Nos. 7-12 are working tanks which vent to a direct flame afterburner/incinerator control device or to an electric regenerative thermal oxidizer (RTO). The RTO was installed by the owner primarily to control odors from this emission unit in order to comply with the Objectionable Odor Ordinance (Rule 62-296.320(2), F.A.C.).

Note: IMPORTANT REGULATORY CLASSIFICATION – This emission unit is subject to throughput limitations to maintain the facility status as a synthetic minor classification under the PSD, the Title III (for HAPs) and Title V permitting programs. Tanks Nos. 7-12 were constructed in 1953 and are therefore exempt from 40 CFR 60, Subpart UU. Tanks Nos. 24, 26, and 27 were constructed in 1984. However in accordance with the definition of Asphalt Storage Tank in 40 CFR 60.471, the tanks are not subject to 40 CFR 60 Subpart UU. The tanks in this emission unit are exempted from Rule 62-296.508, F.A.C., Reasonably Available Control Technology - Petroleum Liquid Storage, and 40 CFR 60, Subpart Kb, depending on the vapor pressure of the stored material.

A.1. (a) Capacity Note. The asphalt tanks can be used interchangeably.

<u>Tank No</u>	<u>Gallons</u>	<u>Typical Content</u>
1	2,000,000	Paving Asphalt
2	1,800,000	Paving Asphalt
3	1,000,000	Asphalt Flux
4	1,000,000	Asphalt Flux
5	400,000	Asphalt Flux
6	400,000	Asphalt Flux
7	100,000	Paving Asphalt
8	100,000	Paving Asphalt
9	100,000	Asphalt Flux
10	100,000	Oxidized Asphalt
11	100,000	Oxidized Asphalt
12	100,000	Asphalt Flux
16	24,000	Oxidized Asphalt
17	15,000	Oxidized Asphalt
18	15,000	Oxidized Asphalt
19	15,000	Oxidized Asphalt
20	15,000	Oxidized Asphalt
21	15,000	Oxidized Asphalt
24	23,000	Mineral Spirits
26	23,000	Cutback Asphalt
27	23,000	Cutback Asphalt

(b) Throughput. The material throughputs shall not exceed the following quantities based on a 12-month rolling average basis:

<u>Material</u>	<u>Throughput (Tons per Year)</u>
Paving Asphalt	300,000
Asphalt Flux	200,000
Oxidized Asphalt	200,000
Cutback Asphalt	30,000
Mineral Spirits	15,000

[Rule 62-4.160(2), F.A.C. and Rule 62-210.200, F.A.C., Definitions - (PTE); Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

A.3 Hours of Operation. This emission unit is allowed to operate continuously, i.e., 8,760 hours/year.
 [Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

A.4 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 PPRAQ.

Vapor emission control devices are not deemed necessary and ordered at this time for:

1. Tanks Nos. 7-12, providing the owner or operator does not store any liquid with a maximum true vapor pressure greater than 1.5 psia in these tanks (Rules 62-296.508, F.A.C.).
2. Tanks Nos. 1-6, providing the owner or operator does not store any liquid with a maximum true vapor pressure greater than 0.5 psia (40 CFR 60, Subpart Kb).
3. Tanks Nos. 16, 24, 26, and 27, providing the owner or operator does not store any liquid with a maximum true vapor pressure greater than 2.1 psia (40 CFR 60, Subpart Kb).

[Rule 62-296.320(1)(a) & 62-4.070(3), F.A.C., Permit No. 0110034-004-AC]

Recordkeeping Requirements

A.5. Throughput. The owner or operator shall maintain records and conduct monthly calculations of the throughput of raw material and products in tons per year based on a twelve-month rolling average basis.
 [Rule 62-4.070(3), F.A.C.]

Subsection B. This section addresses the following emission unit.

<u>E.U. ID No.</u>	<u>Brief Description</u>
027	Petroleum Product Storage Tank (subject to Subpart UU)

Note. Emission unit consists of Tank No. 25 that exhausts to a fixed bed filter control)
 This emission unit is regulated under Rule 62-204.800(7)(b)50 which adopts by reference Subpart UU – Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture. The tank in this emission unit is exempted from 40 CFR 60, Subpart Kb, depending on the vapor pressure of the stored material.

B.1 Capacity

Tank No	Gallons
25	23,000

(b) Throughput. The material throughputs shall not exceed 30,000 tons paving asphalt per year estimated on a 12-month rolling average basis.

[Rule 62-4.160(2), F.A.C. and Rule 62-210.200, F.A.C., Definitions - (PTE); Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

Note. This throughput limit serves to maintain the facility status as a synthetic minor under the Title V program.

B.2 Hours of Operation. This emission unit is allowed to operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

B.3 VOC or Organic Solvents Emissions. The owner or operator shall allow no person to 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 PPRAQ.

Vapor emission control devices required by 40 CFR 60, Subpart Kb are not deemed necessary and ordered at this time provided the owner or operator does not store any liquid with a maximum true vapor pressure greater than 2.1 psia in Tank No. 25.

[Rule 62-296.320(1)(a) & 62-4.070(3), F.A.C.]

B.4 Opacity Limit. The owner or operator shall not cause the discharge of exhaust gases into the atmosphere from any asphalt storage tank with opacity greater than zero (0) percent, except for one consecutive 15-minute period in any 24-hour period when the transfer lines are being blown for clearing. The control device used to meet this opacity standard shall not be bypassed during this 15-minute period.
[40 CFR 60.472(c)]

Monitoring of Operations

B.5 Opacity Monitoring. The owner or operator shall check exhaust from tank for visible emissions, and maintain records of findings on a daily basis.
[40 CFR 60.473(c), and Rule 62-213.440(1)(b)1.b., F.A.C.]

Test Methods and Procedures

B.6 Frequency of Opacity Test. During each federal fiscal year (October 1 -September 30), the owner or operator shall conduct a formal compliance test for opacity using EPA Method 9 and the applicable requirements in 40 CFR 60.11.
[Rule 62-297.310(7)(a)4a., F.A.C., 40 CFR 60.474 (c) (5)]

B.7 Length of Opacity Test. The required minimum period of observation for a compliance test shall be sixty (60) minutes. The observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.
[Rule 62-297.310(4) (a) 2, F.A.C.]

B.8 Testing Notification. The Owner or operator shall notify PPRAQ 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.
[Rule 62-297.310(7)(a)9, F.A.C.]

Recordkeeping and Reporting Requirements

B.9 Test Reports.

- (a) The owner or operator shall file a report with the PPRAQ on the results of each opacity test.
- (b) The required test report shall be filed with the PPRAQ as soon as practical but no later than 45 days after the last 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 the PPRAQ to determine if the test was properly conducted and the test results properly computed.

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

B.10 Daily Opacity Records. The owner or operator shall keep records of the daily visible emission checks and maintain them on-site for at least five years.

[Rule 62-213.440(1)(b)1.b, F.A.C.]

Subsection C. This section addresses the following emission unit.

<u>E.U. ID No.</u>	<u>Brief Description</u>
016	Cutback Asphalt Loading Rack

Cutback Asphalt is loaded into trucks via a loading rack. No vapors are recovered.

Note: IMPORTANT REGULATORY CLASSIFICATION - This emission unit is regulated under Florida RACT regulations: Rule 62-296.512, F.A.C.

Note: This emission unit is regulated under Rule 62-296.512, F.A.C.

C.3 Throughput. The material throughputs shall not exceed 30,000 tons cutback asphalt per year estimated on a 12-month rolling average basis.

[Rule 62-4.160(2), F.A.C. and Rule 62-210.200, F.A.C., Definitions - (PTE); Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

(Permitting Note. This throughput limit serves to maintain the facility status as a synthetic minor under the Title V program.)

C.2 Hours of Operation. This emission unit is allowed to operate continuously, i.e., 8,760 hours/year.

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

Emission Limitations and Standards

C.3 Control Standard. No person shall cause, allow, or permit the manufacture, mixing, storage, use, or application of cutback asphalts except where:

- (a) Long life storage of liquid asphalt is necessary; or,
- (b) Stockpile storage of cold mixed asphaltic concrete patching material is necessary; or,

- (c) The use or application at ambient temperature less than 50 degrees Fahrenheit (10 degrees Celsius) as determined by the nearest National Weather Service Station is necessary; or,
- (d) The cutback asphalt is to be used solely as a penetrating prime coat; or,
- (e) The cutback asphalt is to be used in a sand seal coat; or,
- (f) The cutback asphalt is to be used as a tack coat in the routine maintenance of public roads, or the minor betterment of public roads.

[Rule 62-296.512(2), F.A.C.]

C.4 VOC or Organic Solvents Emissions. The owner or operator shall allow no person to 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 PPRAQ.

Vapor emission control devices are not deemed necessary and ordered at this time.

[Rule 62-296.320(1)(a) & 62-4.070(3), F.A.C.]

Recordkeeping and Reporting Requirements

C.5. Usage Records. The owner or operator shall maintain records on whom the cutback asphalt is sold to and an affidavit from the buyer indicating that the asphalt is to be used only as allowed by Rule 62-296.512 (2), F.A.C.

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

Subsection D. This section addresses the following emission unit:

<u>E.U. ID No.</u>	<u>Brief Description</u>
019	Fuel Burning (East UIP Preheater and West UIP Incinerator)

Note: This Emissions Unit consists of an East Preheater, and West UIP Preheater/Incinerator that burn natural gas or No. 2 fuel oil. **IMPORTANT REGULATORY CLASSIFICATION** - This emission unit is subject to Rule 62-296.410, F.A.C. for Carbonaceous Fuel Burning Equipment. The definition of Carbonaceous Fuel Burning Equipment (Rule 62-210.200,(56),F.A.C.) includes any combustion device which burns fossil fuels for heating other liquids.

D.1 Capacity.

(1) The East UIP Process Heater rated at 8.0 mmBTU/hr has a maximum capacity of 69 MMscf/yr natural gas and 120 kgal/yr No.2 fuel oil.

(2) The West UIP Process Heater/Incinerator rated at 6.5 mmBTU/hr has a maximum capacity of 56 MMscf/yr natural gas and 120 kgal/yr No.2 fuel oil.

[Rule 62-4.160(2), F.A.C. and Rule 62-210.200, F.A.C., Definitions - (PTE); Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

D.2 Hours of Operation. This emission unit is allowed to operate continuously, i.e., 8,760 hours/year.

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

Emission Limitations and Standards

D.3 Methods of Operation.

The process heaters/incinerator shall fire natural gas but may burn No.2 fuel oil up to 120,000 gallons/year.

[Rules 62-4.160(2) and 62-213.440(1), F.A.C.; Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

Note. Exceedance of the fuel oil throughput limit or using fuel oil with sulfur content greater than 14.2 lbs SO₂/gallon (uncontrolled emission factor for No. 2 fuel oil) increases the PTE of SO₂ pollutant, and requires a permit revision.

- D.4 Opacity.** Visible emissions from the process heaters shall not exceed 20% opacity except for one two-minute period per hour during which opacity shall not exceed 40%.
[Rule 62-296.410(1) (a), F.A.C.]

Recordkeeping and Reporting Requirements

- D.5 Frequency.** Visible emission tests shall be conducted during each federal fiscal year (October 1 - September 30).
[Rule 62-297.310(7)(a)4a., F.A.C.]

- D.6 Operating Rate During Testing.** Visible emission testing of the process heaters/incinerator shall be accomplished when the units are operating within 90 - 100% of the maximum allowable fuel usage rate. If it is impractical to test at this rate, the units may be tested at less than the maximum permitted capacity; in this case, subsequent operation of the units are limited to 110 percent of the tested fuel usage rate until a new test is conducted. Once the units are so limited, operation at a higher fuel usage 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. Testing at conditions which are not representative of normal operating conditions may invalidate the test.
[Rules 62-297.310(2) and 62-4.070(3), F.A.C.]

- D.7 Test method.** Visible emissions tests shall be conducted using DEP Method 9 and shall be a minimum of 60 minutes in duration.
[Rule 62-297.310(4), F.A.C.]

- D.8 Fuel Records.** The owner or operator shall maintain monthly records of the type and quantity of fuel used for the previous twelve consecutive months.
[Rule 62-4.070(3), F.A.C.]

Notification and Recordkeeping

- D.9 Testing Notification.** The Owner or operator shall notify PPRAQ 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.
[Rule 62-297.310(7)(a)9, F.A.C.]

Subsection E. This section addresses the following emission unit:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-014	Steam Boiler

Steam is used for process heating and fire protection.

Note: **IMPORTANT REGULATORY CLASSIFICATION.** This boiler is exempt from NSPS, 40 CFR 60 – Subpart Dc, Standards of Performance for Small Industrial – Commercial – Institutional Steam Generating Units since it was installed prior to June 8, 1989, and 40 CFR 60 – Subpart Db – Industrial, Commercial, and Institutional Steam Generating Units; it does not have a heat input capacity greater than 100 MMBtu/hr. It is not subject to NESHAPs, 40 CFR 63- Subpart DDDDD since it is a synthetic minor source of HAP. On April 29, 2010, EPA issued the proposed rule 40 CFR 63 – NESHAP- Subpart JJJJJ for area sources of HAP. The steam boiler (EU #014) is potentially subject to Subpart JJJJJ because the facility is an area source for HAP, but the boiler is natural gas-fired and it is exempt under §63.11195(e); therefore this boiler is exempt from emission limits and other requirements under the rule. This boiler is subject to Rule 62-296.406, F.A.C. for fossil fuel steam generators with less than 250 MMBTU/hr total heat input.

E.1 Capacity. The Steam Boiler is rated at 13 mmBTU/hr. The maximum natural gas combustion rate is 112 MMscf/yr.
[Rule 62-4.160(2), F.A.C. and Rule 62-210.200, F.A.C., Definitions - (PTE); Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

E.2 Hours of Operation. This emission unit is allowed to operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

E.3 Methods of Operation. The owner or operator shall only use natural gas fuel to operate the boiler.
[Rules 62-4.160(2), 62-210.200(PTE), Permit No. 0110034-004-AC]

E.4 Opacity. Visible emissions from the boiler shall not exceed 20% opacity except for either one six-minute period per hour during which opacity shall not exceed 27% opacity, or one two-minute period per hour during which opacity shall not exceed 40 %.
[Rule 62-296.406(1), F.A.C.]

Test Methods and Procedures

E.5 Frequency. Visible emission tests shall be conducted during each federal fiscal year (October 1 - September 30).
[Rule 62-297.310(7)(a)4a., F.A.C]

E.6 Operating Rate During Testing. Visible emission testing of the boiler shall be accomplished when the boiler is operating within 90 - 100% of the maximum allowable fuel usage rate. If it is impractical to test at this rate, the boiler may be tested at less than the maximum permitted capacity; in this case, subsequent operation of the boiler is limited to 110 percent of the tested fuel usage rate until a new test is conducted. Once the boiler is so limited, operation at a higher fuel usage 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. Testing at conditions which are not representative of normal operating conditions may invalidate the test.
[Rules 62-297.310(2) and 62-4.070(3), F.A.C.]

E.7 Test Method. Visible emissions tests shall be conducted using DEP Method 9 and shall be a minimum of 60 minutes in duration.
[Rule 62-297.310(4), F.A.C.]

Notification and Recordkeeping

E.8 Testing Notification. The Owner or operator shall notify PPRAQ 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.
 [Rule 62-297.310(7)(a)9, F.A.C.]

Subsection F. This section addresses the following emission unit.

<u>E.U. ID No.</u>	<u>Brief Description</u>
021	Asphalt Blowing Stills (No. 2 and 3) and Neuces Incinerator (subject to Subpart AAAAAAA)

Oxidized asphalt is produced by pumping asphalt through two asphalt blowing stills also, referred to as “converters”. Injected air is added to the stills to promote the reactions to produce oxidized asphalt. The exhaust fumes are directed to a Neuces Incinerator or a backup UIP Preheater/Incinerator. Blowing Still No. 2 is operated separately or simultaneously with Blowing Still No. 3.

Note: ***IMPORTANT REGULATORY CLASSIFICATION.*** Blowing Still No. 3 is exempted from NSPS – 40 CFR 60 -Subpart UU, since it was constructed prior to the effective date of Subpart UU (May 26, 1981). Blowing Still #2 was constructed subsequent to May 26, 1981, and is subject to NSPS- 40 CFR 60- Subpart UU, which is adopted by Rule 62-204.800(7)(b)50, F.A.C. Blowing still No. 2 and No.3 will be subject to 40 CFR 63 – NESHAP-Subpart AAAAAAA at the effective date of this rule (December 2, 2010). This emissions unit is no longer subject to compliance assurance monitoring (CAM) requirement, since this facility is no longer a Title V source.

F.1 Throughput. The oxidized asphalt production from the blowing stills is limited to 200,000 tons per year.
 [Rule 62-4.160(2), F.A.C. and Rule 62-210.200, F.A.C., Definitions - (PTE); Permit application received December 16, 2004; Additional information on PTE dated April 12, 2005]

F.2 Hours of Operation. This emission unit is allowed to operate continuously, i.e., 8,760 hours/year.
 [Rule 62-210.200(PTE), F.A.C.]

F.3 The permittee shall continuously monitor and record the combustion zone temperature of the Neuces Incinerator in order to comply with the requirements of the NESHAP, 40 CFR 63 – Subpart AAAAAAA. An excursion is defined as any temperature less than the lowest temperature of the three (3) runs recorded during the most recent compliance testing. Compliance will be demonstrated based on a 3-hour averaging period in accordance with 40 CFR 63.11563(c).
 [Rule 62-4.070(3) F.A.C., electronic mail received October 26, 2010, and 40 CFR 63.11563(c) – Subpart AAAAAAA]

Emission Limitations and Standards

F.4 PM and Opacity Standards while operating Blowing Still No. 2 alone or both Blowing Stills Nos. 2 and 3
 During periods of operating Blowing Still No. 2 alone or both Blowing Stills Nos. 2 and 3, the owner shall not cause to be discharged into the atmosphere:

- (1) Particulate matter in excess of 0.67 kilograms of particulate per mega gram of asphalt charged to the still when a catalyst is added to the still; and
- (2) [Reserved]
- (3) Particulate matter in excess of 0.60 kilograms of particulate per mega gram of asphalt charged to the still during blowing without a catalyst; and
- (4) [Reserved]
- (5) Opacity greater than zero (0) percent (unless an opacity limit for the Blowing Still when fuel oil is used to fire the afterburner has been established by the Administrator in accordance with the procedures in 40 CFR 60.474(g)).

[40 CFR 60.472(b)(1),(3), & (5), NSPS - 40 CFR 60 – Subpart UU]

Note. The standards are applicable whenever fumes are directed to the Neuces Incinerator or the backup UIP Preheater/Incinerator.

- F.5** CO Standard while operating Blowing Still No. 2 and No.3. During periods of operating both blowing stills Nos. 2 and 3, the owner or operator shall not cause to be discharged into the atmosphere CO in excess of 0.68 lb/ton of asphalt processed.
[Rule 62-4.070(3), F.A.C., and FESOP application received May 17, 2010]

Monitoring of Operations

- F.6** Combustion Zone Temperature. The owner or operator shall continuously monitor and record the temperature in the combustion zone of the afterburner. The monitoring instrument shall have an accuracy of ± 10 deg C over its range.
[40 CFR 60.473(b)]
- F.7** Opacity Monitoring. The owner or operator shall conduct daily checks and maintain records of the visible emissions from the exhaust from the blowing stills, and also time the periods of visible emissions when the transfer lines are being blown for clearing.
[Rule 62-213.440(1)(b)1.b., F.A.C.]
- F.8** Site-Specific Monitoring Plan. The owner or operator shall develop and make available for inspection, upon request, a site-specific monitoring plan for the afterburner temperature monitoring system in accordance with 40 CFR 63.11563(b)(1), (2), and (3).
[40 CFR 63.11563(b) – Subpart AAAAAAA]
- F.9** Continuous Parameter Monitor System (CPMS) Requirements. For the temperature monitoring device, the owner or operator shall meet the CPMS requirements in 40 CFR 63.11563(c)(1), (2), and (3) and 63.11563(d)(1) through (d)(6).
[40 CFR 63.11563(d)- Subpart AAAAAAA]
- F.10** The site-specific monitoring plan must include an ongoing operation and maintenance procedures in accordance with the general requirements of 50 CFR 63.8(c)(1), (c)(3), (c)(4)(ii), (c)(7), and (c)(8); ongoing data quality assurance procedures in accordance with the general requirements of 63.8 (d); and ongoing recordkeeping and reporting procedures in accordance with the general requirements of 63.10(c)(e)(1) and (e)(2)(i).
[40 CFR 63.11563(i)(A)(B)(C)- Subpart AAAAAAA]

F.11 CPMS Performance Evaluation. The owner or operator shall conduct a performance evaluation of the CPMS in accordance with the site-specific monitoring plan.
[40 CFR 63.11563(j)- Subpart AAAAAAA]

F.12 CPMS Operation and Maintenance. The owner or operator shall operate and maintain the CPMS in accordance with the site-specific monitoring plan.
[40 CFR 63.11563(k)- Subpart AAAAAAA]

Test Methods and Procedures

F.13 Frequency. Visible emissions, using EPA Method 9 shall be conducted during each federal fiscal year (October 1 - September 30). PM tests shall be conducted prior to permit renewal. Carbon monoxide (CO), using EPA Method 10B shall be conducted within three (3) months of the issuance of this permit; and if the test results are equal or greater than 50% of the CO emissions limit in this permit, the facility is required to perform testing every federal fiscal year (October 1 – September 30); otherwise testing is required prior to permit renewal, for each of the following cases:

<u>Blowing Still (s)</u>	<u>Control</u>
No. 2 and 3	Neuces Incinerator.
No. 2 and 3	UIP Preheater/Incinerator

PPRAQ may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by Section 114 of the Clean Air Act.
[Rules 62-4.070(3) & 62-297.310(7(a)3, F.A.C.; 40 CFR 63.7 (3)]

Special Compliance Tests. When PPRAQ, 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 PPRAQ 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 PPRAQ. EPA Method 10B is the compliance testing method of CO. The sampling time for each run shall be at least 60 minutes for EPA Method 10B.
[Rule 62-297.310(7) (b), F.A.C., FESOP application received May 17, 2010]

F.14 Operating Rate During Testing. Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate 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) and 62-4.070(3), F.A.C.]

F.15 Required Equipment and Accuracy of Equipment. The owner or operator of an emissions unit for which compliance tests are required 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. Equipment or

instruments used to directly or indirectly determine process variables 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.
[Rule 62-297.310(5), F.A.C.]

F.16 Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Appendix 1, attached to this permit.
[Rule 62-297.310(4)(d), F.A.C.]

F.17 Minimum Requirements for Stack Sampling. The owner or operator shall comply with the requirements contained in Appendix 2 -Stack Sampling Facilities (SS-1) of this permit.
[Rule 62-297.310(6), F.A.C.]

F.18 PM Testing for Blowing Still No. 2. The owner or operator shall determine compliance with the PM standards for Blowing Still No.2 by using the following equation for each run:

$$E = (cs Qsd) / (PK) \quad \text{--- [E.1]}$$

where:

E = emission rate of particulate matter, kg/Mg (lb/ton).
Cs = concentration of particulate matter, g/dscm (gr/dscf).
Qsd = volumetric flow rate of effluent gas, dscm/hr (dscf/hr).
P = asphalt charging rate, Mg/hr (ton/hr).
K=conversion factor, 1000 g/kg [7000 (gr/lb)].

(1) Determining cs and Qsd in Equation E.1. Method 5A shall be used to determine cs and Qsd of the effluent gas. The sampling time and sample volume for each run shall be at least 90 minutes or the duration of the coating blow or noncoating blow, whichever is greater, and 2.25 dscm (79.4 dscf)

(2) Determining P in Equation E.1. P shall be computed for each run using the following equation:

$$P = (Vd)/(K' t) \quad \text{-- [E.2]}$$

Where:

P = asphalt charging rate to blowing still, Mg/hr (ton/hr).
V = volume of asphalt charged, m3 (ft3).
D = density of asphalt, kg/m3 (lb/ft3).
K' = conversion factor, 1000 kg/Mg (2000 lb/ton).
t = duration of test run, hr.

(i) V shall be measured by any means accurate to within 10 percent.

(ii) d shall be computed using the following equation:

$$d = K1 - K2 Ti \quad \text{-- [E.3]}$$

Where:

d = Density of the asphalt, kg/m3 (lb/ft3)
K1 = 1056.1 kg/m3 (metric units)
= 64.70 lb/ft3 (English Units)
K2 = 0.6176 kg/(m3 °C) (metric units)
= 0.0694 lb/(ft3 °F) (English Units)
Ti = temperature at the start of the blow, °C (°F)

[40 CFR 60.474 (c)(1),(3), & (4)]

- F.19** Afterburner Temperature Monitoring. The owner or operator shall use the afterburner combustion zone temperature monitoring device to monitor and record continuously the temperature during the PM test run and shall report the results to PPRAQ with the performance test results.
[40 CFR 60.474(e)]
- F.20** Afterburner Operating Temperature Recording during Testing. The owner or operator shall record and report the operating temperature of the afterburner during the performance test.
[40 CFR 60.473(d)]
- F.21** Operating the Afterburner at Temperatures below the Test Value. The owner or operator shall not operate the afterburner at temperatures below the lowest temperature of the three (3) runs recorded during the most recent test, unless the owner or operator submits a request to PPRAQ for a retest at an lower combustion zone temperature and the results demonstrate that the emission limits for this emission unit can be achieved at the lower combustion zone temperature. Compliance will be demonstrated based on a 3-hour average of all recorded readings for each operating day in accordance with 40 CFR 63.11563(c). There must be at least two of the three hourly average values that are based on valid data (i.e., not for out-of-control periods).
[62-4.070(3) F.A.C., request submitted by the permittee via electronic mail received October 27, 2010 and 40 CFR 63.11563(c) - Subpart AAAAAAA]
- F.22** Opacity Test. EPA Method 9 and the applicable requirements in 40 CFR 60.11 shall be used to determine opacity.
[Rule 62-297.310(7)(a)4a., F.A.C., 40 CFR 60.474 (c) (5)]
- F.23** Length of Opacity Test. The required minimum period of observation for a compliance test shall be sixty (60) minutes. The observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.
[Rule 62-297.310(4) (a) 2, F.A.C.]
- F.24** (a) NSPS - Notification and Recordkeeping. See Appendix 3.
(b) General Notification and Reporting Requirements. See Appendix 4.
[40 CFR 60.7 & 60.19]
- F.25** Compliance Test Notification. The owner or operator shall notify PPRAQ, Air Quality Program, at least fifteen (15) days prior to the date on which the 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 owners.
[Rule 62-297.310(7)(a)9, F.A.C.]
- F.26** Compliance Test Report Submittal. The compliance test report shall be submitted to the PPRAQ and Department of Environmental Protection, Southeast District as soon as practicable, but no later than 45 days after the last test is completed.
[Rule 62-297.310(8) (a) & (b), F.A.C.]
- F.27** Initial Compliance Demonstration. The owner or operator shall demonstrate initial compliance with the emission limits specified in Table 1 in accordance with 40 CFR 63.11562(a)(1). If using a previously-conducted emission test to demonstrate compliance with the emission limitations, the conditions specified

in 40 CFR 63.11562(d)(1),(2),(3), and (4) shall be met. Initial compliance shall be demonstrated no later than 180 calendar days after December 2, 2010.
[40 CFR 63.11562(d) & (g)- Subpart AAAAAAA]

- F.28 Testing Notification.** The owner or operator shall submit notification of intent to conduct a compliance test to demonstrate initial compliance with the PM emission limit under 40 CFR 63.11562(a)(1) at least 60 calendar days before the compliance test is scheduled to begin, as required in 40 CFR 63.7(b)(1).
[40 CFR 63.7(b)(1) - Subpart AAAAAAA]
- F.29 Notification of Compliance Status.** The owner or operator shall submit a Notification of Compliance Status according to 40 CFR 63.9(h)(2)(ii). The Notification of Compliance Status, including the compliance test results, shall be submitted before the close of business on the 60th calendar day following the completion of the compliance test according to 40 CFR 63.10(d)(2).
[40 CFR 63.11564(a)(5) - Subpart AAAAAAA]
- F.30 Previous Compliance Testing.** If data from a previously-conducted emissions test is used to serve as documentation of compliance with the emission standards and operating limits of NESHAP Subpart AAAAAAA, the owner or operator shall submit the test data in lieu of the initial compliance test results with the Notification of Compliance Status required under Condition F.28 of this permit.
[40 CFR 63.11564(a)(6) - Subpart AAAAAAA]
- F.31 Compliance Reports.** A compliance report shall be submitted semi-annually to the PPRAQ as specified in 40 CFR 63.11564(b)(1) through (b)(4) and according to the dates specified in 40 CFR 63.11564(b).
[40 CFR 63.11564(b) - Subpart AAAAAAA]
- F.32 Recordkeeping Requirements.** The owner or operator shall maintain the records specified in 40 CFR 63.11564(c)(1) through (c)(10) for at least 5 years. The records shall be made available to PPRAQ staff upon request.
[40 CFR 63.11564(c) - Subpart AAAAAAA, 62-4.070(3)]
- F.33 Fuel Records.** The owner or operator shall maintain monthly records of the quantity and types of fuel used for the afterburner for the previous 12 consecutive months.
[Rule 62-4.070(3), F.A.C.]
- F.34 Afterburner Operating Temperature Records.** The owner or operator shall maintain a file of the temperature monitoring results for at least five years.
[40 CFR 60.473(d), F.A.C.]
{Permitting Note: The permittee is exempted from the quarterly reports required under 40 CFR 60.7(c).}
- F.35 Proper maintenance.** At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
[62-4.070(3), F.A.C.]

Appendix 1

Calibration Schedule

(Table 297.310-1 version dated 10/07/96)

{Note. The following calibration schedule is not applicable if the item listed is not included in the sampling train.}

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 3. Check after	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%

Appendix 2

Stack Sampling Facilities (version dated 10/07/96)

Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. 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 a 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 the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department 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. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

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 toe boards.

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

Appendix 3

NSPS - Notification and Recordkeeping.
(40 CFR 60.7)

[Administrator means the administrator of USEPA or the authorized representative – PPRAQ]

- (a) **Notification format.** Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:
- (1) to (3) [Reserved]
 - (4) **Physical or operational changes.** A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
 - (5) to (7) [Reserved]
- (b) **Startup, shutdown, or malfunction.** Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
- (c) to (e) [Reserved]
- (f) **File maintenance.** Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including performance testing measurements; all monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:
- (1) to (2)[Reserved]
 - (3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.
- (g) **Similar notification.** If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.

Appendix 4

General Notification and Reporting Requirements

(40 CFR 60.19)

[Administrator means the administrator of USEPA or the authorized representative – PPRAQ]

- (a) **Time periods.** For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (b) **Submittal deadlines.** For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.
- (c) **Changing deadlines.** Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (d) **Periodic reports submittals.** If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (e) **Common submittal schedule.** If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f) Changes request.

- (1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.
- (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.
- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.



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 CHANGE OF THE TITLE V AIR OPERATION PERMIT'S EXPIRATION DATE

In the Matter of a Request for a
Change in the Permit's Expiration Date:

John A. Lynn
Plant Manager
1326 S.E. 17th Street, #546
Fort Lauderdale, FL 33316

DEP File No.: 0110034-005-AV
Broward County
High Sierra Terminaling, LLC.

This is a notification that the Pollution Prevention, Remediation and Air Quality Division (PPRAQ) has changed the expiration date of the above referenced Title V Air Operation Permit to February 23, 2011. This change in the expiration date is based on your request received June 8, 2010. The changed expiration date is the same date of the issuance of the federally enforceable state operation permit (FESOP) 0110034-007-AF on February 23, 2011, which verified that the Title V facility has changed operation status and no longer requires a Title V Air Operation Permit. Also, there is a requirement that the Responsible Official submit a Statement of Compliance within 60-days of permanent shutdown at Rule 62-213.440(3)(a)2.b., F.A.C., which, in this case, is being clocked from February 23, 2011. This change in the expiration date will take effect fourteen (14) days from the clerking date unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). The procedures for petitioning for a hearing are set forth below. A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of the Broward County Attorney at 115 S. Andrews Avenue, Room: 423, Fort Lauderdale, Florida 33301-1872. Petitions filed by the owner or operator or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of receipt of this notice. Under Section 120.60(3), F.S., however, any person who asked the PPRAQ for notice of agency action may file a petition within fourteen (14) days of receipt of that notice. 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, F.A.C. A petition that disputes the material facts on which the PPRAQ's action is based must contain the following information: (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 how and when petitioner received notice of the agency action or proposed action; (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; 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 PPRAQ'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, F.A.C.

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 PPRAQ on the request for conditional exemption 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.

NOTICE OF APPEAL RIGHTS

Any party to this order (permit) has the right to seek judicial review of the permit (letter) pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the office of the Broward County Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Plantation, Florida.

Broward County Pollution Prevention, Remediation and Air Quality
Division



Daniela Banu
Air Quality Program Administrator

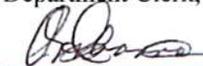
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF CHANGE OF THE TITLE V AIR OPERATION PERMIT'S EXPIRATION DATE was sent by certified mail (*) and copies were sent electronically before the close of business on 2/23/2011 to the person(s) listed or as otherwise noted:

Johm A. Lynn, High Sierra Terminals, LLC. *
Lennon Anderson, P.E., SFDEP, Air Section, [Lennon.anderson@dep.state.fl.us]
Barbara Friday, BAR [barbara.friday@dep.state.fl.us] (for posting with Region 4 , U.S. EPA)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



(Clerk)

2/23/2011

(Date)