



ENVIRONMENTAL PROTECTION DEPARTMENT – Air Quality Division
Mailing Address: 115 South Andrews Avenue, Room A-240 · Fort Lauderdale, Florida 33301
954-519-1220 · FAX 954-519-1495

NOTICE OF PERMIT

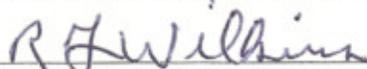
Mr. Ray Middel, Terminal Manager
Continental Florida Materials, Inc.
2802 Eisenhower Blvd.
Fort Lauderdale, FL 33316

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Dear Mr. Middel:

Enclosed is an operation permit number 0111012-003-AO to operate an air pollution source issued pursuant to Section 403.087, Florida Statutes, Broward County Standard Operating Agreement and Chapter 27, which adopted Florida Administrative Code (FAC) 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 Environmental Protection Department, Air Quality Division, 115 South Andrews Avenue, Room: A-240, Fort Lauderdale, FL 33301, 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 Department 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 Environmental Protection Department. When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Environmental Protection Department, Air Quality Division, 115 South Andrews Avenue, Room: A-420, Fort Lauderdale, FL 33301; 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 Final Order is filed with the Clerk of the Department.

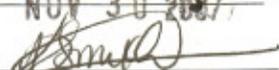
Executed in Broward County, Florida
BROWARD COUNTY
ENVIRONMENTAL PROTECTION DEPARTMENT


Richard G. Wilkins, Director

cc: Lee Hoefert, District Air Program Administrator, FDEP Southeast District, Air Section

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on NOV 30 2007 to the listed persons.


Clerk

NOV 30 2007
Date



ENVIRONMENTAL PROTECTION DEPARTMENT – Air Quality Division
Mailing Address: 115 South Andrews Avenue, Room A-240 · Fort Lauderdale, Florida 33301
954-519-1220 · FAX 954-519-1495

NOTICE OF AIR POLLUTION PERMIT

ISSUED TO:

PERMITTEE:

Mr. Ray Middel, Terminal Manager
Continental Florida Materials, Inc.
2802 Eisenhower Blvd.
Fort Lauderdale, FL 33316

AIRS ID No.: 0111012

Permit Number: 0111012-003-AO

Issue Date: November 30, 2007

Expiration Date: November 30, 2012

Project: Air operating permit for a cement storage and distribution terminal.

Lat/Long: 26°05'48" N / 80°07'39" W

UTM: Zone 17; 412.5 E; 2885.2 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 62-210 through 62-297 (permitting requirements) and Broward County Code, Chapter 27 (emission limitations) and in conformance with all existing regulations of the Florida Department of Environmental Protection (FDEP). The above named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Broward County Environmental Protection Department (EPD) and made a part hereof and specifically described as follows:

Operate: An air pollution source consisting of the following emission unit(s):

- EU#001:** Eighteen (18) cement storage and distribution silos controlled by (1) Flex-Kleen Bag Pulse Jet Fabric Filter Dust Collector [#120-WMWC-240 (III)-18,000 cfm].
- EU#002:** Three (3) truck loadout points linked to eighteen cement storage silo bins controlled by DCL UN800-EV Spout/Compact Filter Module 330-114 Dust Collector [2,000 cfm].
- EU#003:** Cement packing operation controlled by two (2) Flex-Kleen Bag Pulse Jet Fabric Filter Dust Collectors [#120WMTC-120 (III)-7,000 cfm & 84-BVBS-9(II)G-1,000 cfm].
- EU#004:** Bulk cement unloading system consisting of: A Siwertell ship unloader with design capacity of 800 tons per hour and a 420 foot covered belt conveyer and a tilted line transfer conveyer. Siwertell system controlled by (1) Staclean Bag Type Pulse Jet Dust Collector [#30-8-ADS-2,000 cfm]. Covered belt conveyer controlled by (1) Fuller Bag Pulse Jet Fabric Filter Dust Collector [#30DSB-2,000 cfm].
- EU#005:** Two (2) cement storage silos controlled by (1) Fuller Bag Pulse Jet Fabric Filter Dust Collector [#196C10N-6,000 cfm].

Continental Florida Materials – Port Everglades Terminal
Permit Number: 0111012-003-AO

In accordance with: Initial Application to Operate Air Pollution Source received August 8, 1984, Application to Modify an Air Pollution Source received November 10, 1987, Notice of Intent issued March 21, 1988, and published in the Broward Review on April 8, 1988, Certificate of Completion of Construction received June 16, 1988, Air Construction Permit issued May 5, 1988 and modified August 28, 1989, Application for Renewal of Permit to Operate Air Pollution Source received August 23, 1989, Modification of Construction permit issued July 16, 1992, Application to Renew Operating Permit received September 7, 1994, Application to Revise Operating Permit received October 11, 1996, Application to Renew Operating Permit received October 29, 2001, Application for Non-Title V Air Permit Renewal received October 27, 2006, After-the-Fact Construction Permit Application received May 15, 2007, Additional Information received June 21, 2007, Notice of Intent issued September 17, 2007 and published in the Sun-Sentinel newspaper on October 18, 2007 and proof of publication received on October 30, 2007. After-the-fact construction permit issued November 8, 2007.

Location: 2802 Eisenhower Blvd., Fort Lauderdale, FL

To serve: A cement storage and distribution terminal (SIC 32).

Subject to: Conditions 1 - 35

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 EPD will review this permit periodically and may initiate enforcement action for any violation of these conditions.
[Rule 62-4.160 (1), F.A.C.]
2. Permit Validity. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the EPD.
[Rule 62-4.160 (2), F.A.C.]
3. Disclaimer. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other permit that may be required for other aspects of the total project which are not addressed in this permit.
[Rule 62-4.160 (3), F.A.C.]
4. Disclaimer. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interest have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
[Rule 62-4.160 (4), F.A.C.]
5. Liability. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and FDEP rule, unless specifically authorized by an order from the EPD.
[Rule 62-4.160 (5), F.A.C.]
6. Operation and Maintenance. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by county and state rules. This provision included the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by EPD and FDEP rules.
[Rule 62-4.160 (6), F.A.C.]
7. Onsite Inspection Activities. The Permittee, by accepting this permit, specifically agrees to allow authorized EPD 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 EPD and FDEP rules.[Rule 62-4.160 (7), F.A.C.]

8. Notice of Noncompliance. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide EPD 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 EPD for penalties or for revocation of this permit.
[Rule 62-4.160 (8), F.A.C.]
9. 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 EPD, may be used by the EPD 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.
[Rule 62-4.160 (9), F.A.C.]
10. Rule Changes. The Permittee agrees to comply with changes in Florida Department of Environmental Protection rules and Florida Statutes after a reasonable time for compliance; provided, however, the Permittee does not waive any other rights granted by Florida Statutes or FDEP rules.
[Rules 62-4.160 (10), F.A.C.]
11. Permit Transfer. This permit is transferable only upon EPD 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 EPD.
[Rule 62-4.160 (11), F.A.C.]
12. Work Site Copy. This permit or a copy thereof shall be kept at the work site of the permitted activity.
[Rule 62-4.160 (12), F.A.C.]
13. Miscellaneous Compliance Requirements. The Permittee shall comply with the following:
 - (a) Upon request, the Permittee shall furnish all records and plans required under FDEP rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the EPD.
 - (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 EPD rule.
 - (c) Records of monitoring information shall include:
 1. The date, exact place, and time of sampling or measurements;
 2. The person responsible for performing the sampling or measurements;
 3. The dates analyses were performed.

4. The person responsible for performing the analyses;
 5. The analytical techniques or methods used;
 6. The results of such analyses.
- [Rule 62-4.160 (14), F.A.C.]

14. Information Submittal. When requested by the EPD, 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 EPD, such facts or information shall be corrected promptly.
[Rule 62-4.160 (15), F.A.C.]
15. 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

16. 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.]
17. 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 Broward County Environmental Protection Department.
[Broward County Board of Ordinances, Sec. 27-175(f)]
18. General Visible Emissions Standard. 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).
[Rule 62-296.320(4)(b), F.A.C.]
19. Unconfined emissions of particulate matter: No person shall cause, let, permit, suffer or allow emission of particulate matter from any source whatsoever, including but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial-related activities such as loading, unloading, storing or handling without taking reasonable precautions to prevent such emissions.

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

- a) Paving and maintenance of roads, parking areas and yards.
- b) Application of asphalt, water, or other dust suppressants to unpaved roads, yards, open stock piles and similar sources.
- c) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the source to prevent reintrainment and from buildings or work areas to prevent particulate from being airborne.
- d) Curtailing of operation if winds are entraining unconfined particulate matter.

e) Limiting the height of open storage piles.

f) Eliminate the use of blowers and or compressed air for cleaning of ship hold.

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

20. **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)]
21. **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)]
22. **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)]

Specific Conditions

Emission Limiting Standards

Siwertell Unloading System

23. Shiplside particulate emissions resulting from the operation of the Siwertell unloading system shall not equal or exceed 20 percent opacity as determined by EPA Method 9 - Visual Emission Test. There shall be no emissions visible from the Siwertell system itself, which would constitute "Circumvention" pursuant to Rule 62-210.650, F.A.C.
[Consent Order OGC 89-0188]
24. Upon either the presence of particulate emissions exceeding 20 percent opacity or the presence of fugitive emissions constituting circumvention from the Siwertell unloading system during operation, the permittee shall immediately cease unloading bulk cement until the system is modified and able to operate as designed (i.e. no circumvention and no exceedance of the 20 percent opacity limit).
[Consent Order OGC 89-0188]
25. The permittee shall properly maintain the two manometers to monitor air pressure at the transfer points within the belt conveyor housing.
[Consent Order OGC 89-0188]
26. The conveyor belt housing shall be properly fitted and maintained with soft rubber at all appropriate joints to prevent particulate emissions from entering the atmosphere.
[Consent Order OGC 89-0188]

Compliance Testing Requirements

27. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emission unit shall have a formal compliance test conducted for visible emissions as follows:

The compliance test report shall include test results for the following methods:

<u>Source/ Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>	<u>Frequency</u>
Dust Collectors/Baghouses	Visible Emissions	EPA Method 9*	Every fiscal year
Siwertell Unloading System	Visible Emissions	EPA Method 9*	Every fiscal year

* Each emission unit can be tested in accordance with EPA Method 9 for thirty (30) minutes or the length of the batch cycle.

[Rule 62-297.310(7)(a)4.a, and Consent Order OGC-89-0188]

28. In accordance with Consent Order OGC-89-0188 the Siwertell unloading system shall be operated at all times under negative pressure, which shall be evidenced by the associated manometers.
29. Testing of visible emissions shall be conducted with the emission unit operating at permitted capacity. If it is impracticable to test at permitted capacity, an emission unit may be tested at less than the minimum permitted capacity; 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 purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2) F.A.C.]
30. When the EPD, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard in F.A.C. Rule 62-204 through 62-297 or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emission unit to conduct compliance test which identifies the nature and quantity of pollutant emissions from the emission unit and to provide a report on the results of said tests to the EPD.
[Rule 62-297.310(7)(b) F.A.C.]

Notification requirements

31. The owner or operator shall notify the EPD, at least 15 days prior to the date on which each formal compliance is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
[Rule 62-297.310(7)(a)9., F.A.C.]

Recordkeeping and Reporting Requirements

32. The permittee shall notify the EPD verbally or in writing at least forty-eight (48) hours before the docking of each ship which unloads bulk cement via Siwertell unloading system. Written verification shall be submitted immediately after verbal notice.
[Consent Order OGC-89-0188]
33. Copies of all compliance reports, tests, notifications or other submittals required by this permit shall be submitted to the EPD , as soon as practical but no later than forty-five (45) days after the last test is completed.
[Rule 62-297.310(8)(b), F.A.C.]

Continental Florida Materials – Port Everglades Terminal
Permit Number: 0111012-003-AO

34. The DEP Form No. 62-210.900(5), “Annual Operating Report for Air Pollutant Emitting Facility”, shall be completed for each calendar year and submitted to the EPD, by March 1 of the following year or submit it electronically to Florida Department of Environmental Protection.
[Rule 62-210.370(3), F.A.C.]

Operating Permit Renewal Requirements

35. 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.
[Rule 62-4.090 F.A.C.]

{Permitting Note: The Permittee may also elect to submit the application electronically using the Electronic Permit Submittal and Processing System (EPSAP) via the <http://www.dep.state.fl.us/air/software.htm> website, along with the processing fee established in Rule 62-4.050(4), F.A.C.}
[Rule 62-4.090(1) and 62-4.050(4), F.A.C.]

Executed in Broward County, Florida
Environmental Protection Department


Richard G. Wilkins, Director