

## **FINAL DETERMINATION**

Air Construction Permit  
EnviroFocus Technologies, LLC  
Lead-Acid Battery Recycling Facility  
DEP File No. 0570057-023-AC (PSD-FL-404A)

### **PERMITTEE**

EnviroFocus Technologies, LLC (EnviroFocus)  
1901 North 66<sup>th</sup> Street  
Tampa, Florida 33619

### **PERMITTING AUTHORITY**

Florida Department of Environmental Protection (Department)  
Division of Air Resource Management  
Bureau of Air Regulation, Special Projects Section  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400

### **PROJECT**

DEP File No. 0570057-023-AC (PSD-FL-404A)  
EnviroFocus Lead-Acid Battery Recycling Facility  
Facility Upgrade and Production Increase – Ambient Air Monitoring  
Hillsborough County

The original project was reviewed under the rules for the Prevention of Significant Deterioration (PSD). The ongoing facility upgrade project consists of a production increase from 32,000 to 150,000 tons per year (TPY) of lead, enclosure of the recycling process and modernization of the air pollution control equipment. The project required installation of two ambient lead monitoring stations.

The present request is to extend the time allowed to install the monitors to April 30, 2010. The monitors will be operated by the Environment Protection Commission of Hillsborough County (EPCHC) under contract with EnviroFocus.

### **NOTICE AND PUBLICATION**

The Department distributed a draft permit modification package on January 19, 2010. The applicant published the Public Notice of Intent to Issue Air Permit Modification in The Tampa Tribune on January 22, 2010. The Department received the proof of publication on February 1, 2010.

No written comments were received regarding the draft permit modification.

### **CONCLUSION**

The final action of the Department is to issue the permit modification with no changes from the draft permit modification.



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blairstone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor  
Jeff Kottkamp  
Lt. Governor  
Michael W. Sole  
Secretary

*Electronically Sent – Received Receipt Requested.*

Mr. John Tapper [jtapper@gopherresource.com](mailto:jtapper@gopherresource.com)  
Chief Operation Officer  
EnviroFocus Technologies, LLC (EFT)  
1901 North 66<sup>th</sup> Street  
Tampa, Florida 33619

Re: DEP File No. 0570057-023-AC (PSD-FL-404A)  
Lead-Acid Battery Recycling Facility Upgrade and Production Increase  
Extension of time to install ambient air monitoring stations

Dear Mr. Tapper:

On December 23, 2009, EFT requested additional time to install two additional ambient lead (Pb) monitors required by permit No. 0570057-020-AC (PSD-FL-404) in the vicinity of lead-acid battery recycling facility. The request is attached.

We understand that EFT and the Environmental Protection Commission of Hillsborough County (EPCHC) have been working closely to develop a contract whereby EPCHC will locate, install and operate the stations under a contract with EFT. The EPCHC is the approved local air program that operates an extensive monitoring network in Hillsborough County including the Pb monitors already located in the vicinity of the facility.

#### **Determination:**

The permit is hereby modified as shown below in ~~strikeout~~ and double underline format.

Section III – Emissions Units Specific Conditions, Subsection F, Condition 4 is modified as follows:

#### **AMBIENT MONITORING AND MODELING REQUIRED**

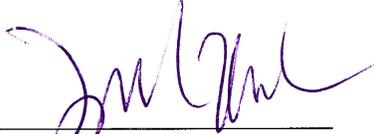
- Lead–Total Suspended Particles (Pb-TSP) Monitors: The owner or operator shall install and operate two ambient monitoring stations for Lead in TSP (Pb-TSP) at offsite locations (sites) to be determined by the Department. The devices shall be installed and operational by April 30, 2010 ~~within 120 days of final issuance of this permit~~ and shall operate at a sampling frequency to be determined by the EPCHC, and/or the Ambient Monitoring Section (AMS) of the Department's Bureau of Air Monitoring and Mobile Sources (BAMMS). Access to the monitoring sites and instruments must be provided to the EPCHC, and/or the AMS of the Department's BAMMS. The monitoring devices shall be those designated as EPA reference or equivalent methods and must be operated in accordance with BAMMS-approved quality assured policies and procedures.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

This air permit modification is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C.

Upon issuance of this final permit modification, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

  
\_\_\_\_\_  
Joseph Kahn, Director  
Division of Air Resource Management

4/15/10  
(Date)

JK/tlv/aal/dr

Enclosures

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Air Permit Modification with enclosure was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 4/16/10 to the persons listed below.

John Tapper, EnviroFocus Technologies, LLC: [jtapper@gopherresource.com](mailto:jtapper@gopherresource.com)  
Heather Abrams, EPA Region 4: [abrams.heather@epa.gov](mailto:abrams.heather@epa.gov)  
Jerry Campbell, EPCHC: [campbell@epchc.com](mailto:campbell@epchc.com)  
Russell S. Kemp, P.E., Environ: [rkemp@environcorp.com](mailto:rkemp@environcorp.com)  
Victoria Gibson, DEP BAR: [victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us) (for read file)

Clerk Stamp

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

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

4/16/10  
(Date)



December 23, 2009

Mr. Al Linero  
Program Administrator  
Special Projects Section  
Florida Department of Environmental Protection  
2600 Blairstone Road  
Tallahassee, Florida 32399-2400

**RE: Request for Extension; Ambient Air Monitoring Stations**  
**Project Number: Permit No. 0570057-020-AC/PSD-FL-404**

Dear Mr. Linero:

The purpose of this correspondence is to request an extension of the 120 day suspense date listed in Section 3. F. Facility Grounds and Roadways- AMBIENT MONITORING AND MODELING REQUIRED. Title V Permit No.0570057-020-AC was dated September 22, 2009. Accordingly, two (2) ambient monitoring stations for Lead-Total Suspended Particles (Pb-TSP) are to be installed and operated at offsite locations to be determined by the Department within 120 days of final issuance of the permit.

EFT has been working closely with the Environmental Protection Commission Hillsborough County (EPC) to implement the installation of the ambient monitoring stations. During a meeting between EPC and EFT on December 9, 2009, EPC utilized discretionary enforcement to interpret the terms of the permit and assumed the responsibility of installing, maintaining, developing the associated standard operating procedures, and operating the monitors. The coordination of these efforts continues. The monitors were purchased by EFT and were delivered to EPC (Tom Tamanini) on December 22, 2009. However, the following essential items have not been confirmed: Approval to install the offsite monitors in the nearby trailer park and local elementary school; the installation of power to the monitor locations once established; and the development of a logistics contract between EFT and EPC for the monitor, sample collection, normal data base management, lab services, and maintenance. In view of the multitude of time consuming efforts anticipated to achieve these objectives, EFT requests a **90 day extension or an extension until installed.**

EFT and EPC have been having weekly meetings coordinating these efforts and EPC is in agreement with this request. Please feel free to call me at 813-744-5004 with any questions or comments you may have regarding this request.

Sincerely,  
EnviroFocus Technologies, LLC

A handwritten signature in blue ink that reads "Larry G. Eagan".

Larry G. Eagan

Plant Manager

Cc: Sterlin Woodard, PE, Hillsborough County EPC  
John Tapper, EnviroFocus Technologies, LLC

EnviroFocus Technologies LLC