COMMISSION
Kevin Beckner – Chairman
Lesley "Les" Miller – Vice Chairman
Victor Crist
Ken Hagan
Al Higginbotham
Sandy Murman
Mark Sharpe

Roger P. Stewart Center
3629 Queen Palm Dr. Tampa, FL 33619
Ph: (813) 627-2600

Fax Numbers (813):

Admin	627-2620	Waste	627-2640
Legal	627-2602	Wetlands	627-2630
Water	627-2670	Air	627-2660
Lab	635-8061		

Executive Director
Richard D. Garrity, Ph.D.

CERTIFIED MAIL

In the Matter of an
Application for Permit by:

File No.: 0570461-018-AC
County: Hillsborough

Mr. Dan Sison
Plant Manager
Blacklidge Emulsions, Inc., Plant #3
2701 East 2nd Avenue
Tampa, FL 33605_____/

INTENT TO ISSUE

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Blacklidge Emulsions, Inc., applied on June 16, 2010 to the EPC for an air construction permit to construct two (2) new heated asphalt blending and storage tanks, revise air construction Permit No. 0570461-017-AC to increase the heat input for the new hot oil heater to 10 MMBtu/hr, remove the natural gas-fired tank heaters from tanks T8 and T9, and modify the Air-Clear ™ Fiber-Bed Mist Collection system to control 17 asphaltic material tanks. The facility is located a 2701 East 2nd Avenue, Tampa, Florida.

The EPC has permitting jurisdiction under Chapter 403 Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-210. The project is not exempt from permitting procedures. The EPC has determined that an air pollution construction permit is required to commence or continue operations at the described facility.

The EPC intends to issue this permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 and 62-4.

Pursuant to Section 403.815 and 403.0872, F.S. and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a

newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the EPC at the address or telephone number listed below. **The applicant shall provide proof of publication to the EPC, Air Permitting Section, at 3629 Queen Palm Drive, Tampa, Florida 33619 (Phone 813-627-2600 - FAX 813-627-2660) within 7 (seven) days of publication.** Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C.

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Drive, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) 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 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.; or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the EPC'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 and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;

(c) A statement of how and when the petitioner received notice of the EPC 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 EPC's proposed action;

(f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC'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 EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. The petition must specify the following information:

(a) The name, address, and telephone number of the petitioner,

(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any,

(c) Each rule or portion of a rule from which a variance or waiver is requested,

(d) The citation to the statute underlying (implemented by) the rule identified in (c) above,

(e) The type of action requested,

(f) The specific facts that would justify a variance or waiver for the petitioner,

(g) The reason by the variance or waiver would serve the purposes of the underlying statute (implemented by the rule), and

(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of the those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statues, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Drive, Tampa, Florida 33619 and 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 thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

Richard D. Garrity, Ph.D.
Executive Director

cc: Dean H. Meyers, P.E., General Environmental Engineering, Inc.

CERTIFICATE OF SERVICE

The undersigned duly designated clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed by certified mail before the close of business on 12/1/10 to the listed persons.

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated clerk, receipt of which is hereby acknowledged.

12/1/10

Clerk Date

ENVIRONMENTAL PROTECTION COMMISSION

OF HILLSBOROUGH COUNTY

NOTICE OF INTENT TO ISSUE PERMIT

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue an air pollution Permit No. 0570461-017-AC, to Blacklidge Emulsions, Inc., a bulk asphalt terminal located at 2701 East 2nd Avenue, Tampa, Florida. The air construction permit authorizes the construction of two (2) new heated asphalt blending and storage tanks, revise air construction Permit No. 0570461-017-AC to increase the heat input for the new hot oil heater to 10 MMBtu/hr, remove the natural gas-fired tank heaters from tanks T8 and T9, and modify the Air-Clear ™ Fiber-Bed Mist Collection system to control 17 asphaltic material tanks. The facility is a Synthetic, Non-Title V source.

MAILING ADDRESS: Blacklidge Emulsions, Inc., 2701 East 2nd Avenue, Tampa, FL 33605.

A Best Available Control Technology (BACT) determination was not required.

The EPC will issue the Final permit with the conditions of the DRAFT permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. The procedures for petitioning for hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Drive, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) 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 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the F.A.C.

A petition that disputes the material facts on which the EPC'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, and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service

purposes during the course of the proceedings; 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 EPC 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 EPC proposed action;

(f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition this order will not be effective until further order of the EPC.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statues, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Drive, Tampa, Florida 33619 and 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 thirty days after this order is filed with the clerk of the Department.

The complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Environmental Protection Commission of Hillsborough County, 3629 Queen Palm Drive, Tampa, Florida 33619. The complete project file includes the proposed Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Diana M. Lee, P.E., at the above address, or call 813-627-2600, for additional information. Any written comments filed shall be available for public inspection. If written comments received result in a significant change in the proposed agency action, the EPC shall revise the proposed permit and require, if applicable, another Public Notice.

TECHNICAL EVALUATION

&

PRELIMINARY DETERMINATION

for

Blacklidge Emulsions, Inc. – Plant #3

Air Construction Permit

Application Number

0570461-018-AC

Environmental Protection Commission of

Hillsborough County

Tampa, Florida

November 10, 2010

I. Project Description

A. Applicant:

Blacklidge Emulsions, Inc.
2701 East 2nd Avenue
Tampa, Florida 33605

B. Engineer:

Dean H. Myers, P.E.
Registration No. 47666
General Environmental Engineering, Inc.
205 W. Palmetto Street
Lakeland, FL 33815

C. Project and Location:

This project is to authorize the construction of two (2) new heated asphalt blending and storage tanks, revise air construction Permit No. 0570461-017-AC to increase the heat input for the new hot oil heater to 10 MMBtu/hr, remove the natural gas-fired tank heaters from tanks T8 and T9, and modify the Air-Clear™ Fiber-Bed Mist Collection system to control 17 asphaltic material tanks. The project has been assigned the following NEDS Source Classification Codes (SCCs):

3-05-002-06 (Asphalt Concrete, Asphalt Heater: Natural Gas)
3-05-002-99 (Asphalt Concrete, Comment: Hot Mix Asphalt Storage Tank)

The primary business at this facility is identified by the Standard Industrial Classification (SIC) for Petroleum and Coal Products – 2951, Asphalt Paving Mixtures and Blocks (NAICS 324121).

The project is located at 2701 East 2nd Avenue, Tampa, Hillsborough County, Florida; at longitude 82° 26' 47" W, latitude 27° 57' 24" N.

D. Process and Controls:

Blacklidge Emulsions, Inc., Plant #3 is an asphalt blending and mixing facility that produces paving asphalt products. The facility receives liquid asphalt cement and "off-spec" or unusable paving asphalt by tank truck and stores the asphaltic material in holding tanks, mixing tanks, or "cook-off" tanks. This project is a modification of Emission Unit 002 - Tanks and Truck Loading and Emission Unit 004 - Natural Gas Heaters.

Under the authorization of this air construction permit, Blacklidge Emulsions will construct two (2) 40,000 gallon, fixed-roof asphalt blending and holding tanks for

polymer modified asphalt which will be identified as T10 and T11. The tanks will be heated exclusively by a new natural gas-fired hot-oil heater. Particulate matter emissions from the new tanks will be controlled by the Air-Clear ™ Fiber-Bed Mist Collection system and VOC emissions will be controlled by the Carbon Adsorber Unit. Therefore, the facility will modify the ductwork for air pollution control equipment to accommodate the increase in the volume of displaced vapors from the new asphalt tanks.

In the response to the Request for Additional Information (RAI) dated July 16, 2010, Blacklidge Emulsions, Inc. provided calculations and descriptions, signed and sealed by a professional engineer, certifying the capability of the Air-Clear ™ Fiber-Bed Mist Collection system and Carbtrol® Carbon Adsorber Unit to control aerosolized particulate matter emissions and odors from the heated asphaltic material tanks. Historically, the EPC received numerous citizen complaints regarding odors from this facility and required Blacklidge Emulsions to install an odor control system on all the heated asphalt tanks which, has been effective in eliminating the odor nuisance from the facility. Pursuant to Specific Condition 7.I. of Permit No. 0570461-016-AF and Specific Condition 10 of Permit No. 0570461-017-AC, Blacklidge Emulsions submitted an Operation, Monitoring and Maintenance (OM&M) Plan for the Carbon Adsorber Unit used to control odors and the supporting VOC sampling data. The EPC Air Compliance Section reviewed the OM&M Plan and sampling data. The data indicated instances where the measured VOC concentrations emitted from the Carbon Adsorber Unit exceed the odor thresholds for constituent VOC species; benzene, toluene, ethylbenzene, and m-, p-, o-xylene (BTEX compounds). EPC staff used SCREEN3 (v.96043) to model the VOC emissions for the date with the highest sampled concentration and greatest emission rate to estimate the magnitude and location of the maximum1-hr concentration. The model results computed a maximum concentration of 0.017 mg/m^3 located 18 meters (60ft.) from the emission point, well within the facility fenceline (90 ft.). The maximum concentration is more than two (2x) orders of magnitude below the odor thresholds for the BTEX compounds. Therefore, staff concludes that the odor control system and a revised OM&M plan, as specified within the conditions of this air construction permit, is sufficient to mitigate the odor impacts to the surrounding community.

Since the facility is not requesting any increases in the material throughput limits currently established in their air permit (98,000 tons produced), this project will only result in an increase in the total heat input for all natural gas heaters to 28 MMBtu/hr; increasing the potential to emit regulated air pollutants. Therefore, the PTE for VOC emissions will be 26.9 TPY, an increase of 0.1 TPY, and the PTE for PM emissions will be 5.3 TPY, an increase of 0.2 TPY. The PTE for CO, NOx, and SO_2 will also increase 2.2, 2.6, and 0.02 TPY, respectively.

E. Application Information:

Received on: June 16, 2010
Request for Additional Information: July 16, 2010
Application Complete: September 2, 2010

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes, Chapters, 62-204, 62-210, 62-212, 62-296, and 62-297, Florida Administrative Code (F.A.C.) and Chapter 1-3 of the Rules of the Environmental Protection Commission of Hillsborough County.

This project is subject to the requirements of Rule 62-212.300, General Preconstruction Review Requirements, F.A.C., since the project is not exempt from the permit requirements in Rule 62-210.300, F.A.C.

This project is not subject to the requirements of Rule 62-212.400, Prevention of Significant Deterioration, F.A.C., since the facility is a minor source for PSD.

This project is not subject to the requirements Rule 62-212.500, Preconstruction Review for Nonattainment Areas, F.A.C., since the facility is a minor source and is not located in a designated nonattainment area.

This project is not subject to the requirements Rule 62-213, Operation Permits for Major Sources of Air Pollution, F.A.C., since the facility is a Synthetic Non-Title V source.

This project is subject to the requirements of Rule 62-296.320, General Pollutant Emission Limiting Standards, F.A.C., since the project is a source of particulate matter, volatile organic compounds, and a potential source of odors.

This project is not subject to the requirements of Rule 62-296.401 through 62-296.480, Specific Emission Limiting and Performance Standards, F.A.C., since there is not an applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.500, Reasonably Available Control Technology (RACT) - Requirements for Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) Emitting Facilities, F.A.C., since there is not an applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.600, Reasonably Available Control Technology - Lead, F.A.C., since there is not an applicable source specific category in this rule.

This project is subject to the requirements of Rule 62-296.700, Particulate Matter Reasonably Available Control Technology, F.A.C., since it is located in an air quality maintenance area and subject to PM RACT, pursuant to Rule 62-296.711, F.A.C.

This project is not subject to the requirements of Rule 62-204.800, Federal Regulations Adopted by Reference, F.A.C., since there is not an applicable source specific category in this rule.

This project is subject to the requirements of Chapter 84-446, Laws of Florida and Chapters 1-1.07, Paragraph 2 and 1-3.52, Paragraph 2, Rules of the Environmental Protection Commission of Hillsborough County.

III. Summary of Emissions

Emission Unit (EU)	Regulated Parameter	Current Actual (tons/yr) [a]	PTE (tons/yr) [b]	Allowable Limits
002 –Tanks & Truck Loading	PM	0.6	0.6	
	VOC	19.4	26.2	
	VE			5% Opacity [c]
003 – Asphalt Emulsion Tanks	PM	4.3	4.3	
	VOC	14.6	19.6	
	VE			5% Opacity [c]
004 – Natural Gas Heaters	PM	0.03	0.9	
	VOC	0.02	0.7	
	NOx	0.37	12.3	
	SOx	0.0	0.1	
	CO	0.31	10.3	
	VE			20% Opacity
TOTAL [d]	**VOC**	**19.5**	**26.9**	
	PM	**4.4**	**5.3**	

a. The Current Actual emissions are based on CY2009 production of 72,775 tons of paving asphalt and a total natural gas consumed estimated at 74,687 therms.
b. The PTE are based on annual production of 98,000 tons of paving asphalt and a total natural gas heat input of 28 MMBtu/hr.
c. EUs 002 and 003 are subject to Rule 62-296.711, F.A.C., PM RACT for Material Handling Operations.
d. Total emissions are the summation of EU004 and the worst case emissions for either EU002 or EU003.

IV. Conclusions

The revisions proposed by the applicant will meet all of the requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C., and Chapter 1-3, Rules of the Environmental Protection Commission.

The General and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

V. Proposed Agency Action

Pursuant to Section 403.087, Florida Statutes and Rule 62-4.070, Florida Administrative Code the Environmental Protection Commission of Hillsborough County hereby gives notice of its intent to issue an Air Construction Permit for the construction of two (2) new heated asphalt blending and storage tanks, a 10 MMBtu/hr hot oil heater, and to modify the Air-Clear ™ Fiber-Bed Mist Collection system to control a total of 17 asphaltic material tanks.

COMMISSION
Kevin Beckner – Chairman
Lesley "Les" Miller – Vice Chairman
Victor Crist
Ken Hagan
Al Higginbotham
Sandy Murman
Mark Sharpe

Roger P. Stewart Center
3629 Queen Palm Dr. Tampa, FL 33619
Ph: (813) 627-2600

Fax Numbers (813):

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Lab	635-8061		

Executive Director
Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Dear Mr. Sison:

Re: Hillsborough County - AP

Enclosed is Permit Number 0570461-018-AC to construct two (2) new heated asphalt blending and storage tanks, T10 and T11, revise air construction Permit No. 0570461-017-AC to increase the heat input for the new hot oil heater to 10 MMBtu/hr, remove the natural gas-fired tank heaters from tanks T8 and T9, and modify the Air-Clear ™ Fiber-Bed Mist Collection system to control 17 asphaltic material tanks, issued pursuant to Section 403.087, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit 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 EPC in the Legal Department at 3629 Queen Palm Dr., Tampa, FL 33619; 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 this Notice is filed with the clerk of the EPC.

Executed in Tampa, Florida.

Sincerely, DRAFT

Richard D. Garrity, Ph.D.
Executive Director

cc: Florida Department of Environmental Protection

CERTIFICATE OF SERVICE

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

Clerk Stamp

FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated clerk, receipt of which is hereby acknowledged.

DRAFT

_____ _____

Clerk Date

COMMISSION
Kevin Beckner – Chairman
Lesley "Les" Miller – Vice Chairman
Victor Crist
Ken Hagan
Al Higginbotham
Sandy Murman
Mark Sharpe

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Executive Director
Richard D. Garrity, Ph.D.

PERMITTEE:

Blacklidge Emulsions, Inc. – Tampa Plant #3
2701 East 2nd Avenue
Tampa, Florida 33605

DRAFT

PERMIT/CERTIFICATION

Permit No.: 0570461-018-AC
County: Hillsborough
Expiration Date: November 30, 2011
Project: Polymer Modified Asphalt Tanks

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-204, 62-210, 62-212, 62-213, 62-296, 62-297, and Chapter 62-4. 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 Environmental Protection Commission (EPC) of Hillsborough County and made a part hereof and specifically described as follows:

This permit authorizes the construction of two (2) new 40,000 gallon, fixed-roof, heated asphalt blending and storage tanks, T10 and T11, revise air construction Permit No. 0570461-017-AC to increase the heat input for the new hot oil heater to 10 MMBtu/hr, remove the natural gas-fired tank heaters from tanks T8 and T9, and modify the Air-Clear ™ Fiber-Bed Mist Collection system to control a total of 17 asphaltic material tanks. This project is a modification of Emission Unit 002 - Tanks and Truck Loading and Emission Unit 004 - Natural Gas Heaters.

Blacklidge Emulsions, Inc., Plant #3 is an asphalt blending and mixing facility that produces paving asphalt products. The facility receives liquid asphalt cement and "off-spec" or unusable paving asphalt by tank truck and stores the asphaltic material in holding tanks, mixing tanks, or "cook-off" tanks. Tanks, T1, T2 and T3 are the "cook-off" tanks, T4, T5 and T6 are for mixing and storage of RA, and T8 through T11 will be for mixing and storage of polymer modified asphalt. The 8,000 gallon tank, T7, will hold flux oil used to mix with RA. The loading and unloading of flux oil from T7 is exempt pursuant to Rule 62-210.300(3)(b)(1), F.A.C., as a Generic Activity Exemption.

The particulate matter and volatile organic compounds emitted from the heated asphalt cook-off, mixing and holding tanks are controlled by the Air-Clear ™ Fiber-Bed Mist Collection system and Carbon Adsorber Unit. An induced-draft fan located downstream of the carbon adsorber provides sufficient air flow through the air pollution and odor control system to evacuate the headspace of all heated asphalt tanks during tank loading or unloading, mixing and blending, and maintain negative pressures within the tank when the tank hatch is opened to add polymer, aggregate or any other additives to manufacture paving asphalt products.

This air construction permit also authorizes the construction of a 10.0 MMBtu/hr, natural gas-fired hot oil heater manufactured by GENCOR Industries, Model HYCGO-200 to provide auxiliary heat to tanks, T8 through T11. The facility will not install natural gas burners on tanks T8 and T9 as previously authorized

by Permit No. 0570461-017-AC, instead Blacklidge Emulsions will increase the heat input for the hot oil heater from 2 to 10 MMBtu/hr. As a result, the total heat input for all natural gas burners at the facility will remain at 28 MMBtu/hr. These operations will be conducted according to the specified emission limitations and work practice standards stipulated in the specific conditions of this permit in order to control particulate matter and volatile organic compound emissions.

Facility Information Summary

Location: 2701 East 2nd Avenue, Tampa, Hillsborough County

Facility UTM Coordinates: 17-359.5 E 3093.2 N

Latitude: 27°57'24.0" **Longitude:** 82°26'47"

Facility ID No.: 0570461

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EU ID#	Description	Capacity
002 – Tanks and Truck Loading	Raw Asphalt Storage tank (H1)	25,000 gallons
	Raw Asphalt Storage tank (H2)	25,000 gallons
	Raw/Product Asphalt Storage tank (H3)	25,000 gallons
	Product Asphalt Storage tank (H4)	25,000 gallons
	Product Asphalt Storage tank (H5)	25,000 gallons
	"Cook-off" Tank (T1)	5,000 gallons
	"Cook-off" Tank (T2)	5,000 gallons
	"Cook-off" Tank (T3)	10,000 gallons
	Recycled Asphalt Tank (T4)	15,000 gallons
	Recycled Asphalt Tank (T5)	15,000 gallons
	Recycled Asphalt Tank (T6)	18,000 gallons
	Polymer Mix Tank (T8)	30,000 gallons
	Polymer Mix Tank (T9)	30,000 gallons
	Polymer Mix Tank (P1)	25,000 gallons
	Polymer Mix Tank (P2)	25,000 gallons
	Polymer Mix Tank (T10) - new	40,000 gallons
	Polymer Mix Tank (T11) - new	40,000 gallons
	Asphalt Product Truck Loading	
003 – Asphalt Emulsion Tanks	Asphalt Emulsion Tank (E1)	13,500 gallons
	Asphalt Emulsion Tank (E2)	13,500 gallons
	Asphalt Emulsion Tank (E3)	29,000 gallons
	Asphalt Emulsion Tank (E4)	29,000 gallons
004 – Natural Gas Heaters	H1 Natural Gas-fired Tank Heater	1 MMBtu/hr
	H2 Natural Gas-fired Tank Heater	1 MMBtu/hr
	H3 Natural Gas-fired Tank Heater	1 MMBtu/hr
	H4 Natural Gas-fired Tank Heater	1 MMBtu/hr
	H5 Natural Gas-fired Tank Heater	1 MMBtu/hr
	T1 Natural Gas-fired Tank Heater	1 MMBtu/hr
	T2 Natural Gas-fired Tank Heater	1 MMBtu/hr
	T3 Natural Gas-fired Tank Heater	2 MMBtu/hr
	T4 Natural Gas-fired Tank Heater	2 MMBtu/hr
	T5 Natural Gas-fired Tank Heater	2 MMBtu/hr
	T6 Natural Gas-fired Tank Heater	1 MMBtu/hr
	P1 Natural Gas-fired Tank Heater	2 MMBtu/hr

EU ID#	Description	Capacity
	P2 Natural Gas-fired Tank Heater	2 MMBtu/hr
	GENCOR Hot Oil Heater	10 MMBtu/hr

Note: *Please reference Permit No. and Emission unit ID No. in all correspondence, test report submittals, applications, etc.*

Permit History: 0570461-012-AO, -013-AC, -015-AC, -016-AF, -017-AC

Attachments to This Permit:

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Attachment A – General Conditions
Attachment B – Air-Clear ™ O&M Manual
Attachment C – Carbon Adsorber OM&M Plan (*Draft*)

SPECIFIC CONDITIONS:

1. General Conditions. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]

2. Applicable Requirements. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]

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3. Rules of the EPC. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]

4. Chapter 84-446, Laws of Florida. The use of property, facilities, equipment, processes, products, or compounds, or any other act that causes or materially contributes to a public nuisance is prohibited, pursuant to the Hillsborough County Environmental Protection Act, Section 16, Chapter 84-446, Laws of Florida, as Amended.

Operation and Emission Limitations

5. Hours of Operation. The facility is permitted to operate continuously; 8,760 hours per consecutive 12 month period. [Rule 62-210.200 (Potential to Emit), F.A.C.]

6. Production Limitation. In order to establish this facility as a Synthetic Non-Title V Source, and as requested by the permittee, the facility shall not produce more than 98,000 tons of paving asphalt product in any consecutive 12 month period. [Rule 62-4.070(3), F.A.C., and Construction Application received June 16, 2010]

7. Operational Limitations. In order to establish this facility as a Synthetic Non-Title V Source, the facility operations shall be limited as follows:

A. The temperature of the asphalt material mixing and storage tanks shall not exceed 375 °F;

B. Only asphalt cement shall be used. The use of lower boiling asphalt cement or cutback asphalt without prior approval by the EPC is prohibited;

C. The tank heaters for Tanks T1, T2, T6, H1, H2, H3, H4, and H5 shall be fired by natural gas with a maximum heat input of 1 MMBTU/hour per tank;

D. The tank heaters for Tanks P1, P2, T3, T4, and T5 shall be fired by natural gas with a maximum heat input of 2 MMBTU/hour per tank;

E. The GENCOR Hot Oil Heater shall only be fired by natural gas with a maximum heat input of 10 MMBtu/hour.

[Rules 62-4.070(3), F.A.C. and Construction Application received June 16, 2010]

8. Visible Emissions (VE). The maximum allowable visible emissions from the Tank & Truck Loading activities (EU002) shall not be equal to or greater than 5% opacity. These activities include the

SPECIFIC CONDITIONS:

loading of additive material (e.g. polymer) into a mixing tank through the tank hatch or lid. The maximum allowable visible emissions from the natural gas-fired tank heaters and GENCOR Hot Oil Heater (EU004) shall not be equal to or greater than 20% opacity.

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Emission Unit	Emission Point	Description	VE Limit (% opacity)
002	n/a	Tanks and Truck Loading (vented through single control device)	5
004	n/a	Natural Gas Heaters (each heater)	20

[Rules 62-296.711 and 62-296.320, F.A.C., and Chapter 1-3.52, Rules of the Environmental Protection Commission of Hillsborough County (EPC)]

9. VE & Odor Control System. The facility shall maintain the system to control visible emissions and odors from EU002. The system shall be configured with the following specifications:

A. An Air-Clear ™ fiber-bed mist collection system with a maximum exhaust flow of 2,600 acfm;

B. As recommended by the manufacturer, the inlet temperature of the Air-Clear ™ system shall be in the range of 120° - 140° Fahrenheit (F). In addition, since the cooling of the exhaust prior to the Air-Clear ™ system is imperative in effectively collecting the submicron particulates that cause opacity, the permittee shall make all attempts to have the exhaust be on the lower side of the temperature range;

C. The facility shall install, calibrate, operate, and maintain an inlet thermometer and inlet temperature chart recorder in degrees Fahrenheit for the Air-Clear ™ fiber-bed mist collection system;

D. The facility shall install, calibrate, operate, and maintain a pressure drop measuring device in inches of water across the main fiber-bed diffusion filters of the Air-Clear ™ system. As recommended by the manufacturer, the pressure drop of the main fiber-bed filters shall be in the range of 0 – 3 inches water gauge (w.g.) with clean filters;

E. The facility shall install, calibrate, operate, and maintain a velocity pressure gauge at the inlet of the Air-Clear ™ fiber-bed mist collection system that is integrated with the variable frequency drive fan to verify adequate air flow through the system. As indicated in the Air-Clear ™ O&M Manual (Attachment B), the normal operating range should fall between 1" and 4" w.g.;

F. Prior to each instance of the addition of polymer additive to the polymer mix tanks, the facility shall verify adequate air flow as measured by the velocity pressure gauge;

G. A complete spare filter set (enough to replace all the filters in the unit) for the Air-Clear ™ system shall be kept onsite;

H. A Vapor Phase Carbon Adsorber Unit containing at least 1,600 pounds of activated carbon and designed for an airflow of up to 4,000 acfm shall be connected to the exhaust of the Air-Clear ™ fiber-bed mist collection system;

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I. The Carbon Adsorber Unit shall be monitored and maintained as prescribed in the Carbon Adsorber OM&M Plan (Attachment C) to maintain the efficiency of the odor control system;

J. As per manufacture's recommendation, the facility shall measure the inlet and outlet temperature of the Carbon Adsorber Unit immediately upon installation of a new carbon canister and monitor the outlet temperature every four (4) hours for the first twenty-four (24) hours of operation.

[Rule 62-4.070(3), F.A.C., Permit No. 0570461-015-AC, Construction Application received June 16, 2010, and Carbon Adsorber and Air Clear ™ O&M Manuals]

10. Volatile Organic Compounds (VOC)/Organic Solvents (OS). No person shall store, pump, handle, process, load, unload, or use in any process or installation any VOC/OS without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Environmental Protection Commission of Hillsborough County. The following procedures shall be utilized to minimize pollutant emissions:

A. Maintain covers, lids, etc., on all containers of VOC/OS when they are not being handled, tapped, etc.

B. Prevent excessive air turbulence across exposed VOC/OS.

C. Where possible and practical, procure/fabricate a tightly fitting cover for any open trough, basin, bath, etc., of VOC/OS so that it can be covered when not in use.

D. All fittings, valve lines, etc., shall be properly maintained.

E. All VOC/OS spills shall be attended to in a timely manner and the waste properly disposed of, recycled, etc.

[Rule 62-296.320(1), F.A.C.]

11. Air Pollution Control Device OM&M Plan. Within 90 days of issuance of this air construction permit, the permittee shall submit a combined operation, monitoring and maintenance plan for the Air-Clear ™ Fiber-Bed Mist Collection System and Carbtrol® Carbon Adsorber Unit. The plan shall address the following deficiencies in the draft Carbon Adsorber Unit OM&M Plan received on July 28, 2010, in addition to any changes to the operation and maintenance of the Air-Clear ™ Fiber-Bed Mist Collection System required by this permit:

A. In the description of the odor control equipment, clarify that the carbon adsorber unit operates under negative pressure and revise the statement identifying the "Design pressure as 3 psi" (under the paragraph for ADSORBER DESIGN PARAMETERS);

B. Include a description of the method and instrumentation to monitor any increase in effluent gas temperature as it passes through the carbon adsorber unit during the first 24-hours after installation of a new unit;

C. Describe corrective actions for system malfunctions and excursions outside the normal operating range for each monitoring parameter.

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

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12. Objectionable Odor. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. During tank loading/loadout and tank to tank/blending operations, a representative of Blacklidge Emulsions shall daily monitor the downwind property boundary for odors. If objectionable odors are noted, the operation(s) shall be curtailed or halted. If the Environmental Protection Commission of Hillsborough County receives odor complaints attributed to this facility and they are determined to be a nuisance, the permittee will need to evaluate their operations and propose corrective actions that may include installing additional odor control measures for this facility. [Rules 62-4.070(3), 62-296.320, F.A.C., and Chapter 1-3.22, Paragraph 3, Rules of the EPC.]

13. Reasonable Precautions for Particulate Matter. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provision in Rule 62-296.320, F.A.C. These provisions are applicable to any source, including, but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions shall include, but not limited to, the following:

A. Maintenance of parking areas and yards. Use water or dust suppressants, if necessary;

B. Removal of particulate matter from paved areas and work areas under the control of the owner/operator;

C. Monitor each tank loading operation, including the loading of aggregate, polymer or any other additive, and observe the associated equipment and stack for visible emissions;

D. Curtail or halt operation if visible emissions are noted.

[Rule 62-296.320, F.A.C.]

14. Circumvention. The permittee shall not circumvent any air pollution control device, or allow the emissions of air pollutants without the applicable air pollution control device operating properly. [Rules 62-4.070(3), and 62-210.650, F.A.C.]

15. Excess Emissions (Poor Maintenance/Operation, Equipment/Process Failure). Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. The pollution control equipment (odor control system, baghouse and associated pneumatic equipment) shall be maintained in good repair to perform adequately the function for which it was intended. The permittee shall lower the temperature in the tanks as necessary to comply with the limitations in Specific Condition Nos. 7 and 9. Maintenance shall include, but is not limited to, monthly inspections and repair or replacement of faulty equipment when necessary. [Rules 62-4.070(3), 62-210.700(4), and 62-210.700(5), F.A.C.]

SPECIFIC CONDITIONS:

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Testing and Compliance Requirements

16. Initial Compliance Test. In order to demonstrate compliance with Specific Condition No. 8, the permittee will perform visible emission (VE) tests for Emission Unit 002, Tanks & Truck Loading and Emission Unit 004, Natural Gas Heaters. VE test on the carbon absorber exhaust stack shall be conducted within thirty (30) days of the start-up of all new tanks controlled by the Air-Clear ™ fiber-bed mist collection system. The VE test on EU 004 shall be performed on the hot oil heater within thirty (30) days of start-up. [Rules 62-297.310(7)(a), F.A.C. and Chapter 1-3.50, Rules of the EPC]

17. Annual Compliance Testing. Test emission units 002 and 004 for visible emissions annually, during each federal fiscal year (October 1 through September 30). Concurrently, with the VE test for EU 002, perform an odor evaluation (test team's opinion whether objectionable odors are being emitted from the facility). The odor evaluation shall be conducted during normal tank loading/loadout and tank to tank/blending operations. The odor evaluation report shall include the names of the odor evaluation team members, date, time, wind direction, observation, tank loading/loadout and tank to tank/blending operations taking place at the time, and any corrective action taken. [Rule 62-297.310(4)(a)2 and (8), F.A.C.]

18. Testing Requirements. Visible emissions opacity shall be tested by a certified observer in accordance with EPA Method 9 for a minimum of thirty (30) minutes and shall include the period during which the highest opacity emissions can reasonably be expected to occur. [Rules 62-297.310(4)(a)2, and 62-297.401(9)(c) F.A.C., and Chapter 1-3.50, Rules of the EPC]

19. Compliance Test Notification. The permittee shall notify the Air Compliance Section of the EPC 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. [Rule 62-297.310(7)(a)(9), F.A.C.]

20. Test Report Submittal. The permittee will submit two (2) copies of the compliance test report required by this permit to the Air Compliance Section of the EPC within forty-five (45) days after the test is complete. The test report shall contain sufficient detail on the source tested and the test procedures used to allow the EPC to determine if the test was properly conducted and the test results properly computed. [Rule 62-297.310(8), F.A.C.]

21. Special Compliance Testing. When the Environmental Protection Commission of Hillsborough County (EPC) 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 Rules 62-204, 62-210, 62-212, 62-296, or 62-297, F.A.C., or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the source to conduct compliance tests which identify the nature and quantity of pollutant emissions from the source and to provide a report on the results of said tests to the EPC. [Rule 62-297.310(7)(b), F.A.C.]

Monitoring and Recordkeeping Requirements

22. Records. The permittee shall maintain a monthly log of the operation. The log shall include, at a minimum, the following items and be kept for a minimum of three (3) years and made available for

SPECIFIC CONDITIONS:

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inspection to representatives of the Environmental Protection Commission of Hillsborough County upon request.

A. Daily amount of hot asphalt cement received, in tons, and the AC grade of the asphalt;

B. Daily maximum temperature of each blended batch (RA asphalt, polymer modified asphalt, and emulsified asphalt) of paving asphalt product;

C. Total weight of emulsified asphalt produced, in short tons, on a monthly basis and the rolling total for the previous consecutive 12 month period;

D. Total weight of <u>all</u> paving asphalt produced, in short tons, on a monthly basis and the rolling total for the previous consecutive 12 month period;

E. Copies of the inlet temperature charts to the Air-Clear ™ system as required in Specific Condition No. 9.C.;

F. Daily pressure drop, in inches of water, of the main fiber-bed diffusion filters for the Air-Clear ™ system when unloading, transferring, mixing, or loading occurs.

G. Daily velocity pressure gauge reading for the Air-Clear ™ system when unloading, transferring, mixing, or loading occurs;

H. Record the inlet and outlet temperature of the effluent gas upon installation of a new carbon canister and hourly for the subsequent 24-hours of operation as required in Specific Condition 9.J.;

I. Record the date and time of any instance that the effluent gas temperature in the carbon adsorber unit increases by 50 °F or more, and the corrective actions taken;

J. Record of odor monitoring downwind of property that shall include date, time, wind direction, observation, tank loading/loadout, tank to tank/blending operations taking place at the time, operator initials, and any corrective actions taken;

K. Routine maintenance/repair performed on the Air-Clear ™ system, including the carbon adsorber unit.

[Rule 62-4.070(3) and 62-4.160(14)(b), F.A.C. and Construction Permit Application received on June 16, 2010]

23. Annual Reporting. The permittee shall submit to the Environmental Protection Commission of Hillsborough County, by April 1st of each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. [Rule 62-210.370(3), F.A.C.]

<u>Permit Applications and Transfers</u>

24. Operation Permit Application. A complete application for an air operation permit shall be submitted to the Environmental Protection Commission of Hillsborough County within 60 days of the date the initial compliance test required in Specific Condition No. 16 is completed. To properly apply for an operation permit, the applicant shall submit the following:

SPECIFIC CONDITIONS:

A. The appropriate Department application form [see Rule 62-210.900, F.A.C. (Forms and Instructions)];

B. The appropriate operation permit application fee(s);

C. Copies of the records specified in Specific Condition No. 22 for the most recent three (3) months of operation.

[Rules 62-4.070(3), 62-4.090, 62-210.300(2), and 62-210.900, F.A.C.]

25. Transfer of Ownership. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Permit" (DEP Form 62-210.900(7)) shall be submitted, in duplicate, to the Environmental Protection Commission of Hillsborough County within 30 days after the sale or legal transfer of the permitted facility. [Rule 62-4.120, F.A.C.]

26. Modifications. The permittee shall provide timely notification to the Environmental Protection Commission of Hillsborough County prior to implementing any changes that may result in a modification to this permit pursuant to Rule 62-210.200, F.A.C., Modification. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation:

A. Alteration or replacement of any equipment or major component of such equipment;

B. Installation or addition of any equipment which is a source of air pollution.

Note: Items A and B are not applicable to routine maintenance, repair, or replacement of component parts of an air emissions unit. [Rules 62-210.300 and 62-4.070(3), F.A.C.]

27. Modification for Permit Extension. The permittee may request that this permit be extended as a modification of the permit. Such a request must be submitted to the EPC in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. An extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. [Rule 62-4.080(3), F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

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Richard D. Garrity, Ph.D.
Executive Director

ATTACHMENT - GENERAL CONDITIONS

(1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

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(2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

(3) As provided in subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.

(4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

(5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

(6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

(7) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

(a) Have access to and copy any records that must be kept under conditions of 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 Department rules. Reasonable time may depend on the nature of the concern being investigated.

(8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

(a) A description of and cause of noncompliance; and
(b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is

expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

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(9) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is
consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

(10) The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

(11) This permit is transferable only upon Department approval in accordance with Rules 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 is approved by the Department.

(12) This permit or a copy thereof shall be kept at the work site of the permitted activity.

(13) This permit also constitutes:

( ) Determination of Best Available Control Technology (BACT)
( ) Determination of Prevention of Significant Deterioration (PSD)
( ) Compliance with New Source Performance Standards

(14) The permittee shall comply with the following:

(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

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(b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring 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 Department rule.

(c) Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The person responsible for performing the sampling or measurements;
3. The dates analyses were performed;
4. The person responsible for performing the analyses;
5. The analytical techniques or methods used;
6. The results of such analyses.

(15) When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.