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.: 0571289-005-AC
County: Hillsborough

Michael Walbridge, VP of Finance
Trademark Metals Recycling, LLC
400 North Ashley Drive, Suite 1300
Tampa, Florida 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, Trademark Metal Recycling, LLC, applied on September 2, 2010 to the EPC for a modification to Permit No. 0571289-004-AO for the construction of an Advanced Metal Separation system located at 5220 Dover Street, Tampa, Florida. This scrap metal processing operation will be conducted according to the specified work practice standards and reasonable precautions to control unconfined particulate matter emissions stipulated in the specific conditions of this permit.

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: Steven C. Cullen, P.E., Koogler & Associates, Inc. (e-mail)

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 _____ 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.

_____ _____

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 0571289-005-AC to Trademark Metals Recycling, LLC. – Sutton Scrap Metal Processing Facility, to construct an Advanced Metal Separation system that will recover metal from automobile shredder fluff. This operation will be conducted according to specified work practice standards, and the use of water and reasonable precautions to control unconfined particulate matter emissions. The facility, which is a minor source of particulate matter emissions, is located at 5220 Dover Street, Tampa, Florida, 33619.

MAILING ADDRESS: TMR – Sutton Scrap Metal Processing, 5220 Dover Street, Tampa, Florida, 33619, to the attention of Mr. Mark A. Mantooth.

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

TMR – Sutton Scrap Metal Processing Facility

Air Construction Permit

Application Number

0571289-005-AC

Environmental Protection Commission of

Hillsborough County

Tampa, Florida

November 23, 2010

I. Project Description

a) Applicant:

Trademark Metals Recycling, LLC
400 North Ashley Drive, Suite 1300
Tampa, Florida 33605

b) Engineer:

Steven C. Cullen, P.E.
Registration No. 45188
Koogler & Associates, Inc.
4014 NW 13th Street
Gainesville, Florida 32609

c) Project and Location:

This project is to authorize the construction of an Advanced Metal Separation system for ferrous and non-ferrous scrap metal material. The project has been assigned the following NEDS Source Classification Code (SCC):

3-14-011-01 (Auto Body Shredding, Primary Metal Recovery Line)

The primary business at this facility is identified by the Standard Industrial Classification (SIC) for Wholesale Trade – durable goods, 5093, Recyclable Materials (NAICS 421930).

The project is located at 5220 Dover Street, Tampa, Hillsborough County, Florida; at longitude 82° 23' 56" W, latitude 27° 53' 45" N.

d) Process and Controls:

The TMR – Sutton Scrap Metal Processing Facility receives ferrous and non-ferrous scrap metal by truck and from the general public. The heavy scrap iron is cut to size by a hydraulic shear or oxy-fuel torch and the light scrap iron and non-ferrous metal are compacted and baled, respectively. The processed metals are loaded into railcars or trucks for shipment off-site.

On September 2, 2010, TMR – Sutton submitted an air construction permit application to construct an Advanced Metal Separation (AMS) system that will recover metal from automobile shredder fluff. The fluff material from auto-shredding facilities, like the TMR – Port facility, arrives with high moisture content due to the damp shredding process. The AMS system will transfer the material through of a series of belt conveyors and will use compressed air blasts to separate the metals from the lighter textile waste material. The separation equipment will be housed inside an existing,

partially enclosed building that has a roof and three walls. All material storage bins that will constructed for this project will also be partially enclosed with a roof and three walls to minimize unconfined particulate matter emissions.

The AMS conveyor belts are manufactured by the Wendt Corporation and are capable of operating at various speeds. However, the faster the conveyors run, the less efficient the system is in recovering metal from the auto-shredder fluff material. Therefore, the maximum process rate of 20 TPH is based on the most economical operation of a similar system run by TMR's parent company, the David J. Joseph Company, at a facility in Utah. If operated continuously, the maximum annual throughput would be 175,200 tons of auto-shredder fluff material per year.

In the application, the facility submitted PM emissions estimates based on an emission factor of 0.04 lb/ton of raw material handled from the AP-42 background document, "Final Report on Screening Study on Cupolas and Electric Furnaces in Gray Iron Foundries", J.A. Davis, et al, August 15, 1975. However, as stated during the review of the air operation permit renewal for Permit No. 0571289-004-AO, the background document further clarifies in Table III-2 that a settling factor of 80% is applied to the PM emissions from raw material handling to result in an emission factor of 0.04 lb/ton. In order to estimate the worst case emissions from the operation of an AMS system at TMR – Sutton, the 80% settling factor is not applied. Instead, the PTE calculations for PM include a control efficiency of 70% for partial building enclosures as referenced by the "Air Pollution Engineering Manual, Second Edition", Chapter 15 - Coal Processing, Table 4, p. 694, also an additional 50% control for the material being wet, and an emission factor of 0.1 lb PM per ton of scrap material processed that was determined by EPC staff in June 2009. As a result, the PTE for PM from the proposed AMS system is estimated to be 16.7 TPY.

The PM emissions will be controlled by the partial enclosure of the process building and storage bins, and by implementing the reasonable precautions specified in the air construction permit. Since the facility is subject to the PM RACT standard, visible emissions from AMS operations will be limited to the 5% opacity standard pursuant to Rule 62-296.711(2), F.A.C.

For this project, TMR – Sutton is not requesting any increase in the facility-wide material throughput limit of 500,000 tons per year. The amount of auto-shredder fluff processed will be included in this annual facility-wide limit. Therefore the facility-wide PTE for PM will remain 46 TPY.

e) Application Information:

Received on: September 2, 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 minor source with respect to Title V.

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 and visible emissions.

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 the area of influence of 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	Actual Emissions (tons/yr)	Potential Emissions (tons/yr)	Change in Emissions (tons/yr)	Allowable Limits
Advanced Metal Separation	PM	-	16.7	16.7	
	VE	-	-	-	5%
Facility-wide PTE	**PM**	**-**	**46.0**	**0**	**-**

(a) Potential PM emissions from the AMS system are based on an annual limit of 175,200 tons of auto-shredder fluff processed and fourteen (14) handling operations. Since the feed material is wet, a control efficiency of 50% is applied and an additional control efficiency of 70% is applied for partial building enclosure.

IV. Conclusions

The emission limits 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 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 an Advanced Metal Separation system at the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).

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.

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

NOTICE OF PERMIT

DRAFT

Mr. Michael Walbridge, VP of Finance
Trademark Metals Recycling, LLC
400 North Ashley Drive, Suite 1300
Tampa, Florida 33602

Re: Hillsborough County - AP

Dear Mr. Walbridge:

Enclosed is draft Permit Number 0571289-005-AC for the construction of an Advanced Metal Separation system at the TMR – Sutton Scrap Metal Processing Facility, 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 Drive, Tampa, Florida, 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

Attachment

cc: Florida Department of Environmental Protection, Southwest District (e-mail)
Steven C. Cullen, P.E., Koogler & Associates, Inc. (e-mail)

DRAFT

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.

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.

_____ _____

Clerk Date

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.

DRAFT

PERMITTEE:

TMR – Sutton Scrap Metal Processing
5220 Dover Street
Tampa, Florida 33619

PERMIT/CERTIFICATION

Permit No.: 0571289-005-AC
Expiration Date: April 30, 2012
County: Hillsborough
Project: Advanced Metal Separation System

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 62-297, and 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 EPC and made a part hereof and specifically described as follows:

This permit authorizes the construction of an Advanced Metal Separation (AMS) system that will recover metal from automobile shredder fluff. The TMR – Sutton Scrap Metal Processing Facility receives ferrous and non-ferrous scrap metal by truck and from the general public. The heavy scrap iron is cut to size by a hydraulic shear or oxy-fuel torch and the light scrap iron and non-ferrous metal are compacted and baled, respectively. The processed metals are loaded into railcars or trucks for shipment off-site.

The AMS system will transfer the material through of a series of belt conveyors and will use compressed air blasts to separate the metals from the lighter textile waste material. The separation equipment will be housed inside an existing, partially enclosed building that has a roof and three walls. All material storage bins that will be constructed for this project will also be partially enclosed with a roof and three walls to minimize unconfined particulate matter emissions.

Visible emissions from AMS operations will be limited to the 5% opacity PM RACT standard pursuant to Rule 62-296.711(2), F.A.C.

Facility Information Summary

Location:	5220 Dover Street, Tampa, Hillsborough County		
UTM Coordinates:	17- 362.31 E, 3086.53 N		
Latitude:	27° 53' 45" N	**Longitude:**	82° 23' 56" W
Facility ID No.:	0571289		
Emission Unit ID No.:	006 – Advanced Metal Separation EP01 - AMS Conveyor Transfer Points & Separation Equipment EP02 - Storage Bins		

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.]

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 the AMS system continuously; 8,760 hours per consecutive 12 month period. [Rule 62-210.200 (Potential to Emit), F.A.C, and Air Permit Application received on September 2, 2010]

6. Process & Production. As requested by the permittee, the facility shall not unload and process more than 500,000 tons of scrap metal in any consecutive 12-month period, which includes 175,200 tons of auto-shredder fluff for the AMS system, in any consecutive 12-month period. [Rule 62-4.070(3), F.A.C., and Air Permit Application received September 2, 2010]

7. Visible Emissions (VE). Visible emissions from all the scrap metal processing activities, including the AMS operations, shall not exceed 5% opacity. [Rules 62-296.711, F.A.C., and Chapter 1-3.52, Rules of the Environmental Protection Commission of Hillsborough County.]

8. Open Burning. Open burning is prohibited unless it is specifically authorized by a separate open burn permit issued by the EPC pursuant to Rule 62-296.320(3), F.A.C.

9. 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. [Rules 62 210.200 (Definitions) and 62-296.320(2), F.A.C.]

10. Control of Unconfined PM. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions 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,

DRAFT

SPECIFIC CONDITIONS:

or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions shall include, but not be limited to, the following:

A) Crane & loader operators shall release the material within the confines of the truck or railcar and place materials onto the storage piles, to the extent practicable;

B) Post signage to limit vehicle speeds to 10 mph in unpaved areas and 15 mph in paved areas of the facility.

C) Wet roadways and unpaved areas as necessary to prevent excessive fugitive emissions. Paved areas shall be kept free of dirt and or debris by sweeping or vacuuming (no blowers permitted). If paved areas are not kept free of dirt and debris, they shall be maintained wet to the extent necessary to prevent excessive fugitive emissions.

D) Control equipment (spray nozzles, fire extinguishers, shovels, rakes, etc.) shall be properly maintained to perform its designed function.

E) Water will be sprayed on piles of scrap that when moved produce visible emissions greater than 5% opacity. This water will be applied prior to transferring, lifting, or dropping inherently dusty scrap.

F) Remove oils, lubricants, and other combustible material from scrap metal prior to commencing torch cutting operations.

G) Maintain a fire extinguisher, water hose(s) with nozzle(s), rakes and shovels to spread dirt, or other fire suppression equipment in a location immediately adjacent to all torch cutting activities and immediately extinguish any incidental fires created from the torch cutting operations;

H) Clear all combustible material away from close proximity to the torch cutting area.

[Rules 62-4.070(3) and 62-296.320, F.A.C.]

11. Accuracy of Equipment. The permittee shall maintain a truck scale to determine the amount of scrap metal received with an error of equal to or less than 10 percent. [Rule 62-297.310(5)(b), F.A.C.]

<u>Compliance Test Procedures, Methods and Requirements</u>

12. Initial Compliance Tests. In order to ensure compliance with Specific Condition No. 7, the permittee will perform visible emission (VE) tests on the emission points for the AMS system (EU006). VE tests will be conducted within 90 days of AMS system start-up operations. [Rules 62-297.310(7)(a), F.A.C. and Chapter 1-3.50, Rules of the EPC]

13. Testing Frequency. In order to demonstrate compliance with Specific Condition No. 7, the permittee shall perform a visible emission test annually, during each federal fiscal year (October 1 through September 30), with a target date established by the initial compliance test required in Specific Condition 12. [Rule 62-297.310(7)(a), and Chapter 1-3.50, Rules of the EPC]

14. Compliance Test Methods. Visible emission opacity shall be tested by a certified observer in accordance with EPA Method 9 for a minimum of thirty (30) minutes and shall be taken at the

DRAFT

point of highest opacity for each emission unit. The test observation period shall include the period during which the highest opacity can reasonably be expected to occur. The minimum requirements for stationary point source emissions test procedures and reporting shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A. [Rules 62-296.711(3)(a) and 62-297.310(4), 62-297.320, 62-297.401(9), F.A.C., and Chapter 1-3.50, Rules of the EPC]

15. Compliance Test Requirements. Testing of emissions for the Advanced Metal Separation System (EU006) shall be conducted with the source operating at capacity, 20 tons per hour. If it is impracticable to test at capacity, then the source may be tested at less than capacity; in this case subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than (15) fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. [Rules 62-4.070(3) and 62-297.310, F.A.C]

16. 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.]

17. 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 amount, in tons) of auto-shredder fluff processed during the test 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.]

18. 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.]

Recordkeeping, Emission Factors, and Reporting Requirements

19. Records. In order to demonstrate continuous compliance with Specific Condition No. 6, the permittee shall maintain records of the Advanced Metal Separation System operations.

The facility records shall include, but not be limited to, the following:

A) Day, Month, and Year of the data recorded;

B) The total weight of the auto-shredder fluff received, in short or metric tons (specified), on a monthly basis and the rolling total for the previous consecutive 12 month period;

[Rules 62-4.070(3), and 62-4.160(14)(b), F.A.C.]

DRAFT

SPECIFIC CONDITIONS:

20. Records Retention. All records shall be completed by the end of the following month, shall be maintained onsite and made available to the Environmental Protection Commission of Hillsborough County, state or federal air pollution agency upon request, and kept on file for at least three years from the date of measurement. [Rules 62-4.070(3), and 62-4.160(14)(b), F.A.C.]

Permit Applications and Transfers

21. Operation Permit Application. A complete application for an air operation permit shall be submitted to the Environmental Protection Commission of Hillsborough County within 90 days of the date of the initial compliance test required in Specific Condition 12 or 90 days prior to the expiration date of this permit, whichever occurs first. To properly apply for an operation permit amendment, the applicant shall submit the following:

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. 19 for the most recent three (3) months of operation. If the source has been operating for less than three (3) months, include records for the entire period.

D) Copy of the initial visible emissions compliance test as specified in Specific Condition No. 12.

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

22. 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.]

23. 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;

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

24. 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

SPECIFIC CONDITIONS:

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

DRAFT

_____

Richard D. Garrity, Ph.D.
Executive Director

ATTACHMENT A - 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.

DRAFT

(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:

DRAFT

(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.

(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.

DRAFT

(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.