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

NOTICE OF PERMIT

Eric Logsdon  
Director of Corporate Environmental  
The David J. Joseph Company  
300 Pike Street  
Cincinnati, Ohio 45202

Re: Hillsborough County - AP

Dear Mr. Logsdon:

Enclosed is Draft Permit Number 0571289-008-AC for the addition of a 40 HP electric belt loader to the existing facility loadout operation at the TMR – Sutton Metal 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,

Richard D. Garrity, Ph.D.  
Executive Director

cc: Tammy Reed – Koogler and Associates, Inc. (treed@kooglerassociates.com)

## CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on 5/11/15 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.

Patricia L. Lewis 5/11/15  
Clerk Date

FINAL DETERMINATION

for

Trademark Metals Recycling, LLC

TMR – Sutton Metal Facility

Air Construction Permit

Application Number

0571289-008-AC

Environmental Protection Commission of

Hillsborough County

Tampa, Florida

May 11, 2015

The Environmental Protection Commission of Hillsborough County mailed a public notice package on April 23, 2015 to Trademark Metals Recycling, LLC, TMR – Sutton Metal Facility located at 5220 Dover Street, Tampa, FL 33619.

The construction permit authorizes the facility to add a new piece of equipment to the exiting material loadout operation. The equipment will be an electric powered 40 HP belt loader manufactured by Hustler, which will load scrap metal into trucks, trailers or containers. The facility will use water sprays as dust suppression to minimize the emissions generated from the belt loader operation.

The Public Notice of Intent to Issue was published on April 26, 2015 in the Tampa Bay Times.

No comments were received since the Intent was published.

The final action of the Environmental Protection Commission of Hillsborough County is to issue the final permit.

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**PERMITTEE:**

Trademark Metals Recycling, LLC  
TMR – Sutton Metal Facility  
5220 Dover Street  
Tampa, Florida 33619

**PERMIT/CERTIFICATION**

**Permit No.:** 0571289-008-AC  
**Expiration Date:** April 30, 2016  
**County:** Hillsborough  
**Project:** 40 HP Electric Belt Loader

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 facility to add a new piece of equipment to the exiting material loadout operation. The equipment will be an electric powered 40 HP belt loader manufactured by Hustler, which will load scrap metal into trucks, trailers or containers. The facility will use water sprays as dust suppression to minimize the emissions generated from the belt loader operation.

TMR Sutton Scrap Metal operates a scrap metal processing facility. Post-consumer, scrap metal products and heavy scrap iron are brought to the facility by contracted vendors and the general public to be processed for recycling. The operation at the facility includes a hydraulic shear, a material compacting bailer, a material compacting logger, the Advanced Metal Separation (AMS) system. All processed scrap metal is either loaded into containers, trucks or railcars for transport off-site.

The facility is subject to PM RACT and the VE standard of 5% opacity in accordance with Rule 62-296.711, F.A.C., and Chapter 1-3.52, Rules of the EPC. Visible emissions from the belt loader operation will be limited to 5% opacity.

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.: 007 – 40 HP Electric Truck/Trailer/Container Belt Loader

*An agency with values of environmental stewardship, fairness, and cooperation*

**Roger P. Stewart Center**

**3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - [www.epchc.org](http://www.epchc.org)** Page 1 of 5

*An Affirmative Action / Equal Opportunity Employer*



SPECIFIC CONDITIONS:

1. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]
2. 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. 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. 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.
5. The facility is permitted to operate the belt loader (EU 007) continuously; 8,760 hours per consecutive 12 month period. [Rule 62-210.200 (Potential to Emit), F.A.C, and Air Permit Application submitted on March 17, 2015]
6. As requested by the permittee, the facility shall not use the belt loader (EU 007) to load more than 10,000 tons of scrap metals into truck/trailer/container in any consecutive 12-month period. [Rule 62-4.070(3), F.A.C., and Air Permit Application submitted on March 17, 2015]
7. Visible emissions from all the scrap metal processing activities, including the belt loader operation, shall not exceed 5% opacity. [Rules 62-296.711, F.A.C., and Chapter 1-3.52, Rules of the EPCHC.]
8. 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. 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 and 62-296.320(2), F.A.C.]
10. 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, 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;

**SPECIFIC CONDITIONS:**

- 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.** The permittee shall maintain a truck/trailer 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.]

**12.** In order to ensure compliance with Specific Condition No. 7, the permittee shall perform visible emission (VE) test at the point of highest opacity for the belt loader (EU 007). VE tests shall be conducted within 60 days of the belt loader's initial operation, and annual thereafter, once every calendar year (January 1st - December 31st). [Rules 62-297.310(7)(a), F.A.C. and Chapter 1-3.50, Rules of the EPCHC]

**13.** Visible emission opacity shall be tested by a certified observer in accordance with EPA Method 9 for a minimum of thirty (30) minutes. 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 EPCHC]

**14.** Testing of emissions for EU 007 shall be conducted with the source operating at capacity, the maximum transfer rate in 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.]



**SPECIFIC CONDITIONS:**

**15.** 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.]

**16.** 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.]

**17.** 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.]

**18.** In order to demonstrate continuous compliance with Specific Condition No. 6, the permittee shall maintain records of the belt loader operation (EU 007), which shall include, but not be limited to, the following:

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

B) The total weight of the scrap metal loaded through the belt loader into truck/trailer/container, 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.]

**19.** 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.]

**20.** 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.]

**21.** 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:



SPECIFIC CONDITIONS:

- 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.]

**22.** 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.]

**23.** A complete application for an air operation permit shall be submitted to the EPC within 60 days of the completion of the initial compliance test, as required in Specific Condition No. 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: [Rules 62-4.070(3), 62-4.090, 62-210.300(2), and 62-210.900, F.A.C.]

- 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. 18 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.

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY



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, Florida Statutes (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.
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 403.087(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. Not applicable to Air Permits.
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, are 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 reasonable 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.

## ATTACHMENT - GENERAL CONDITIONS

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 Section 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.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer 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 (NSPS)

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.
- 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.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.