



Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

Electronically Sent- Received Receipt Requested

FINAL PERMIT

PERMITTEE

The Lane Construction Corporation
3350 Reynolds Road
Lakeland, FL 33840

Authorized Representative:
Mr. Daniel A. Hoyt, Senior Plant Manager

Air Permit No. 0610099-001-AC
Permit Expires: 02/28/2013
Site Name: Indian River Asphalt Plant
Minor Source Air Construction Permit
Project Name: 375 TPH Drum Mix Asphalt Plant

This is the final air construction permit, which authorizes construction of a 375 ton/hour drum mix asphalt plant. The proposed work will be conducted at the Indian River Asphalt Plant (Standard Industrial Classification No. 2951). The facility will be located in Indian River County at 11010 Circle 512 in Fellsmere, Florida. The UTM coordinates are Zone 17, 539.19 km East, and 3071.76 km North.

This final permit is organized by the following sections:

Section 1. General Information

Section 2. Administrative Requirements

Section 3. Facility-wide and Emissions Unit Specific Conditions

Section 4. Appendices


Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

This air pollution permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by

the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Orange County, Florida


Caroline D. Shine
District Air Program Administrator
Central District

February 14, 2012
Effective Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination, the Final Permit and the Appendices) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on February 14, 2012 to the persons listed below.

Mr. Daniel A. Hoyt, The Lane Construction Corporation
(DAHoyt@laneconstruct.com)

Mr. Eustice M. Lowe, The Lane Construction Corporation
(EMLowe@laneconstruct.com)

Ms. Sharon C. Radford, P.E., The Lane Construction Corporation
(SCRadford@laneconstruct.com)

Clerk Stamp

FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


February 14, 2012

(Clerk)

(Date)

SECTION 1. GENERAL INFORMATION (FINAL)

FACILITY AND PROJECT DESCRIPTION

The Lane Construction Corporation, Indian River Asphalt Plant

The facility is a new asphalt plant with a maximum throughput capacity of 375 tons per hour. Up to 50 percent of the asphalt produced includes recycled asphalt material (RAP).

Project Description and Proposed Emission Unit

This project is for initial construction of a 375 ton/hour drum mix asphalt plant for a major road project in Indian River County.

This project will create the following emissions units.

Facility ID No. 0610099	
ID No.	Emission Unit Description
001	375 TPH Drum Mix Asphalt Plant

NOTE: Please reference the Permit No., Facility ID, and Emission Unit ID in all correspondence, test report submittals, applications, etc.

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.
- This facility is a synthetic non-Title V source.

PERMIT HISTORY/AFFECTED PERMITS

N/A

SECTION 2. ADMINISTRATIVE REQUIREMENTS (FINAL)

1. Permitting Authority: The permitting authority for this project is the Florida Department of Environmental Protection, Central District Air Resource Management Section. The Central District's mailing address and phone number is:

Florida Department of Environmental Protection
Central District Office
Air Resource Management Section
3319 Maguire Blvd., Ste. 232
Orlando, FL 32803-3767 Telephone: 407-897-4100

All documents related to applications for permits shall be submitted to the above address.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Central District Air Resource Management Section (see above mailing address and phone number).
3. Appendices: The following Appendices are attached as part of this permit:
 - a. Appendix A. Citation Formats and Glossary of Common Terms;
 - b. Appendix B. General Conditions;
 - c. Appendix C. Common Conditions;
 - d. Appendix D. Common Testing Requirements;
 - e. Appendix E. 40 CFR Part 60, Subpart A-General Provisions; and
 - f. Appendix F. 40 CFR Part 60, Subpart I-Hot Mix Asphalt Facilities.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time.
[Rule 62-4.080, F.A.C.]
6. Modifications: Unless otherwise exempt by rule, the permittee shall not initiate any construction, reconstruction, or modification at the facility and shall not install/modify any pollution control device at the facility without obtaining prior authorization from the Department. Modification is defined as: Any physical change or changes in the method of operations or addition to a facility that would result in an increase in the actual emissions of any air pollutant subject to air regulations, including any not previously emitted, from any emission unit or facility.
[Rules 62-210.200 - Definition of "Modification" and 62-210.300(1)(a), F.A.C.]
7. Annual Operating Report: On or before **April 1** of each year, the permittee shall submit a completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility" (AOR) for the preceding calendar year. The report may be submitted electronically in accordance

SECTION 2. ADMINISTRATIVE REQUIREMENTS (FINAL)

with the instructions received with the AOR package sent by the Department, or a hardcopy may be sent to the Compliance Authority.
[Rule 62-210.370(3), F.A.C.]

8. Application for Non-Title V Air Operation Permit: This permit authorizes construction or modification of the permitted emissions unit(s) and initial operation to determine compliance with Department rules. A Non-Title V air operation permit is required for continued operation of the permitted emissions unit(s). The permittee shall apply for a Non-Title V air operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation or commencing operation as modified. Commencing operation means setting into operation of any emissions unit for any purpose. To apply for a Non-Title V air operation permit, the applicant shall submit the following:
- a. the appropriate permit application form (*see current version of Rule 62-210.900, F.A.C. (Forms and Instructions), and/or FDEP Division of Air Resource Management website at: <http://www.dep.state.fl.us/air/>*); and
 - b. the appropriate operation permit application fee from Rule 62-4.050(4)(a), F.A.C.

The application shall be submitted to the Permitting Authority

[Rules 62-4.030, 62-4.050, and 62-4.220, F.A.C.]

SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)

A. EU No. 001- 375 TPH Drum Mix Asphalt Plant

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
001	<p>The maximum throughput capacity of this asphalt plant is 375 tons per hour of asphalt product. Up to 50 percent of the asphalt produced includes recycled asphalt material (RAP).</p> <p>Particulate matter emissions are controlled by a CMI Pulsejet baghouse with a destruction efficiency of 99.9 percent.</p>

PERFORMANCE RESTRICTIONS

- A.1. Federal Regulatory Requirements:** This emission unit is subject to 40 CFR 60, Subpart A-General Provisions (See Appendix E) and 40 CFR 60, Subpart I-Hot Mix Asphalt Facilities (See Appendix F), which are adopted by reference in Rule 62-204.800, F.A.C. The conditions are incorporated into the permit (attached and part of this permit).
[Rule 62-204.800(8), F.A.C.]
- A.2. Permitted Capacity:** The process rates shall not exceed 150,000 tons of virgin mix asphalt product (asphalt concrete) per any consecutive 12-month period.
[Rule 62-210.200(PTE), F.A.C.]
- A.3. Authorized Fuel:** The main rotary dryer burner is permitted to use **only** the following fuels:
- natural gas,
 - new (virgin) no. 2 through new (virgin) no. 6 fuel oils, and
 - On-specification used fuel oil.
- [Rule 62-210.200(PTE), F.A.C.]
- A.4. Permitted Fuel Consumption:** Total fuel oil consumption for the facility shall not exceed 350,000 gallons in any consecutive 12-month period of the combination of new (virgin) no. 2 through new (virgin) no. 6 fuel oils (1.0 percent maximum sulfur) or on-specification used fuel oil (1.0 percent maximum sulfur).
[Permit Application dated 12/16/2011 and Rule 62-210.200(PTE), F.A.C.]
- A.5. Restricted Operation:** The hours of operation are limited to 2,000 hours per year.
[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Requested by applicant in permit application dated 12/16/2011]
- A.6. Used Fuel Oil Specifications:** The permittee **shall not** burn off-specification reclaimed fuel oil. For each delivery of on-specification used oil, the vendor shall provide an analysis documenting the fuel oil meets the following requirements of 40 CFR 761.20(e)(2) and (3) and 40 CFR 279.11 (July 1, 2004):

Constituent/Property	Allowable Level	Test Methods
Arsenic	5 ppm maximum	Test Methods Used in EPA SW-846
Cadmium	2 ppm maximum	Test Methods Used in EPA SW-846

SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)

A. EU No. 001- 375 TPH Drum Mix Asphalt Plant

Chromium	10 ppm maximum	Test Methods Used in EPA SW-846
Lead	100 ppm maximum	Test Methods Used in EPA SW-846
Total Halogens	Shall not exceed 1000 ppm	Test Methods Used in EPA SW-846
Flash Point	100°F minimum	Test Methods Used in EPA SW-846
PCB's	Shall be less than 2 ppm	Test Methods Used in EPA SW-846

[Rules 62-4.070(3), and 62-710.210, F.A.C.]

A.7. Restricted Operation: When used oil is fired the facility must operate in compliance with all applicable regulations and Department policy including the requirements of Rule 62-710, F.A.C. and 40 CFR Part 279, Subparts D and E and any new regulations subsequently adopted, and the following conditions shall apply:

- a) Each time used oil is transferred to the facility storage tank a sample of used oil to be burned shall be analyzed for arsenic, chromium, cadmium, total halogens, PCB, flash point, and lead using EPA/DEP or ASTM approved methods prior to being fired. Alternately, the used oil vendors' analysis for the referenced parameters may be utilized to satisfy this condition. Results of the used oil sampling and analysis shall be retained on site for a three-year period.
- b) The total quantity of used oil burned during each calendar year, on a monthly basis, shall be included in the Annual Operations Report for Air Emissions Sources.
- c) The firing of used oil which contains PCB at concentrations greater than 2 ppm and less than 50 ppm is regulated by 40 CFR 761. The source cannot fire used oil which contains PCB concentrations in this range during startup or shutdown in accordance with 40 CFR 761.20(e)(3), and the source must submit to this office a copy of the written notice described in 40 CFR 761.20(e)(3)].
[Rule 62-4.070, F.A.C.]

EMISSIONS STANDARDS

A.8. Particulate Matter (PM) and (VE) Emissions Limitations: On and after the date on which the performance test required to be conducted is completed, **no** owner or operator subject to the provisions of 40 CFR Part 60, Subpart I – Standards of Performance for Hot Mix Asphalt Facility shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:

- 1) Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).
 - 2) Exhibit 20 percent opacity, or greater
- [40 CFR Part 60, Subpart I]

A.9. Reasonable Precautions of Unconfined Emissions of PM: All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter (PM). These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial-related activities such as loading, unloading, storing, and handling. Reasonable precautions to be taken shall include, but not be limited to, the following:

SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)

A. EU No. 001- 375 TPH Drum Mix Asphalt Plant

- a. Paving and maintenance of roads, parking areas, and yards;
- b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing;
- c. Application of asphalt, water, oil, chemicals, or other dust suppressants to unpaved roads, yards, open stock piles, and similar activities;
- d. Removal of PM from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from building(s) or work areas to prevent particulate from becoming airborne;
- e. Landscaping or planting of vegetation;
- f. Sprinkling with water shall be used as necessary on paved areas, unpaved areas, stockpiles, and during loading/unloading operations;
- g. Prevent emissions from material handling by a loader shall be achieved by reducing the material freefall as the bucket dumps the aggregate. Drop heights shall be minimized from conveyors and screens; and
- h. Water shall be applied to the crusher and transfer points, as necessary, to reduce unconfined PM.

If operating experience indicates that these reasonable precautions are not sufficient to control unconfined PM emissions, the Department reserves the right to require additional measures.
[Rules 62-4.070(3), 62-210.300(3)(c)2.e., and 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

- A.10. Initial Compliance Tests:** The drum mix asphalt plant shall be tested for particulate emissions and concurrently for visible emissions to determine compliance with the Standard for Particulate Matter in 40 CFR Part 60, Subpart I – Standards of Performance for Hot Mix Asphalt Facilities **within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup at the Indian River site.**

[40 CFR 60.8; Rules 62-4.070(3) and 62-297.310(7)(b)4., F.A.C.]

- A.11. Compliance Tests After Initial Testing:** During each federal fiscal year (October 1st to September 30th), the emissions unit shall be tested to demonstrate compliance with the emissions standards for PM and VE emissions specified in Specific Condition **A.6.**

[Rule 62-297.310, F.A.C.]

- A.12. Test Requirements:** Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.

[Rule 62-297.310, F.A.C.]

- A.13. Test Method(s):** Required tests shall be performed in accordance with the following reference method(s).

EPA Methods	Description of Method and Comments
5	Determination of Particulate Matter Emissions from Stationary Sources The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf)

SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)

A. EU No. 001- 375 TPH Drum Mix Asphalt Plant

EPA Methods	Description of Method and Comments
9	Visual Determination of the Opacity of Emissions from Stationary Sources Test shall be conducted for thirty minutes or the length of the batch/cycle if less than 30 minutes

The above method(s) are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other method(s) may be used unless prior written approval is received from the Department.

[Rules 62-204.800 and 62-297.401, F.A.C.; and Appendix A of 40 CFR 60]

- A.14. Fuel Analysis Requirements:** The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using ASTM methods ASTM D4057-88 and one of ASTM D2622-94, ASTM D4294-98, ASTM D1552-95 or ASTM D129-91 or more recent editions adopted and incorporated by reference in Rule 62-297.440(1), F.A.C. Alternately, after written notification to and approval by the Department, the permittee may use other DEP Air Program-approved methods, i.e. alternate sampling procedures, for sulfur in petroleum products.

[Rule 62-4.070, F.A.C.]

- A.15. Compliance Testing Rate:** The maximum operating rate for the drum mix asphalt plant is 375 tons per hour of asphalt product. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rule 62-297.310(2), F.A.C.]

NOTIFICATION REQUIREMENTS

- A.15. Test Notification:** The permittee shall notify the Compliance Authority, 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 for the permittee.

[Rules 62-4.070(3) and 62-297.310(7)(a)9., F.A.C.]

- A.16. Notification of Operation Commencement:** The permittee shall notify the Compliance Authority in writing of the date of commencing operation of the EU No. 001, no later than five (5) business days after that date. Commencing operation means setting into operation of any emissions unit for any purpose.

[Rule 62-4.070, F.A.C., and Rule 62-210.200, F.A.C., (Definition of Commence Operation)]

SECTION 3. FACILITY-WIDE AND EMISSIONS UNIT SPECIFIC CONDITIONS (FINAL)

A. EU No. 001- 375 TPH Drum Mix Asphalt Plant

RECORDS AND REPORTS

- A.17. Test Reports:** The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. **For each test run, the report shall also indicate the information listed in Rules 62-297.310(8)(c)6., 12., 18., and 19., F.A.C.**
[Rule 62-297.310(8), F.A.C.]
- A.18. Fuel Sulfur Content Records:** The permittee shall maintain records to demonstrate that the sulfur content, by weight, of each shipment of new and on-spec used oil and that the sulfur content was determined in accordance with the methods listed in this permit.
[Rule 62-4.070(3), F.A.C.]
- A.19. Monthly Recordkeeping Requirements:** In order to demonstrate compliance with Specific Condition Nos. **A.2., A.3., A.4., and A.5.** , the permittee shall maintain a log at the facility for a period of at least five (5) years from the date the data is recorded. The log shall contain the following:
- Monthly
- a) Designation of the month and year of operation for which the records are being tabulated;
 - b) Number of operational hours;
 - c) Consecutive 12-month total of the amount of asphalt product from the drum mix asphalt plant;
 - d) Consecutive 12-month total of the amount of fuel combusted at the facility; and
 - e) Fuel records relating to General Condition No. 14.c. in Appendix B (General Conditions).

This includes fuel records to demonstrate that the sulfur content, by weight, of each shipment of new and on-spec used oil as required by Condition A.18.

Note: A consecutive 12 months total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12-months total treats each month of the year as the end of a 12-months period. A 12-months total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12 months totals using whatever number of months of data are available until such a time as a consecutive 12 months total can be maintained each month. **The monthly logs shall be completed by the end of the following month.**
[Rule 62-4.070(3), F.A.C.]