STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

ELECTRONIC MAIL
jroberts@hubbard.com

In the Matter of an
Application for Permit by:

Orlando Paving Company
P.O. Box 547186
Orlando, Florida 32854

Orange County - AP
Allows for operation of portable
RAP crushing system at site
DEP File Number 0950031-007-AC

Attention: Jeff Roberts, Division Manager

INTENT TO ISSUE

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit (copy enclosed) for the proposed project as detailed in the application specified above. The Central District is issuing this Intent to Issue for the reasons stated below.

The applicant, Orlando Paving Company, P.O. Box 547186, Orlando, Orange County, Florida 32854, applied on September 29, 2006, to the Department for a construction permit to allow for the operation of a portable recycle asphalt pavement (RAP) crushing system at an existing asphalt plant facility. The facility, a source of air emissions, is located at 8501 Florida Rock Road, Orlando, Orange County, Florida 32824. The Department has assigned File Number 0950031-007-AC to the project.

The Department has permitting jurisdiction under Section 403 Florida Statutes (F.S.) and Chapter 62-4.210 and Chapter 62-210.300 Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

Pursuant to Section 403.815, F.S. and Rule 62-103.150, 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 only within 30 days, in the legal ad 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. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department, at 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803-3767 within 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.

The Department will issue the permit with the attached conditions unless a response is received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT." Written comments should be provided to the Central District office at 3319 Maguire Boulevard, Orlando, Florida 32803. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions 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 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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel to the Department at 3900 Commonwealth Boulevard, Mail Stop 35, Tallahassee, Florida, 32399-3000, Fax: 850/245-2303. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 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) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 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 Florida Administrative Code.

A petition that disputes the material facts on which the Department'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, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; 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 agency action or proposed 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, as well as the rules and statutes which entitle the petitioner to relief; and
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and

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

A petition that does not dispute the material upon which the Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 of the Florida Statutes is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply 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, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, Fax: 850/245-2303. 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 why 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 those terms is defined in Section 120.542(2) of the Florida Statutes, 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 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.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

L.T. Kozlov, P.E.
Program Administrator
Air Resources Management
3319 Maguire Boulevard
Suite 232
Orlando, Florida 32803-3767
(407) 894-7555

DATE: 12-4-06

Filed, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Dina Jones 12/05/2006
Clerk Date

CERTIFICATE OF SERVICE

This is to certify that this INTENT TO ISSUE and all copies were emailed with a "Read Receipt" requirement before the close of business on Dec. 5, 2006 to the listed persons by _____.

LTK/jar

Enclosures: Draft Permit
Notice of Intent

cc: Hamp Pridgen, Air Section Manager, Orange County EPD, **(Hamp.Pridgen@ocfl.net)**
Roger Caldwell, V.P., Environmental Division, **(roger@bottorf.com)**
Douglas Bauman, P.E., General Environmental Engineering, **(doug4ucf@earthlink.net)**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT

The Department of Environmental Protection gives notice of its intent to issue an air construction permit to Orlando Paving Company, P.O. Box 547186, Orlando, Orange County, Florida 32854, to allow for the operation of a portable recycle asphalt pavement (RAP) crushing system at an existing asphalt plant facility. The facility, a source of air emissions, is located at 8501 Florida Rock Road, Orlando, Orange County, Florida 32824. The Department has assigned File Number 0950031-007-AC to the project.

The Department will issue the permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT." Written comments should be provided to the District office at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 Florida Statutes (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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, Fax: 850/245-2303. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 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) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 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 Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department'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, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; 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 agency action or proposed 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, as well as the rules and statutes which entitle the petitioner to relief; and
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
(g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 of the Florida Statutes is not available in this proceeding.

A 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 Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, Florida.

Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

Permittee:
Orlando Paving Company
Post Office Box 547186
Orlando, Florida 32854

Attention: Jeff Roberts, Division Manager

Facility Number: 0950031
Permit Number: 0950031-007-AC
Expiration Date: November 30, 2007
County: Orange
Latitude/Longitude:
28° 26' 30"N/81° 22' 30"W
Project: Construction Permit – Allows for operation of RAP crushing system at the Drum Mix Asphalt Plant No. 2

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-210. 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 department and made a part hereof and specifically described as follows:

This construction permit is to allow for the operation of a recycle asphalt pavement (RAP) crushing system at the Drum Mix Asphalt Plant No. 2 site.

[Permitting Note: If a relocatable nonmetallic mineral processing plant is used to perform a routine function of a facility subject to regular air permitting, such as crushing recycled asphalt (rap) at an asphalt facility, it shall not operate under the authority of an air general permit. In such case, the regularly permitted facility air construction or air operation permit(s) must provide for operation of the nonmetallic mineral processing plant as an emission unit.
[Rule 62-210.300(4)(c)m., F.A.C.]]

The permittee may operate a Drum Mix Asphalt Plant manufactured by Gencor Industries. Particulate emissions from the plant are controlled with a gravity collector followed by a baghouse. The plant is capable of processing recycled asphalt pavement and has a 2MMBTU/HR hot oil heater.

This construction permit supersedes and replaces all previous air permits.

This facility is classified as a synthetic minor facility and is located at 8501 Florida Rock Road in Orlando, Orange County, Florida 32824.

"More Protection, Less Process"

Printed on recycled paper.

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. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does 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 and 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 this permit;
   (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
   (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

   Reasonable time may depend on the nature of the concern being investigated.

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

   (a) A description of and cause of noncompliance; and
   (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

   The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

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 Rule 62-30.300, Florida Administrative Code (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)
    ( ) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
    (X) 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.
    (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 information) 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.

SPECIFIC CONDITIONS:

1. The facility is subject to the following provisions of 40 CFR 60, Subchapter C - Air Programs, Subpart A - General Provisions, the complete text of which is provided in Appendix A:

   a) 40 CFR 60.8 - Performance tests;
   b) 40 CFR 60.9 - Availability of information;
   c) 40 CFR 60.10 - State authority;
   d) 40 CFR 60.11 - Compliance with standards and maintenance requirements;
   e) 40 CFR 60.12 - Circumvention; and
   f) 40 CFR 60.14 - Modification;

2. The facility is subject to the provisions of 40 CFR 60, Subchapter C-Air Programs, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities, the complete text of which is provided in Appendix A.

   a) 40 CFR 60.92 - Standard for particulate matter: and
   b) 40 CFR 60.93 - Test methods and procedures.

Operating Conditions

3. The drum mix asphalt plant and crushing system maximum operating limits are as follows:

   a) The process rate for the drum mix asphalt plant shall not exceed 0.500 million tons of a virgin or recycle mix asphalt product per any consecutive twelve-month period. The process rate for the crushing system shall not exceed 0.250 million tons of crushed recycled asphalt pavement per any consecutive twelve-month period. The facility may operate continuously.

   b) Total fuel oil consumption, drum mix asphalt plant and crushing system combined, shall not exceed 1.2 million gallons in any consecutive twelve month period of new (virgin) no. 2 fuel oil through new (virgin) no. 6 fuel oils and on-specification used oil.

   c) The plant is permitted to use natural gas, propane, new (virgin) no. 2 fuel oil through new (virgin) no. 6 fuel oils and on-specification used oil only.

   d) The maximum sulfur content of all fuel oils fired shall not exceed 1.0 percent by weight.
   [Rules 62-210.200, (PTE), F.A.C. and 62-210.300(3)(c)1., F.A.C.]

4. The following used oil specifications are applicable. Used oil within the allowable levels is "on-specification" and used oil exceeding any allowable level is "off-specification."

Constituent/Property	Allowable Levels	Test Methods
Arsenic	5 ppm maximum	**Test Methods used in** EPA SW-846
Cadmium	2 ppm maximum	**Test Methods used in** EPA SW-846
Chromium	10 ppm maximum	**Test Methods used in** EPA SW-846
Lead	100 ppm maximum	**Test Methods used in** EPA SW-846
Flash Point	100° F minimum	**Test Methods used in** EPA SW-846
Total Halogens	4,000 ppm maximum*	**Test Methods used in** EPA SW-846
PCB	< 50 ppm	**Test Methods used in** EPA SW-846

SPECIFIC CONDITIONS:

* Used oil containing between 1,000 and 4,000 ppm of total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste and cannot be utilized unless the applicant first rebuts this presumption by demonstrating that Used Oil does not contain hazardous waste and receives written approval from the Department.
[Rule 62-710.210(3), F.A.C.; 40 CFR Part 279.11]

5. 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 can not 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.]

6. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any source whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission. The area must be watered down should unconfined emissions occur.
   [Rule 62-296.320(4)(c)1., F.A.C.]

7. No person shall circumvent any pollution control device or allow the emissions of air pollutants without the applicable air pollution control device operating properly.
   [Rule 62-210.650, F.A.C.]

<u>Operating Conditions - Nonmetallic mineral processing plant</u>

8. The owner or operator shall comply with paragraph 62-296.320(4)(c), F.A.C., using the following reasonable precautions:

   a) Unconfined emissions that might be generated from various activities throughout a nonmetallic mineral processing plant processing dry material shall be controlled by using a water suppression system with spray bars located at the feeder(s), the entrance and exit of the crusher(s), the classifier screens, and the conveyor drop points.

SPECIFIC CONDITIONS:

b) Unconfined emissions that might be generated by vehicular traffic or wind shall be controlled by applying water (by water trucks equipped with spray bars) or effective dust suppressant(s) on a regular basis to all stockpiles, roadways and work-yards where this nonmetallic mineral processing plant is located.

[Rules 62-210.300 (4)(c)5.d.(i) and (ii), F.A.C.]

Emission Limits

9. No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is defined as 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.
[Rule 62-296.320(2) F.A.C. and Rule 62-210.200(181), F.A.C.]

10. None of the permitted emissions of particulate matter, sulfur dioxide, nitrogen oxide, or volatile organic compounds are to exceed 74 tons per consecutive twelve-month period.
[Rule 62-210.200, F.A.C. – Definitions - (PTE)]

Emission Limits - Nonmetallic mineral processing plant

11. The owner or operator shall comply with the following emission standards as applicable:

a) Stack emissions from any crusher, grinding mill, screening operation, bucket elevator, transfer point on belt conveyors, bagging operation, storage bin, enclosed truck or railcar loading station, or any other affected emission point subject to 40 CFR Part 60, Subpart OOO, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not contain particulate matter in excess of 0.05 grams per dry standard cubic meter (g/dscf) nor exceed 7 percent opacity, unless the stack emissions are discharged from a wet scrubbing control device.

b) Stack emissions from any baghouse that controls emissions from only an individual, enclosed storage bin subject to 40 CFR Part 60, subpart OOO, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not exceed 7 percent opacity.

c) Visible emissions from any grinding mill, screening operation, bucket elevator, transfer point on belt conveyors, bagging operation, storage bin, enclosed truck or railroad car loading station, or any other affected emission point subject to 40 CFR Part 60, Subpart OOO, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not exceed 10 percent opacity; and visible emissions from any crusher without a capture system subject to 40 CFR Part 60, Subpart OOO, shall not exceed 15 percent opacity.

SPECIFIC CONDITIONS:

d) If any crusher, grinding mill, screening operation, bucket elevator, transfer point on belt conveyors, bagging operation, storage bin, enclosed track or railroad car loading station, or any other emission point subject to 40 CFR Part 60, Subpart OOO, adopted and incorporated by reference at Rule 62-204.800, F.A.C., is enclosed in a building, then each enclosed emission point must comply with the emission limits in Rule 62-210.300(4)(c)5.e.(i) through (iii), F.A.C., or the building enclosing the emission point(s) shall not discharge any visible fugitive emissions, except emissions from a vent, and the vent emissions shall not exceed the stack emissions limits of Rule 62-210.300(4)(c)5.e.(i), F.A.C.

e) Visible emissions from any crusher, grinding mill, screening operation, bucket elevator, transfer point on belt conveyors, bagging operation, storage bin, enclosed truck or railcar loading station, or any other emission point not subject to 40 CFR Part 60, shall be less than 20 percent opacity, pursuant to Rule 62-296.320(4)(b)1., F.A.C.

f) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher subject to 40 CFR Part 60, Subpart OOO, adopted and incorporated by reference at Rule 62-204.800, F.A.C., is exempt from the emissions standards of Rule 62-210.300(4)(c)5.e., F.A.C.

[Rules 62-210.300(4)(c)5e.(i),(ii),(iii),(iv), (v), and (vi) F.A.C.]

Compliance Testing

12. The drum mix asphalt plant must be tested for particulate emissions and concurrently for visible emissions annually during each federal fiscal year.
[Rule 40 CFR 60.8, Rule 62-210.300(3)(c)1.i., F.A.C., and Rule 62-4.070(3), F.A.C]

13. EPA Method 5 shall be used to determine the particulate matter concentration for the drum mix asphalt plant The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).
[Rule 62-297.401, F.A.C.; 40 CFR 60.93 (b)(1)]

14. EPA Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity for the drum mix asphalt plant. EPA Method 9 shall be conducted for thirty minutes.
[Rule 62-297.401 F.A.C.; 40 CFR 60.93(b)(2)]

15. **The first crushing system that will be used at the site shall be tested for visible emissions using EPA Method 9 prior to <u>April 20, 2007</u>. EPA Method 9 shall be conducted for thirty minutes for each applicable emission point.**
[Rule 62-4.070, F.A.C.]

16. At least 15 days prior to the date on which each formal compliance test is due to begin, the permittee shall provide written notification of the test to the Orange County Environmental Protection Division. The notification must include the following information: the date, time and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and telephone number of the person conducting the test.
[Rule 62-297.310(7)(a)9., F.A.C.]

SPECIFIC CONDITIONS:

17. The maximum permitted operating rate for the drum mix asphalt plant batch plant is 300 tons per hour of virgin or recycle mix asphalt product. The maximum operation rate for the crushing system is 250 tons/hr of crushed recycled asphalt pavement 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.]

18. The stack sampling facility must comply with Rule 62-297.310(6), F.A.C., regarding minimum requirements that include but are not limited to: location of sampling ports, work platform area hand rails and toe rails, caged ladder, access and electrical power.

19. A differential pressure gauge is required to measure the pressure drop across the baghouse, a minimum of 10 days before the stack test is performed.
[Rule 62-297.310(5)(b), F.A.C.]

Recordkeeping and Document Submittal

20. The permittee shall maintain records to demonstrate that the sulfur content, by weight, of each shipment of new and on-spec used oil is 1.0 percent or less and that the sulfur content was determined in accordance with the methods listed in specific condition number 21.
[Rule 62-210.300(3)(c)1.c., F.A.C.]

21. 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 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.
[Rules 62-210.300(3)(c)1.c., F.A.C.]

22. In order to demonstrate compliance with operating condition number 3 and 5, the permittee shall maintain a log at the facility for a period of at least 5 years from the date the data is recorded. The log at a minimum shall contain the following:

Monthly

a) designation of the month and year of operation for which the records are being tabulated
b) consecutive 12 month total of asphalt concrete product (tons), the amount of fuel consumed, which includes the fuel used by the drum mix asphalt plant and the crushing system, and the sulfur content of the fuel oil fired.

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

SPECIFIC CONDITIONS:

Note: A consecutive 12-month 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-month total treats each month of the year as the end of a 12-month period. A 12-month total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12-month totals using whatever number of months of data is available until such a time as a consecutive 12-month total can be maintained each month.
[Rule 62-4.070(3), F.A.C.]

23. The owner or operator shall submit a copy of the compliance test results to the Orange County Environmental Protection Division within 45 days after the last sampling run of each test is completed.
[Rule 62-297.310(8)(b), F.A.C]

24. The owner or operator shall complete DEP Form No. 62-210.900(5), F.A.C. "Annual Operating Report for Air Pollutant Emitting Facility", including the Emissions Report, for each calendar year and submit to the Orange County Environmental Protection Division on or before March 1 of the following year.
[Rule 62-210.370(3), F.A.C.]

Permit Application

25. The construction shall reasonably conform to the plans and schedule submitted in the application. If the permittee is unable to complete construction on schedule, he must notify the department in writing at least 90 days prior to the expiration of the construction permit and submit an application for an extension of the construction permit.

An operating permit is required for operation of this source. To obtain a permit, the permittee must demonstrate compliance with the conditions of the construction permit and submit the application fee, along with the compliance test results and Application for Air Permit to the Department's Central District Office [Rule 62-4.220, F.A.C.]. The application shall be submitted no later than 180 days after receipt of this permit.
[Rule 62-4.220, F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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L.T. Kozlov, P.E.
Program Administrator
Air Resources Management

Issued: _____