



Jeb Bush
Governor

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary

ELECTRONIC CORRESPONDENCE
MGARFFER@AOL.COM
August 24, 2006

NOTICE OF AN AIR OPERATION PERMIT

PERMITTEE:

Community Asphalt Corporation
14005 N.W. 186th Street
Hialeah, Florida 33018

Air Permit No.: 0990310-005-AO
PALM BEACH COUNTY, FLORIDA
Project: Air Operation Permit Renewal

Authorized Representative:

Michael D. Garffer, Senior Vice President

Dear Mr. Garffer:

Enclosed is Air Permit No. 0990310-005-AO to operate a source of air pollution located in Palm Beach County. This permit is issued pursuant to Chapter 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204 through 62-297 of the Florida Administrative Code. Any party to this Order (Permit) has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below 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 Order (Permit) is filed with the Clerk of the Health Department.

Executed in West Palm Beach, Florida.

PALM BEACH COUNTY HEALTH DEPARTMENT

James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Environmental Health and Engineering

For any questions, contact:

Laxmana Tallam, P.E.
Air Pollution Control Section
Palm Beach County Health Department
P.O. Box 29 (901 Evernia Street)
West Palm Beach, Florida, 33402-0029

CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by electronic mail before the close of business on 8/24/06 to the permittee. In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by electronic mail on the same date to the following persons:

Darrel Graziani, P.E., Program Administrator
Southeast District Office - DEP
400 North Congress Ave, Suite 200
West Palm Beach, Florida, 33401

William Arlington, Environmental Consultant
Arlington Environmental Services, Inc.
P.O. Box: 657
Okeechobee, FL 34973

Email: Darrel.Graziani@dep.state.fl.us

Email: barlington@arlingtonenvironmental.com

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency Clerk, receipt of which is hereby acknowledged.

Budget Bitume
(Clerk)

8/24/06
(Date)



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Secretary

AUGUST 24, 2006
ELECTRONIC CORRESPONDENCE
MGARFFER@AOL.COM

AIR POLLUTION OPERATION PERMIT
PALM BEACH COUNTY HEALTH DEPARTMENT

ISSUED TO:

Permittee:

Community Asphalt Corporation
14005 N.W. 186th Street
Hialeah, Florida 33018

ARMS No.:	099-0310
Permit No.:	099-0310-005-AO
Issued:	August 24, 2006
Expires:	August 23, 2011

Authorized Representative:

Michael D. Garffer, Senior Vice President

*Note: A renewal application must
be submitted by June 24, 2011*

LOCATED AT: PER SE

7795 Hooper Road, West Palm Beach, FL 33411

Description: Asphalt Plant
[SIC: 2951 – Asphalt Paving Mixtures and Blocks]

UTM: Zone 17; 582.3 km E; 2950.9 km N
Latitude 26° 46' 52"; Longitude 80° 10' 16"

STATEMENT OF BASIS:

The Palm Beach County Health Department (Health Department) issues this permit under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4 through 62-297 the Florida Administrative Code (F.A.C.). The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under Chapter 403.087, F.S. However, in accordance with Section 403.182, F.S., the DEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, the DEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The above named permittee is authorized to operate the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Health Department.

ISSUED BY:

Executed in West Palm Beach, Florida
PALM BEACH COUNTY HEALTH DEPARTMENT

James E. Stormer, Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering



Post Office Box 29 / 901 Evernia Street, West Palm Beach, FL. 33402
Jean M. Malecki, M.D., MPH, FACPM, Director
www.pbchd.com

SECTION I. SUMMARY INFORMATION

PERMIT HISTORY

August 11, 2006	Permit application received
March 06, 2006	Health Department issued permit no 099-0310-004-AC
September 11, 2001	Health Department issues Permit no. 099-0310-003-AF
September 6, 1996:	Renewed Permit number 099-0310-002-AO
March 14, 1996:	Health Department issues Revised Permit number 099-0310-001-AO
September 12, 1991:	FDEP issues Initial Permit number AO50-200302
April 11, 1991:	FDEP issues Initial Construction Permit number AC50-191102

PERMIT CONTENT

Section I:	Summary Information
Section II:	Facility-Wide Specific Conditions
Section III:	Emissions Unit Specific Conditions
Section IV:	Appendices
	<i>Appendix A:</i> General Permit Conditions
	<i>Appendix B:</i> Terminology
	<i>Appendix C:</i> Test Procedures
	<i>Appendix D:</i> NSPS Requirements

REGULATORY CLASSIFICATIONS

PROGRAM	PROGRAM DESCRIPTION	CLASSIFICATION
PSD	Prevention of Significant Deterioration Rule 62-212.400, F.A.C	New Source Synthetic Minor (Sulfur Dioxide)
NSR-NAA	New Source Review for Nonattainment Areas Rule 62-212.500, F.A.C.	Not Applicable
NSPS	New Source Performance Standards 40 CFR 60 Subpart I – Standards of Performance for Hot Mix Asphalt Facilities	New Source
NESHAP	National Emission Standards for Hazardous Air Pollutants 40 CFR Parts 61 and 63	Existing Source Natural Minor
Title V Operating Permit	Federal Operating Permit Program Rule 62-213, F.A.C	Synthetic Minor (Sulfur Dioxide)

EMISSIONS UNIT SUMMARY

EMISSIONS UNIT No.	EMISSIONS UNIT DESCRIPTION
01	300 TPH Asphalt Plant, Dryer and Drum Mixer
02	Asphalt Cement Heater – CONDITIONALLY EXEMPT
03	Materials Handling and Storage Operations

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

ADMINISTRATIVE REQUIREMENTS

- II.1.** Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department (Health Department) at P.O. Box 29 (901 Evernia Street), West Palm Beach, Florida, 33402-0029, and phone number (561) 355-3136. In addition, *copies* shall be submitted to the Air Program, Southeast District Office, Florida Department of Environmental Protection (DEP) at 400 North Congress Avenue, West Palm Beach, Florida, 33401. **[Specific Operating Agreement (SOA)]**
- II.2.** General Permit Conditions: The permittee shall be aware of, and operate under, the attached General Permit Conditions listed in *Appendix A* of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**
- II.3.** Citation Format: The format for citing applicable regulations is provided in *Appendix B* of this permit.
- II.4.** Application for Operation Permit: The permittee shall apply for a renewal permit at least 60 days prior to the expiration of this operation permit. The application shall include: the current FDEP Application Form; the correct application processing fee; all required test reports; and a summary of any changes or substitutions to the original equipment, processes, fuels, controls, etc. When the renewal application is timely and sufficient, the existing permit shall remain in effect until final action is taken by the Health Department. **[Rules 62-4.090 and 62-210.900, F.A.C.]**
- II.5.** Applicable Regulations: This facility is subject to the following regulations: Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. Specifically, the emissions units are subject to 62-204.800 and 40 CFR 60 Subpart I, New Source Performance Standards for Hot Mix Asphalt Plants. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. **[Rule 62-210.300(1), F.A.C. and the SOA]**

EMISSION LIMITING AND PERFORMANCE STANDARDS

- II.6.** General VOC Standards: The permittee shall not store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents without applying known and existing vapor emission control devices or systems. **[Rule 62-296.320(1), F.A.C.]**
- II.7.** Objectionable Odors: The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. **[Rule 62-296.320(2), F.A.C.]**
- Note: 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 62-210.200(200), F.A.C.]*
- II.8.** General Visible Emissions Standard: Unless otherwise specified by permit, the permittee shall not cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from new, or existing emissions units, the opacity of which is equal to or greater than 20 percent. **[Rule 62-296.320(4)(b), F.A.C.]**
- II.9.** Unconfined Emissions of Particulate Matter: The permittee shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including 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 emissions. **[Rule 62-296.320(4)(c), F.A.C.]**
- (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, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.

- (d) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- (e) Landscaping or planting of vegetation
- (f) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- (g) Confining abrasive blasting where possible.
- (h) Enclosure or covering of conveyor systems.

Note: Facilities that cause frequent, valid complaints will be required by the Health Department to take these or other reasonable precautions. In determining what constitutes reasonable precautions for a particular facility, the Health Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

II.10. Facility-Wide Operating Restrictions: The facility is subject to the following operating restrictions on a 12-month rolling total [Rule 62-210.300(3)(c)1, F.A.C. and Permit Number 099-0310-004-AC]:

- (a) **Fuel Oil Usage shall not exceed 1,200,000 gallons per year (12-month rolling total).**
- (b) **Asphalt Concrete Production shall not exceed 700,000 tons per year (12-month rolling total).**
- (c) **Fuel oil sulfur content shall not exceed the following.**
 - 1. **Drum Dryer - 1.00% by weight as fired.**
 - 2. **Asphalt Cement Heater – 0.50 % by weight as fired.**

OPERATION AND MAINTENANCE REQUIREMENTS

II.11. Circumvention: The permittee shall not circumvent air pollution control equipment/methods or allow the emission of air pollutants without the equipment/methods operating properly. **[Rule 62-210.650, F.A.C.]**

II.12. Excess Emissions Requirements [Rule 62-210.700, F.A.C.]

- (a) Excess emissions resulting from start-up, shutdown or malfunction of these emissions units shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Health Department for longer duration. **[Rule 62-210.700(1), F.A.C.]**
- (b) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction are prohibited. **[Rule 62-210.700(4), F.A.C.]**
- (c) In case of excess emissions resulting from malfunctions, the owner or operator shall notify the Air Pollution Control Section of the Palm Beach County Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the problem; and the corrective actions being taken to prevent recurrence. **[Rule 62-210.700(6), F.A.C.]**

COMPLIANCE MONITORING REQUIREMENTS

II.13. Duration: The permittee shall maintain all records and reports required by this permit for at least 3 years from the date the information is recorded to verify the facility's status as a synthetic minor source under the PSD and Title V Operating Permit Programs. **[Rule 62-4.070(3), F.A.C.]**

II.14. Test Procedures: Appendix C is a part of this permit. The permittee shall meet all applicable requirements of the Chapter 62-297, F.A.C. **[Rule 62-297.100, F.A.C.]**

II.15. Test Notification: The owner or operator shall notify the Health Department, in writing, at least 15 days prior to the date on which each formal compliance test is to begin, of the test date, the expected test time, the location of the test, the facility contact person responsible for coordinating the test, and the person or company conducting test. The 15 day notification requirement may be waived at the discretion of the

Health Department. Likewise, if circumstances prevent testing during the test window specified for the emissions unit, the owner or operator may request an alternate test date before the expiration of this window. [Rule 62-297.310(7)(a)9., F.A.C.]

- II.16. Special Compliance Tests:** When the Health Department, 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 a FDEP rule or permit is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Health Department. [Rule 62-297.310(7)(b), F.A.C.]

REPORTS REQUIRED

- II.17. Annual Operations Report:** Before March 1st of each year, the permittee shall submit an Annual Operations Report [DEP Form No. 62-210.900(5)] to the Health Department which summarizes operations for the previous calendar year. [Rule 62-210.370(3), F.A.C.]
- II.18. Excess Emissions Report:** If excess emissions occur, the permittee shall notify the Air Compliance Section of the Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Health Department may request a written summary report of the incident. [Rules 62-4.130 and 62-210.700(6), F.A.C.]
- II.19 Emission Compliance Stack Test Reports:** For each required emissions compliance test, a report indicating the results of the test shall be filed with the Health Department as soon as practical, but no later than 45 days after the last sampling run is completed. The report shall provide sufficient detail on the tested emissions unit and the procedures used to allow the Health Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in Rule 62-297.310(8)(c), F.A.C. and summarized in Appendix C of this permit. Additional report information may be specified for a given group of emissions units in this permit. [Rule 62-297.310(8), F.A.C.]

WASTE REQUIREMENTS

- II.19. Waste Disposal:** The owner or operator shall treat, store, and dispose of all liquid, solid, and hazardous wastes in accordance with all applicable Federal, State, and Local regulations. This air pollution permit does not preclude the permittee from securing any other types of required permits, licenses, or certifications.

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

GROUP A. This portion of the permit addresses the following emissions unit:

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	300 TPH Asphalt Plant, Fabspec Dryer and a 7 X 20 drum mixer firing fuel oil containing no more than 1.0% sulfur by weight. Particulate emissions are controlled by a Standard Havens Mark III baghouse. Emissions exit the 4.6 foot diameter baghouse vent at a rate of 53,153 ACFM (max 24981 dscfm) and 285°F at 42 feet above ground level.
<p><i>Permitting Note: The emissions unit is subject to the visible emissions and particulate matter emission limiting standards of 40 CFR 60 Subpart I, Standards of Performance for Hot Mix Asphalt Facilities (adopted by reference Rule 62-204.800, F.A.C. See Appendix D).</i></p>	

EMISSION LIMITING STANDARDS

- III.A.1. Visible Emissions (VE): Visible emissions shall not equal nor exceed twenty (20) percent opacity from the baghouse outlet. Compliance with this condition shall be demonstrated by EPA Method 9, 40 CFR 60, Appendix A, adopted by reference in Chapter 62-297, F.A.C. [**40 CFR 60.92(a)(2), Rules 62-204.800, Rules 61-210.300(3)(c)1,f, and 62-296.320(4)(b)1, F.A.C.**]
- III.A.2. Particulate Matter (PM): Particulate emissions from the dryer exhaust shall not exceed 90 mg/dscm (0.04 grains per dry standard cubic foot) of flue gas. [**40 CFR 60.92 (a)(1), Rules 62-204.800, and 61-210.300(3)(c)1,d, F.A.C.**]

OPERATING RESTRICTIONS

- III.A.3. Operating Limits: The maximum short-term operating rates from the dryer shall not exceed 300 tons of asphaltic concrete per hour (24-hour block average) [**Permit No. 0990310-004-AC**]
- III.A.4. Hours of Operation: The permittee is authorized to operate the dryer 24 hours per day, 7 days per week, but no more than 4,000 hours per year (12-month rolling total). [**Permit No. 099-0310-004-AC**]
- III.A.5. Fuel Oils: The permittee is authorized to fire the following fuels, alone or in combination, within the dryer:
 - (a) Virgin Fuel Oil; and
 - (b) On-Specification Used Fuel Oil (with a PCB concentration of less than 50 ppm)

[**Permit Number 0990310-004-AC**]

Note: The use of on-specification used oil is authorized provided the permittee receives a vendor certificate for each shipment. The analysis shall include sulfur, arsenic, cadmium, chromium, lead and polychlorinated biphenyls (PCB) contents, heat content, total halogens, and flash point. Vendor certification shall not be the sole basis of compliance with the sulfur content limitation of this permit.

- III.A.6. Sulfur Content: The maximum sulfur content of any fuel oil fired in the dryer shall not exceed 1.0 percent by weight (As-Fired Limitation). [**Rule 62-210.300(3)(c)1.c., F.A.C. and Permit Number 099-0310-004-AC**]

- III.A.7.** On-specification Used Oil Allowed as Fuel: This permit allows the burning of used oil fuel meeting EPA “on-specification” used oil specifications, with a maximum sulfur content of 1.0 percent by weight, and a PCB concentration of no greater than 49 ppm.

On-specification used oil shall meet the following specifications:

- Arsenic shall not exceed 5.0 ppm;
- Cadmium shall not exceed 2.0 ppm;
- Chromium shall not exceed 10.0 ppm;
- Lead shall not exceed 100.0 ppm;
- Total halogens shall not exceed 1000 ppm;
- Flash point shall not be less than 100 degrees F.

Used oil that **does not** meet the specifications for on-specification used oil shall **not** be burned at this facility.

[40 CFR 279, Subpart B]

COMPLIANCE/PERIODIC MONITORING REQUIREMENTS

- III.A.8.** Visible Emissions: The permittee shall have a formal compliance test conducted on the dryer exhaust each federal fiscal year (October 1 – September 30) at intervals of no more than 12 months to demonstrate compliance with the opacity limitation. **[Rule 62-297.310(7)(a)4.a, F.A..]**

The test shall meet the following requirements:

- (a) The permittee shall use EPA Method 9, *Visual Determination of the Opacity of Emissions from Stationary Sources*, 40 CFR 60, Appendix A. **[40 CFR 60.93(b)(2)]**
- (b) The observation period of the EPA Method 9 shall be at least thirty (30) minutes in duration. **[Rule 62-297.310(4)(a)2, F.A.C.]**

- III.A.9.** Particulate Matter: The permittee shall have a formal compliance test conducted on the dryer exhaust each federal fiscal year (October 1 – September 30) at intervals of no more than 12 months to demonstrate compliance with the specific condition III.A.2. **[Rule 62-297.310(7)(a)4.a, F.A.C.]**

The test shall meet the following requirements:

- (a) The permittee shall use EPA Method 5, *Determination of Particulate Emissions from Stationary Sources*, 40 CFR 60, Appendix A. **[40 CFR 60.93(b)(1)]**
- (b) Each test shall consist of 3 separate runs with sample times and volumes of at least 60 minutes and 31.8 dry standard cubic feet per run. **[40 CFR 60.93(b)(1)]**

- III.A.10.** Fuel Oil Sulfur Content: The permittee shall sample and monitor fuel oil sulfur content during each federal fiscal year (October 1 – September 30) at intervals of no more than 12 months collect a sample of the as-fired fuel oil in accordance with the following:

- (a) Annual sampling shall be conducted simultaneously with the annual particulate matter testing and consist of three (3) samples, one per test run, collected from an in-line sampler.
- (b) Test samples shall be mixed into a single composite sample with a split sample provided to the Health Department within 24 hours of collection.
- (c) The samples shall be analyzed for sulfur content in accordance with the following ASTM Method(s), as appropriate:
 - (i) ASTM D 4057-88. Standard Practice for Manual Sampling of Petroleum and Petroleum Products.
 - (ii) ASTM D 129-91. Standard Test Method for Sulfur in Petroleum Products (General Bomb Method).
 - (iii) ASTM D 2622-94. Standard Test Method for Sulfur in Petroleum Products by X-Ray Spectrometry.
 - (iv) ASTM D 4294-90. Standard Test Method for Sulfur in Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectroscopy.

[Rule 62-297.310(7)(b), F.A.C.]

III.A.11. On- Specification Used Fuel Oil – Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of no greater than 49 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

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

III.A.12. Used fuel oil --Analysis Required: If the owner or operator does not receive certification from the marketer as described above, the owner or operator shall sample and analyze each load of used oil received for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).

Analysis shall be performed via EPA-approved or ASTM methods.

If the owner or operator relies on certification from the marketer as described above, the owner or operator shall, at a minimum, each year, sample one load of used oil received, selected at random by the owner or operator, and analyze the sample for the above parameters. [F.A.C. Rule 62-4.070]

If the analytical results show that the used oil does **not** meet the specification for on-specification used oil, **or** that it contains a PCB concentration of **50 ppm or greater**, the owner or operator shall immediately notify the Department of Environmental Protection, Southeast District Office, Air Program and provide the analytical results to the Department. **The owner or operator shall immediately cease burning of the used oil.** Annual analysis of used fuel oil shall not be required if the facility did not burn used fuel oil in that calendar year.

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

III.A.13. Operating Records: The permittee shall maintain the following records for at least three (3) years:

- (a) Daily Records: The permittee shall maintain daily records on the following:
- Date of operation and operator's name.
 - Total hours of asphalt production for each day.
 - Total tons of asphalt produced for each day.
 - Average asphalt production for the day in tons per hour.
 - Note any repairs or maintenance performed on the baghouse.
- (b) Monthly Records: The permittee shall maintain monthly records on the following:
- Month of operation.
 - Total hours of operation.
 - Total tons of asphalt produced.
 - Total Gallons of each fuel fired.
 - Vendor Certificates on Fuel Oil/On-Specification Used Oil.

GROUP B. This portion of the permit addresses the following emissions unit:

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
002	1.412 mmBTU/hour Asphalt cement heater (Heatec Model No. HC-120) firing No. 2 fuel oil or better containing no more than 0.5% sulfur by weight. CONDITIONALLY EXEMPT

Permitting note: The asphalt cement heater, as of September 11, 2001 qualified for the Florida Department of Environmental Protection's generic emissions unit exemption of Rule 62-210.300(3), F.A.C.

III.B.1. Exemption Conditions:

The generic exemption recognizes that the applicant operates an asphalt cement heater as described above. In accordance with Rule 62-210.300(3) F.A.C., emission units that do not emit or have the potential to emit 5 tons per year or more of a regulated pollutant other than a hazardous air pollutant or lead, are exempted from the permitting requirements of Rule 62-4, 62-210, and 62-212, FAC.

The potential emissions from this unit were estimated based on unrestricted operations (8760 hr/yr) and the combustion of No.2 Fuel Oil containing no more than 0.50% sulfur by weight. In event that the permittee operates the asphalt cement heater using a fuel oil with sulfur content above 0.50%, the permittee shall take the following actions:

1. Notify the Palm Beach County Health Department's Air Pollution Control Section within 24-hours of the event. Notification shall include the name of the fuel supplier, the sulfur content, the duration or dates of the event, and actions to correct the problem; and
2. Submit a complete application and appropriate fee for an Air Pollution Construction Permit.

Note: *Compliance with the sulfur content requirements of this exemption can be verified through vendor supplied information. The permittee shall receive a vendor certificate for each shipment including an analysis of the sulfur content. The permittee shall maintain copies of all the vendor certifications on-site. Upon request, this information shall be made available for inspection by the Palm Beach County Health Department. All records shall be maintained for a period of 3 years.*

GROUP C. This portion of the permit addresses the following emissions unit:

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
003	Materials Handling & Storage Operations including the storage piles, storage bins, conveyors, and transfer operations.

EMISSIONS LIMITING STANDARDS

III.C.1. Visible Emissions: Unless otherwise specified in this permit, the permittee shall not cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from new, or existing emissions units, the opacity of which is equal to or greater than 20 percent based on the highest 6-minute average. [40 CFR 60.92(a)(2), Rules 62-204.800, and 61-210.300(3)(c)1,f.]

OPERATING RESTRICTIONS

III.C.2. Hours of Operation: The permittee is authorized to operate the materials handling and storage operations 24 hours per day, 7 days per week, and 52 weeks per year. [Permit No. 099-031-004-AC]

III.C.3. Unconfined Emissions of Particulate Matter: The permittee shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including 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 emissions. Reasonable precautions include the following: [Rule 62-296.320(4)(c), F.A.C.]

- (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, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- (d) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- (e) Landscaping or planting of vegetation.
- (f) Enclosure or covering of conveyor systems.

Note: Facilities that cause frequent, valid complaints will be required by the Health Department to take these or other reasonable precautions. In determining what constitutes reasonable precautions for a particular facility, the Health Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

COMPLIANCE/PERIODIC MONITORING REQUIREMENTS

III.C.4. Visible Emissions: The permittee shall have formal compliance tests conducted on the conveyor drop and transfer points each federal fiscal year (October 1 – September 30) at intervals of no more than 12 months to demonstrate compliance with the opacity limitation. [Rule 62-297.310(7)(a)4.a, F.A.C.] The test shall meet the following requirements:

- (a) The permittee shall use EPA Method 9, *Visual Determination of the Opacity of Emissions from Stationary Sources*, 40 CFR 60, Appendix A. [40 CFR 60.93(b)(2)]
- (b) The observation period of the EPA Method 9 shall be at least thirty (30) minutes in duration. [Rule 62-297.310(4)(a)2, F.A.C.]

PART IV.
LIST OF APPENDICES

APPENDIX	DESCRIPTION
A	General Permit Conditions
B	Citation Format
C	General Testing Requirements
D	Standards of Performance for Hot Mix Asphalt Plants

PART IV. APPENDIX A
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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.
- G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.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.
- G.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.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or 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.
- G.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 a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit.
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit.
 - (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.

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

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.

- G.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

PART IV. APPENDIX A
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

- G.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.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code 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.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology. (BACT does not apply)
 - (b) Determination of Prevention of Significant Deterioration. (PSD does not apply)
 - (c) Compliance with New Source Performance Standards. (NSPS subpart I applies)
- G.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 or 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.
- G.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 that 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.

PART IV. APPENDIX B
CITATION FORMAT

CITATION FORMAT

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, ID numbers, and permit numbers.

Guidance Memorandums from the Bureau of Air Regulation, Florida Department of Environmental Protection:

Example: [DARM-PER/GEN-12] (*Refers to a specific, numbered guidance memorandum.*)

Florida Administrative Code (F.A.C.) Regulations:

Example: [F.A.C. 62-4.070]

Where: 62 - Title 62
62-4 - Chapter 62-4
62-4.070 - Rule 62-4.070

Code of Federal Regulations:

Example: [40 CFR 60.334]

Where: 40 - Title 40
CFR - Code of Federal Regulations
60 - Part 60
60.334 - Rule 60.334

New Permit Numbers:

Example: 099-0333-002-AC, or
099-0333-001-AO

Where: AC - Air Construction Permit
AO - Air Operation Permit
099 - Number code identifying the facility is located in Palm Beach County
0333 - 4-digit facility identification number assigned by the permit tracking database
001 or 002 - 3-digit sequential file number assigned by the permit tracking database

Old Air Permit Numbers:

Example: AC50-123456

Where: AC - Air Construction Permit
AO - Air Operation Permit
123456 - 6-digit sequential file number assigned by the permit tracking database.

PART IV. APPENDIX C
SUMMARY OF GENERAL TESTING REQUIREMENTS

62-297.310 General Compliance Test Requirements.

The focal point of a compliance test is the stack or duct which vents process and/or combustion gases and air pollutants from an emissions unit into the ambient air.

(1) Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard.

(2) Operating Rate During Testing. Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate 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.

(a) Combustion Turbines. (Reserved)

(b) All Other Sources. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit.

(3) Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule.

(4) Applicable Test Procedures.

(a) Required Sampling Time.

1. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

PART IV. APPENDIX C
SUMMARY OF GENERAL TESTING REQUIREMENTS

- (d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.
- (e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

TABLE 297.310-1
CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" men of at least three readings
Dry Gas Meter and Orifice Meter	Max. deviation between readings		.004"
	1. Full Scale: When received, When 5% change observed, Annually	Spirometer or calibrated wet test or dry gas test meter	2%
	2. One Point: Semiannually 3. Check after each test series	Comparison check	5%

PART IV. APPENDIX C
SUMMARY OF GENERAL TESTING REQUIREMENTS

(5) Determination of Process Variables.

(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

(6) Required Stack Sampling Facilities. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.

2. The ports shall be capable of being sealed when not in use.

3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.

4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d). Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e). Access to Work Platform.

1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.

2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

(f). Electrical Power.

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.

2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

(g). Sampling Equipment Support.

PART IV. APPENDIX C
SUMMARY OF GENERAL TESTING REQUIREMENTS

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.
 - a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.
 - b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.
 - c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.
2. A complete monorail or dualrail arrangement may be substituted for the eyebolt and bracket.
3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.
- (7) Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.
 - (a) General Compliance Testing.
 1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
 2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.
 3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
 - a. Did not operate; or
 - b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.
 4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
 - a. Visible emissions, if there is an applicable standard;
 - b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and
 - c. Each NESHAP pollutant, if there is an applicable emission standard.
 5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.
 6. For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.
 7. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.
 8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.
 9. The owner or operator shall notify the Department, 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 owner or operator.

PART IV. APPENDIX C
SUMMARY OF GENERAL TESTING REQUIREMENTS

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from air permitting pursuant to Rule 62-210.300(3), F.A.C.; units determined to be insignificant pursuant to Rule 62-213.300(2)(a)1., F.A.C., or Rule 62-213.430(6)(b), F.A.C.; or units permitted under the General Permit provisions in Rule 62-210.300(4)(a) or Rule 62-213.300, F.A.C., unless the general permit specifically requires such testing.

(b) Special Compliance Tests. When the Department, 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 a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.

(8) Test Reports.

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.

(b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.

2. The facility at which the emissions unit is located.

3. The owner or operator of the emissions unit.

4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.

5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.

6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.

7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.

8. The date, starting time and duration of each sampling run.

9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.

10. The number of points sampled and configuration and location of the sampling plane.

11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.

12. The type, manufacturer and configuration of the sampling equipment used.

13. Data related to the required calibration of the test equipment.

14. Data on the identification, processing and weights of all filters used.

15. Data on the types and amounts of any chemical solutions used.

16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.

17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.

18. All measured and calculated data required to be determined by each applicable test procedure for each run.

19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

PART IV. APPENDIX C
SUMMARY OF GENERAL TESTING REQUIREMENTS

21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

Specific Authority: 403.061, FS.

Law Implemented: 403.031, 403.061, 403.087, FS.

History: Formerly 17-2.700(1)(b); Formerly 17-297.310; Amended 11-23-94, 3-13-96, 10-28-97, 3-2-99.

62-297.620 Exceptions and Approval of Alternate Procedures and Requirements.

(1) The owner or operator of any emissions unit subject to the provisions of this chapter may request in writing a determination by the Secretary or his/her designee that any requirement of this chapter (except for any continuous monitoring requirements) relating to emissions test procedures, methodology, equipment, or test facilities shall not apply to such emissions unit and shall request approval of an alternate procedures or requirements.

(2) The request shall set forth the following information, at a minimum:

(a) Specific emissions unit and permit number, if any, for which exception is requested.

(b) The specific provision(s) of this chapter from which an exception is sought.

(c) The basis for the exception, including but not limited to any hardship which would result from compliance with the provisions of this chapter.

(d) The alternate procedure(s) or requirement(s) for which approval is sought and a demonstration that such alternate procedure(s) or requirement(s) shall be adequate to demonstrate compliance with applicable emission limiting standards contained in the rules of the Department or any permit issued pursuant to those rules.

(3) The Secretary or his/her designee shall specify by order each alternate procedure or requirement approved for an individual emissions unit source in accordance with this section or shall issue an order denying the request for such approval. The Department's order shall be final agency action, reviewable in accordance with Section 120.57, Florida Statutes.

(4) In the case of an emissions unit which has the potential to emit less than 100 tons per year of particulate matter and is equipped with a baghouse, the Secretary or the appropriate Director of District Management may waive any particulate matter compliance test requirements for such emissions unit specified in any otherwise applicable rule, and specify an alternative standard of 5% opacity. The waiver of compliance test requirements for a particulate emissions unit equipped with a baghouse, and the substitution of the visible emissions standard, shall be specified in the permit issued to the emissions unit.

If the Department has reason to believe that the particulate weight emission standard applicable to such an emissions unit is not being met, it shall require that compliance be demonstrated by the test method specified in the applicable rule.

Specific Authority: 403.061, FS.

Law Implemented: 403.021, 403.031, 403.061, 403.087, FS.

History: Formerly 17-2.700 (3); Amended 6-29-93; Formerly 17-297.620; Amended 11-23-94.

PART IV. APPENDIX D
40 CFR 60.90, NSPS, SUBPART I, HOT MIX ASPHALT PLANTS

60.90 Applicability and designation of affected facility.

- (a) The affected facility to which the provisions of this subpart apply is each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.
- (b) Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

60.91 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in Subpart A of this part.

- (a) Hot mix asphalt facility means any facility, as described in 60.90, used to manufacture hot mix asphalt by heating and drying aggregate and mixing with asphalt cements.

60.92 Standard for particulate matter.

- (a) On and after the date on which the performance test required to be conducted by 60.8 is completed, no owner or operator subject to the provisions of this subpart 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.

60.93 Test methods and procedures.

- (a) In conducting the performance tests required in 60.8, the owner or operator shall use as reference methods and procedures the test methods in Appendix A of this part or other methods and procedures as specified in this section, except as provided in 60.8(b).
- (b) The owner or operator shall determine compliance with the particulate matter standards in 60.92 as follows:
 - (1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).
 - (2) Method 9 and the procedures in 60.11 shall be used to determine opacity.