



Charlie Christ
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

MARCH 3, 2009

ELECTRONIC CORRESPONDENCE
JRIOS@CACORP.NET

NOTICE OF PERMIT

Community Asphalt Corporation
14005 N.W. 186th Street
Hialeah, Florida 33018
Authorized Representative
Jose Rios, Vice President

ARMS No.:	0990310
Permit No:	0990310-006-AC
Issued:	03/03/2009
Expires:	03/02/2010

Dear Mr. Rios:

Enclosed is the above referenced air pollution construction permit to perform the proposed work on 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, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code. Any party to this order (permit) has the right to seek judicial review of it pursuant to Section 120.68, F.S., by filing a notice of appeal pursuant to Rule 9.110 of the Florida Rules of Appellate Procedure with: the legal office of the Palm Beach County Health Department at P.O. Box 29 (826 Evernia Street), West Palm Beach, Florida 33402-0029; the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this order (permit) is filed with the clerk of the Health Department.

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

For the Director of Division of Environmental Health & Engineering

James E. Stormer, QEP, Environmental Administrator
Air & Waste Program



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

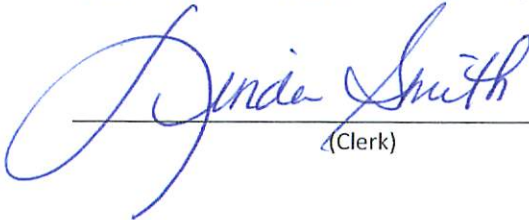
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that the Notice of Permit, the Final Determination, and the Air Pollution Construction Permit were sent by electronic mail to the Authorized Representative and copies were sent by electronic mail to the persons listed before close of business on the date of filing indicated below.

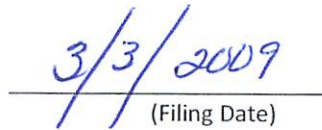
Copies:

Eugene D. Schaltenbrand, P.E.	email	Schaltee@bellsouth.net
Tim Fox, Facility Production Manager	email	Tfox@cacorp.net
Bill Arlington	email	barlington@arlingtonenvironmental.com
Lennon Anderson, P.E., Southeast District Office, FDEP	email	Lee.Hoefert@dep.state.fl.us

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.



(Clerk)



(Filing Date)

FINAL DETERMINATION

Air Permit No. 099-0310-006-AC

PERMITTEE:

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

Authorized Representative
Jose Rios, Vice President

Project:

Modification of Operating Permit number 0990310-005-AO
(1) Add the usage of Natural Gas and (2) add a Crusher

Located at:
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"

COMMENTS AND REVISIONS

The Health Department received an application on November 17, 2008 requesting (1) the usage of natural gas and (2) adding a crusher at the facility. The draft version of the permit was sent electronically on February 6, 2009. The Health Department received proof of public notice on February 23, 2009, which was published on February 14, 2009. The addition of natural gas and the RAP crusher will not cause or contribute to a violation of any air quality standard or any other technical provision of Chapter 62-4 through 62-297 of the Florida Administrative Code.

FINAL ACTION

The final action of the Health Department is to issue the final air pollution construction permit, as proposed.

Filename: 0990310-006-AC,community asphalt_NOP.doc



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State Surgeon General

MARCH 3, 2009

ELECTRONIC CORRESPONDENCE
JRIOS@CACORP.NET

AIR POLLUTION CONSTRUCTION PERMIT

Community Asphalt Corporation
14005 N.W. 186th Street
Hialeah, Florida 33018
Authorized Representative
Jose Rios, Vice President

ARMS No.:	0990310
Permit No:	0990310-006-AC
Issued:	03/03/2009
Expires:	03/02/2010

PROJECT DESCRIPTION:

Modification of Construction Permit number 0990310-004-AC to add (a) Natural Gas as an alternative fuel source and (b) a 500 TPH RAP Crusher.

LOCATED AT:

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 Florida Department of Environmental Protection (DEP) has permitting jurisdiction for this project pursuant to Section 403.087 of the Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the DEP recognizes the Palm Beach County Health Department (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 to for this type of air pollution source located in Palm Beach County. Accordingly, the Health Department issues this permit under the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The permittee is authorized to perform the work for the proposed project 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

For the Director of Division of Environmental Health & Engineering

James E. Stormer, QEP, Environmental Administrator
Air & Waste Program



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

February 14, 2009	Public Notice Published
February 6, 2009	Health Department issued Draft version of Air Construction Permit 0990310-006-AC
November 17, 2008	Permit application received for modification of Permit Number 0990310-004-AC
August 23, 2006	Health Department issued Permit Number 0990310-005-AO
March 06, 2006	Health Department issued Permit number 099-0310-004-AC
September 11, 2001	Health Department issues Permit number 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 40 CFR 60 Subpart I
	<i>Appendix E:</i> Standards of Performance for Nonmetallic Mineral Processing Plants 40 CFR 60 Subpart OOO

REGULATORY CLASSIFICATIONS

Title III:	The facility is not a major source of hazardous air pollutants (HAPs)
Title IV:	The facility will not operate units subject to the acid rain provisions of the Clean Air Act.
Title V:	The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
PSD:	The facility is not a PSD major source in accordance with Rule 62-212.400 F.A.C.
RACT:	The facility is not subject to any RACT requirements
NSPS:	The facility is subject to the requirements of 40 CFR 60 Subparts OOO and I.
NESHAP:	The facility is not subject to any requirements of 40 CFR 61 & 63

EMISSIONS UNIT SUMMARY

EMISSIONS UNIT No.	EMISSIONS UNIT DESCRIPTION
01	300 TPH Asphalt Plant, Dryer and Drum Mixer
02	1.412 MMBTU/Hr Asphalt Cement Heater – GENERIC EMISSION UNIT EXEMPTION
03	Materials Handling and Storage Operations - EXEMPT
04	500 TPH – 350 hp Engine , Portable Rap Crusher and Screening Operation (Proposed Emission Unit)

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

1.0 Administrative Requirements

- 1.1 Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department (PBCHD) at P.O. Box 29 (901 Evernia Street), West Palm Beach, Florida, 33402-0029, and telephone number (561) 355-3136. **[Specific Operating Agreement]**
- 1.2 General Conditions: The permittee shall be aware of, and operate under the attached General Conditions listed in *Appendix A* of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**
- 1.3 Citation Format: *Appendix B* of this permit provides the format for citing applicable regulations.
- 1.4 Applicable Regulations: This facility is subject to the following regulations: Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297. 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, F.A.C. and the SOA]**
- 1.5 Source Obligation:
- (a) Authorization to construct shall expire if construction is not commenced within 18 months after receipt of the permit, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. This provision does not apply to the time period between construction of the approved phases of a phased construction project except that each phase must commence construction within 18 months of the commencement date established by the PBCHD in the permit.
 - (b) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of Rules 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification. **[Rule 62-212.400(12), F.A.C.]**

2.0 EMISSION LIMITING STANDARDS

- 2.1 General Particulate Emission Limiting Standards: General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, the permittee shall not:
- (a) Cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as No. 1 on the Ringelmann Chart (20 percent opacity). **[Rule 62-296.320(4)(b)1., F.A.C.]**
 - (b) If the presence of uncombined water is the only reason for failure to meet the visible emissions standards given in Rule 62-296.320(4)1, F.A.C., such failure shall not be a violation of the rule. **[Rule 62-296.320(4)(b)3, F.A.C.]**
 - (c) All visible emissions test performed pursuant to the requirements of Rule 62-296.320(b)(4)1, F.A.C. shall use EPA Reference Method 9, and shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-296.320(4)(b)4.a., F.A.C.]**

- 2.2 Objectionable Odors: Objectionable Odor Prohibited: 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, Definitions. F.A.C.]

- 2.3 General VOC Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions: The permittee shall allow no person to store, pump, handle, process, load, unload, or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. **[Rule 62-296.320(1), F.A.C.]**

- 2.4 Unconfined Particulate Emission Limiting Standards: 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 shall include the following:

- (a) Paving and maintenance of roads, parking areas and yards.
- (b) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- (c) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- (d) Removal of 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.

[Rule 62-296.320(4)(c), F.A.C.]

3.0 PERFORMANCE STANDARDS

- 3.1 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.]**

- 3.2 Excess Emissions Requirements:

- (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 permittee 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.]**

- (d) Considering operational variations in types of industrial equipment operations affected by this rule, the Department may adjust the maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest. **[Rule 62-210.700(5), F.A.C.]**

4.0 COMPLIANCE MONITORING REQUIREMENTS

- 4.1 Duration: Unless otherwise specified in this permit, all records and reports required by this permit shall be kept for at least 3 years from the date the information was recorded. **[Rule 62-4.160(14)(b), F.A.C.]**
- 4.2 Test Procedures: All test methods and procedures shall be performed in accordance with the applicable requirements of Chapter 62-297, F.A.C., summarized in *Appendix C* of this permit. **[Rule 62-297.100, F.A.C.]**
- 4.3 Operational Rate During Testing: Unless otherwise stated in the applicable emission limiting standard for a rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable 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.]**
- 4.4 Stack Testing Facilities: The permittee shall install and maintain permanent / temporary stack testing facilities in accordance with the requirements provided in *Appendix C* of this permit. **[Rule 62-297.310(6), F.A.C.]**
- 4.5 Test Notification: At least 15 days prior to the date on which each formal compliance test is to begin, the permittee shall notify the Health Department in writing 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 60-day 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.]**
- 4.6 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 DEP 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.]**

5.0 REPORTS REQUIRED

- 5.1 Annual Operations Report: The annual operating report shall be submitted to the Department of Environmental Protection (DEP) division, district or DEP approved local air pollution control program office by April 1 of the following year, except that the annual operating report for the year 2008 shall be submitted by May 1, 2009 using DEP Form No. 62-210.900(5). If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to any DEP or local air program office (PBCHD) **[Rule 62-210.370(3), F.A.C.]**
- 5.2 Excess Emissions Report: If excess emissions occur, the Health Department may request a written summary report of the incident. **[Rule 62-210.370(3), F.A.C.]**
- 5.3 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)(b), 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.]**

6.0 WASTE REQUIREMENTS

- 6.1** 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.
[Permit Number 0990310-004-AC]

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

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

001	300 TPH Hot Drum Mix Asphalt Plant Fabspec Dryer and a 7' X 20' drum-mixer firing No.2 fuel oil. <i>Control Device:</i> Standard Havens Mark III baghouse with a vent rate of 53,153 ACFM.
<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> <i>The purpose of this permit modification is to add the usage of natural gas at the facility..</i>	

EMISSION LIMITING STANDARDS

- III.A.1. Rule applicability: This emission unit is subject to the regulations of 40 CFR Part 60 Subpart I, included in Appendix D. [Rule 210.300(3)(c), F.A.C. and 62-204.800, F.A.C.]
- III.A.2. Visible Emissions (VE): Visible emissions shall not equal nor exceed twenty (20) percent opacity from the baghouse outlet. [40 CFR 60.92(a)(2), Rules 62-204.800, Rules 62-210.300(3)(c)1,f, F.A.C.]
- III.A.3. 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 62-210.300(3)(c)1,d, F.A.C.]

OPERATING RESTRICTIONS

- III.A.4. This emission unit is subject to the following operating restrictions on a 12-month rolling total.:
- (a) Fuel Oil Usage shall not exceed 1,200,000 gallons per year (12-month rolling total), and the sulfur content of the fuel oil shall not exceed 1.0% by weight.
 - (b) Asphalt Concrete Production shall not exceed 700,000 tons per year (12-month rolling total). [Rule 62-210.300(3)(c)1, F.A.C.]
- III.A.5. Alternate Fuel
- (a) Alternatively, natural gas may also be fired in the drum mixer and asphalt cement heater.
 - (b) If only natural gas is fired, the plant is limited to 167.0 million cubic feet (MCF) of natural gas per consecutive 12 months, rolling total.
 - (c) If a combination of fuel oil and natural gas is used during a reporting period, each fuel consumption limit shall be prorated based upon the heat input for each fuel type. Total heat input shall not exceed the heat input calculated based on the fuel consumption specified in III.A.4.(a) (For this project, the heat content of No. 2 fuel oil is 141 mmBTU per thousand gallons and of natural gas is 1050 mmBTU per million cubic feet.). [Rule 62-4.070(3), F.A.C.]
- III.A.6. 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 Number 0990310-004-AC]
- III.A.7. Fuel Oils: The permittee is authorized to fire the following fuels, alone or in combination, within the dryer:
- (a) Natural gas,
 - (b) Virgin Fuel Oil (no. 2); and
 - (c) On-Specification Used Fuel Oil (with a PCB concentration of less than 50 ppm)
- [Permit No. 0990310-004-AC and Rule 62-4.070(3), F.A.C.]

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.8.** 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.]**
- III.A.9.** 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.10.** Visible Emissions: The permittee shall have a formal compliance test conducted on the dryer exhaust each federal fiscal year (October 1 – September 30) to demonstrate compliance with the opacity limitation. **[Rule 62-297.310(7)(a)4., 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.]**
- III.A.11.** Particulate Matter: The permittee shall have a formal compliance test conducted on the dryer exhaust each federal fiscal year (October 1 – September 30) to demonstrate compliance with the specific condition III.A.3. **[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.12.** Fuel Oil Sulfur Content: The permittee shall sample as-fired fuel oil and monitor fuel oil sulfur content during each federal fiscal year (October 1 – September 30) in accordance with the following:
- (a) Annual sampling shall be conducted simultaneously with the annual particulate matter testing and shall 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:
 - ASTM D 4057-88. Standard Practice for Manual Sampling of Petroleum and Petroleum Products.
 - ASTM D 129-91. Standard Test Method for Sulfur in Petroleum Products (General Bomb Method).
 - ASTM D 2622-94. Standard Test Method for Sulfur in Petroleum Products by X-Ray Spectrometry.
 - ASTM D 4294-90. Standard Test Method for Sulfur in Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectroscopy.
 - (d) If the facility burns the used fuel oil, then the samples shall be analyzed for the parameters listed in the specific condition III.A.9.
[Rule 62-297.310(7), F.A.C.]

III.A.13. 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.

III.A.14. Note that a claim that used fuel 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.]**

Used fuel oil – Analysis Required: 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 following parameters. **[F.A.C. Rule 62-4.070]**

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 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 Palm Beach County Health Department 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.15. Operating Records: The permittee shall maintain the following records for at least three (3) years:

(a) Daily Records: The permittee shall maintain daily records of the following:

- Date of operation and operator's name.
- Total hours of asphalt production.
- Total tons of asphalt produced.
- Total Gallons of fuel oil (distillate or used) fired.
- Total MMCF of natural gas fired.
- Note any repairs or maintenance performed on the emission unit or control device.

(b) Monthly Records: The permittee shall maintain monthly records of the following:

- Month of operation.
- Total hours of operation.
- Total tons of asphalt produced.
- Total gallons of fuel oil (distillate or used) fired.
- Total MMCF of natural gas fired.
- Vendor Certificates on Fuel Oil/On-Specification Used Oil.

[Permit Number 0990310-004-AC]

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

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
002	<u>Asphalt cement heater</u> 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 and the usage of natural gas. GENERIC EMISSION UNIT EXEMPTION

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)(b) 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 and also natural gas. 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. Records of natural gas usage shall also be kept on site.*

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

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
004	500 TPH Portable RAP Crusher, 350 hp engine, and Screening Operation: Fugitive particulate matter is emitted from crushing, screening, stockpiles, and the transfer points of belt conveyors, crushers, grinding mills, screening operations, bucket elevators, storage bins, and loading stations. The affected transfer points are subject to 40 CFR 60, Subpart 000 adopted and incorporated by reference in Rule 62-204.800(7)(b)66.

The purpose of this permit modification is to add a crushing operation at the facility, not a specific crusher. This permit modification allows any crusher with capacity up to 500 tons per hour and a diesel engine with a capacity up to 350 hp.

EMISSIONS LIMITING STANDARDS

- III.C.1** Rule Applicability: The crusher and the appurtenances are subject to 40 CFR 60 Subpart 000 “Standards for Nonmetallic Mineral Processing Plants” as included in Appendix E.
- (a) **The capacity of the crusher shall not exceed 500 tons per hour.**
- (b) **The capacity of the diesel engine shall not exceed 350 hp**
- [Rule 62-204.800(7)(b)66., F.A.C. and 62-4.070(3), F.A.C.]**
- III.C.2.** Visible Emission Standards:
- (a) **Transfer Points Subject to Subpart 000:** Visible emissions from any 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 000, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not exceed 10% opacity.
- [40 CFR 60.672(b)]**
- (b) **Crusher Subject to Subpart 000:** Visible emissions from any crusher shall not exceed 15% opacity.
- [40 CFR 60.672(c)]**
- (c) **Transfer Points and Crusher Not Subject to subpart 000:** 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, Subpart 000, shall be less than 20% opacity, pursuant to Rule 62-296.320(4)(b)1., F.A.C.
- [Rule 62-296.320(4), F.A.C.]**
- (d) **Wet Operations:** The owner or operator shall ensure that wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin and are subject to 40 CFR Part 60, Subpart 000, adopted and incorporated by reference at Rule 62-204.800, F.A.C., do not discharge any visible emissions. The owner or operator shall also ensure that screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operations, bucket elevators, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line and are subject to 40 CFR Part 60, Subpart 000, adopted and incorporated by reference at Rule 62-204.800, F.A.C., do not discharge any visible emissions.
- [40 CFR 60.672(h)]**

OPERATING RESTRICTIONS

- III.C.3.** Hours of Operation: The permittee is authorized to operate the RAP Crusher and Industrial Engine (generator) for 2600 hrs/yr. **[Rule 62-4.070, F.A.C.]**

COMPLIANCE/PERIODIC MONITORING REQUIREMENTS

- III.C.4.** Compliance Frequency: The permittee shall demonstrate initial compliance with the emission standards on or after sixtieth day after achieving maximum production rate at which the facility will be operated, but not later than 180 days after initial startup. The renewal compliance shall be demonstrated within 60 days prior to the expiration of the operating permit.

The permittee shall use EPA Method 9, *Visual Determination of the Opacity of Emissions from Stationary Sources*, 40 CFR 60, Appendix A. **[40 CFR 60.672 (b) & (c), 62-297.310, F.A.C.]**

- III.C.5.** VE Observations: In determining compliance with the particulate matter standards in specific condition III.C.2. (a) and (b), the owner or operator shall use Method 9 and the procedures in 40 CFR 60.11, with the following additions:
- (a) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
 - (b) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
 - (c) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

[40 CFR 60.675 (c)(1)]

- III.C.6.** When determining compliance with the fugitive emissions standard specified in specific condition III.C.2.(a) the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
- (a) There are no individual readings greater than 10 percent opacity; and
 - (b) There are no more than 3 readings of 10 percent for the 1-hour period.

[40 CFR 60.675 (c)(3)]

- III.C.7.** When determining compliance with the fugitive emissions standard for any crusher as specified in specific condition III.C.2.(b), the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
- (a) There are no individual readings greater than 15 percent opacity; and
 - (b) There are no more than 3 readings of 15 percent for the 1-hour period.

[40 CFR 60.675(c)(4)]

III.C.8 Reporting and Recordkeeping Requirements

- (a) The owner or operator shall notify the Health Department by telephone, e-mail, fax, or written communication at least one (1) business day prior to bringing the crusher to this facility and transmit (by e-mail, fax, post, or courier) the details of the crusher as mentioned below to the Health Department no later than five (5) business days following relocation of the crusher.
 - a. The manufacturer, model no. and serial no. of the crusher, screen, and conveyor
 - b. Rated capacity of the crusher (tons per hour), total surface area of the top screen, and width of the conveyor belt, and the rated capacity of the storage bin (tons).
 - c. The startup date of crusher and other appurtenances (screens, conveyors, and storage bins).
- (b) The owner or operator shall notify the Health Department by telephone, e-mail, fax or written communication at least within five (5) days of the removal of the crusher from the facility.
- (c) The owner or operator shall notify PBCHD, 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 test, and the test contact person who will be responsible for

- coordinating and having such test conducted for the owner or operator pursuant to Rule 62-297.310(7)(a)9., F.A.C.
- (d) The owner or operator shall file the test report(s) to the PBCHD, no later than 45 days after the last sampling run of each test is completed pursuant to Rules 62-297.310(8)(a) & (b), F.A.C. The details of the reports shall be in accordance with Rule 62-297.310(8)(c), F.A.C.
- (e) Each owner or operator seeking to comply and shall submit the following information about the existing facility being replaced and the replacement piece of equipment.
- a. For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:
 - i. The rated capacity in tons per hour of the existing facility being replaced and
 - ii. The rated capacity in tons per hour of the replacement equipment.
 - b. For a screening operation:
 - i. The total surface area of the top screen of the existing screening operation being replaced and
 - ii. The total surface area of the top screen of the replacement screening operation.
 - c. For a conveyor belt:
 - i. The width of the existing belt being replaced and
 - ii. The width of the replacement conveyor belt.
 - d. For a storage bin:
 - i. The rated capacity in tons of the existing storage bin being replaced and
 - ii. The rated capacity in tons of replacement storage bins.
- (f) A notification of the date construction of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
- (g) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
- (h) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e) (Modifications). This notice shall be postmarked within 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
- (i) The following shall not, by themselves, be considered modifications under this part:
- a. Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and §60.15.
 - b. An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.
 - c. An increase in the hours of operation.
 - d. Use of an alternative fuel or raw material.
 - e. The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.
 - f. The relocation or change in ownership of an existing facility.

[Rule 62-4.070(3), F.A.C., 40 CFR 60.14(e), 40 CFR 60.676(a), 40 CFR 60.7(a), 40 CFR 60.67(d) and Rule 62-297.310, F.A.C.]

III.C.9 Operating Records The permittee shall maintain the following records for the RAP Crusher and Industrial Engine (generator) for at least three (3) years:

(a) Daily Records: The permittee shall maintain daily records on the following:

- a. Date of operation and operator's name
- b. Total hours of operation.
- c. Total gallons of each fuel oil fired.

(b) Monthly Records: The permittee shall maintain daily on the following:

- a. Month of operation.
- b. Total hours of operation.
- c. Total gallons of each fuel oil fired.

[40 CFR 60.19(d) and Rule 62-297.310, 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
E	Standards of Performance for Nonmetallic Mineral Processing 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

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

Florida 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 Max. deviation between readings	Micrometer	+/-0.001" men of at least three readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		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.

PART IV. APPENDIX C
SUMMARY OF GENERAL TESTING REQUIREMENTS

(g). Sampling Equipment Support.

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.

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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.

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.

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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.

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.

PART IV. APPENDIX E
40 CFR 60, SUBPART OOO
NONMETALLIC MINERAL PROCESSING PLANTS

Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants

Source: 51 FR 31337, Aug. 1, 1985, unless otherwise noted.

§ 60.670 Applicability and designation of affected facility.

(a)(1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

(2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; and stand-alone screening operations at plants without crushers or grinding mills.

(b) An affected facility that is subject to the provisions of subpart F or I or that follows in the plant process any facility subject to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

(c) Facilities at the following plants are not subject to the provisions of this subpart:

(1) Fixed sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 23 megagrams per hour (25 tons per hour) or less;

(2) Portable sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 136 megagrams per hour (150 tons per hour) or less; and

(3) Common clay plants and pumice plants with capacities, as defined in §60.671, of 9 megagrams per hour (10 tons per hour) or less.

(d)(1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

(2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, reconstruction, or modification after August 31, 1983 is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that apply and those that do not apply to owners and operators of affected facilities subject to this subpart.

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Table 1_Applicability of Subpart A to Subpart OOO

Subpart A reference	Applies to Subpart OOO	Comment
60.1, Applicability.....	Yes	
60.2, Definitions.....	Yes	
60.3, Units and abbreviations....	Yes	
60.4, Address:		
(a).....	Yes	
(b).....	Yes	
60.5, Determination of construction or modification.	Yes	
60.6, Review of plans.....	Yes	
60.7, Notification and recordkeeping..	Yes	Except in (a)(2) report of anticipated date of initial startup is not required (§ 60.676(h)).
60.8, Performance tests.....	Yes	Except in (d), after 30 days notice for an initially scheduled performance test, any rescheduled performance test requires 7 days notice, not 30 days (§ 60.675(g)).
60.9, Availability of information....	Yes	
60.10, State authority.....	Yes	
60.11, Compliance with standards and maintenance requirements.	Yes	Except in (b) under certain conditions (§§ 60.675 (c)(3) and (c)(4)), Method 9 observation may be reduced from 3 hours to 1 hour. Some affected facilities exempted from Method 9 tests (§ 60.675(h)).
60.12, Circumvention.....	Yes	
60.13, Monitoring requirements.....	Yes	
60.14, Modification.....	Yes	
60.15, Reconstruction.....	Yes	
60.16, Priority list.....	Yes	
60.17, Incorporations by reference...	Yes	
60.18, General control device.	No	Flares will not be used to comply with the. emission limits.....
60.19, General notification and reporting requirements.	Yes	

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§ 60.671 Definitions.

All terms used in this subpart, but not specifically defined in this section, shall have the meaning given them in the Act and in subpart A of this part.

Bagging operation means the mechanical process by which bags are filled with nonmetallic minerals.

Belt conveyor means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

Bucket elevator means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

Building means any frame structure with a roof.

Capacity means the cumulative rated capacity of all initial crushers that are part of the plant.

Capture system means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one or more process operations to a control device.

Control device means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more process operations at a nonmetallic mineral processing plant.

Conveying system means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: Feeders, belt conveyors, bucket elevators and pneumatic systems.

Crusher means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: jaw, gyratory, cone, roll, rod mill, hammermill, and impactor.

Enclosed truck or railcar loading station means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

Fixed plant means any nonmetallic mineral processing plant at which the processing equipment specified in §60.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

Fugitive emission means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

Grinding mill means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used.

Initial crusher means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

Nonmetallic mineral means any of the following minerals or any mixture of which the majority is any of the following minerals:

(a) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell.

(b) Sand and Gravel.

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- (c) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay.
- (d) Rock Salt.
- (e) Gypsum.
- (f) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate.
- (g) Pumice.
- (h) Gilsonite.
- (i) Talc and Pyrophyllite.
- (j) Boron, including Borax, Kernite, and Colemanite.
- (k) Barite.
- (l) Fluorospars.
- (m) Feldspar.
- (n) Diatomite.
- (o) Perlite.
- (p) Vermiculite.
- (q) Mica.
- (r) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite.

Nonmetallic mineral processing plant means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670 (b) and (c).

Portable plant means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

Production line means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

Screening operation means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens).

Size means the rated capacity in tons per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

Stack emission means the particulate matter that is released to the atmosphere from a capture system.

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Storage bin means a facility for storage (including surge bins) or nonmetallic minerals prior to further processing or loading.

Transfer point means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

Truck dumping means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: trucks, front end loaders, skip hoists, and railcars.

Vent means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

Wet mining operation means a mining or dredging operation designed and operated to extract any nonmetallic mineral regulated under this subpart from deposits existing at or below the water table, where the nonmetallic mineral is saturated with water.

Wet screening operation means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997]

§ 60.672 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 cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions which:

(1) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and

(2) Exhibit greater than 7 percent opacity, unless the stack emissions are discharged from an affected facility using a wet scrubbing control device. Facilities using a wet scrubber must comply with the reporting provisions of §60.676 (c), (d), and (e).

(b) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs (c), (d), and (e) of this section.

(c) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a), (b) and (c) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:

(1) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible fugitive emissions except emissions from a vent as defined in §60.671.

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(2) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions which exceed the stack emissions limits in paragraph (a) of this section.

(f) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any baghouse that controls emissions from only an individual, enclosed storage bin, stack emissions which exhibit greater than 7 percent opacity.

(g) Owners or operators of multiple storage bins with combined stack emissions shall comply with the emission limits in paragraph (a)(1) and (a)(2) of this section.

(h) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, no owner or operator shall cause to be discharged into the atmosphere any visible emissions from:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operations, bucket elevators, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997; 65 FR 61778, Oct. 17, 2000]

§ 60.673 Reconstruction.

(a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the “fixed capital cost of the new components” or the “fixed capital cost that would be required to construct a comparable new facility” under §60.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.

(b) Under §60.15, the “fixed capital cost of the new components” includes the fixed capital cost of all depreciable components (except components specified in paragraph (a) of this section) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

§ 60.674 Monitoring of operations.

The owner or operator of any affected facility subject to the provisions of this subpart which uses a wet scrubber to control emissions shall install, calibrate, maintain and operate the following monitoring devices:

(a) A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 250 pascals ± 1 inch water gauge pressure and must be calibrated on an annual basis in accordance with manufacturer's instructions.

(b) A device for the continuous measurement of the scrubbing liquid flow rate to the wet scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 5 percent of design scrubbing liquid flow rate and must be calibrated on an annual basis in accordance with manufacturer's instructions.

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§ 60.675 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). Acceptable alternative methods and procedures are given in paragraph (e) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.672(a) as follows:

(1) Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

(c)(1) In determining compliance with the particulate matter standards in §60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in §60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(2) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9, the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages).

(3) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and

(ii) There are no more than 3 readings of 10 percent for the 1-hour period.

(4) When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under §60.672(c) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 15 percent opacity; and

(ii) There are no more than 3 readings of 15 percent for the 1-hour period.

(d) In determining compliance with §60.672(e), the owner or operator shall use Method 22 to determine fugitive emissions. The performance test shall be conducted while all affected facilities inside the building are operating. The performance test for each building shall be at least 75 minutes in duration, with each side of the building and the roof being observed for at least 15 minutes.

(e) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

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(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.

(f) To comply with §60.676(d), the owner or operator shall record the measurements as required in §60.676(c) using the monitoring devices in §60.674 (a) and (b) during each particulate matter run and shall determine the averages.

(g) If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in this section, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

(h) Initial Method 9 performance tests under §60.11 of this part and §60.675 of this subpart are not required for:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to, but not including the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, that process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[54 FR 6680, Feb. 14, 1989, as amended at 62 FR 31360, June 9, 1997]

§ 60.676 Reporting and recordkeeping.

(a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.

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(b) [Reserved]

(c) During the initial performance test of a wet scrubber, and daily thereafter, the owner or operator shall record the measurements of both the change in pressure of the gas stream across the scrubber and the scrubbing liquid flow rate.

(d) After the initial performance test of a wet scrubber, the owner or operator shall submit semiannual reports to the Administrator of occurrences when the measurements of the scrubber pressure loss (or gain) and liquid flow rate differ by more than ± 30 percent from the averaged determined during the most recent performance test.

(e) The reports required under paragraph (d) shall be postmarked within 30 days following end of the second and fourth calendar quarters.

(f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 to demonstrate compliance with §60.672(b), (c), and (f), and reports of observations using Method 22 to demonstrate compliance with §60.672(e).

(g) The owner or operator of any screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to §60.672(h) and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in §60.672(b) and the emission test requirements of §60.11 and this subpart. Likewise a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in §60.672(h).

(h) The subpart A requirement under §60.7(a)(2) for notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart.

(i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

(j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.