Jeb Bush
Governor

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

ELECTRONIC CORRESPONDENCE
Epalenzuela@sfmaterials.com

December 21, 2006

NOTICE OF A
FINAL AIR CONSTRUCTION PERMIT

PERMITTEE:
South Florida Materials Corp.
101 Sansbury's Way
West Palm Beach, Florida 33411

Air Permit No.: 0990630-004-AC
PALM BEACH COUNTY, FLORIDA
Project: Construction permit modification

Authorized Representative:
Eddie Palenzuela,
Terminal Manager

Dear Mr. Palenzuela:

Enclosed is Air Permit No. 0990630-004-AC to operate a source of air pollution located in Palm Beach County. This permit is issued pursuant to Chapter 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204 through 62-297 of the Florida Administrative Code. Any party to this Order (Permit) has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order (Permit) is filed with the Clerk of the Health Department.

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

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

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

CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by electronic mail before the close of business on 12/21/06 to the permittee. In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by electronic mail on the same date to the following persons:

Kenneth Given, PE, Clean Air Consulting, Inc.	*Email*	*airtest@GTE.net*
Richard Vogel, South Florida Materials	*Email*	*rvogel@sfsmaterials.com*
Darrel Graziani, PE, Southeast District, DEP	*Email*	*Darrel.Graziani@dep.state.fl.us*
Ajaya Satyal, Compliance Section, PBCHD	*Email*	*Ajaya_Satyal@doh.state.fl.us*

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

Elizabeth Mason 12/21/06

(Clerk) (Date)

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

FINAL DETERMINATION

FINAL AIR CONSTRUCTION PERMIT

FACILITY

South Florida Materials Corp.
101 Sansbury's Way
West Palm Beach, Florida 33411

Description: Asphalt Terminal Station [SIC: 5032]
SIC No.: 5032
UTM: Zone 17 ; 593.18 km E. ; 2960.83 km N.
Palm Beach County, Florida

ARMS No.	0990630
Air Permit No.	0990630-004-AC
Issued:	**December 21, 2006**
Expires:	**December 20, 2007**

Authorized Representative:
Eddie Palenzuela, Terminal Manager

PROJECT

Air Permit No. 0990630-004-AC

The facility is proposing to burn natural gas, bio-diesel, low and ultra-low diesel fuel oil, and used oil in addition to the previously permitted diesel fuel oil. The facility is also requesting to remove the operating restrictions on the heaters and is proposing to operate both heaters simultaneously without restriction on operating hours.

COMMENTS / CHANGES

The Health Department received proof of publication on **December 08, 2006** that the Public Notice of Intent to Issue Permit was published in the **December 01, 2**006 issue of **South Florida Business Journal**. The applicant, the general public, or the Florida Department of Environmental Protection made no comments.

FINAL ACTION

The final action of the Health Department is to issue this air pollution permit.

Jeb Bush
Governor

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

AIR POLLUTION CONSTRUCTION PERMIT

FINAL

ISSUED TO (PERMITTEE):
South Florida Materials Corp.
101 Sansbury's Way
West Palm Beach, Florida 33411

Authorized Representative:
Eddie Palenzuela, Terminal Manager

ARMS No.	0990630
Air Permit No.	0990630-004-AC
Issued:	**December 21, 2006**
Expires:	**December 20, 2007**

LOCATED AT:

South Florida Materials Corp.
300 Middle Road (Port of Palm Beach)
Riviera Beach, Florida 33404

UTM: Zone 17 ; 593.18 km E. ; 2960.83 km N.
Description: Asphalt Terminal Station [SIC: 5032]

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

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

Air Permit Engineer: Laxmana Tallam P.E.

SUMMARY INFORMATION

PERMIT HISTORY

12-01-06: Public Notice published
10-30-06: Draft permit and the Intent issued
09-21-06: Palm Beach County Health Department (PBCHD) received application for permit modification.
12-01-05 PBCHD approved the exemption for diesel storage tanks (0990630-003-AO)
09-30-04 PBCHD issued permit no. 0990630-002-AO
04-28-04 PBCHD issued permit no. 0990630-001-AC

REGULATORY CLASSIFICATION

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.
RACT: The hot oil heaters at this facility are not subject to the Major Source NOx RACT requirements.
PSD: The facility is a classified as a PSD minor source in accordance with Rule 62-212.400 F.A.C.
NSPS: The facility is not subject to any requirements of 40 CFR 60.
NESHAP: The facility is subject to the requirements of 40 CFR 61, Subpart M, Asbestos.

RULE APPLICABILITY

The proposed project is subject to preconstruction review under the applicable provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). This facility is located in Palm Beach County, an area designated as "maintenance" for the pollutant ozone and attainment for all other criteria pollutants in accordance with Rule 62-204.340, F.A.C. The proposed project is not subject to review under Rule 62-212.400 F.A.C., Prevention of Significant Deterioration (PSD), because this new source is considered “minor” for the purpose of PSD regulations (having a potential to emit less than 250 tons per year of pollutant). The proposed facility is subject to the following air pollution control provisions:

F.A.C. Chapter 62-4	Permitting Requirements
F.A.C. Chapter 62-204	Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference.
F.A.C. Chapter 62-210	Required Permits, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms
F.A.C. Chapter 62-212-	General Preconstruction Review Requirements, PSD Requirements.
F.A.C. Chapter 62-296	General Pollutant Emission Limiting Standards
F.A.C. Chapter 62-297	Test Methods.
F.A.C. Chapter 62-256	Open Burning and Frost Protection Fires.
F.A.C. Chapter 62-257	Asbestos Program

And the following National Emission Standards for Hazardous Air Pollutants:

- 40 CFR 61, Subpart M. - Asbestos.

PERMIT CONTENT

- Section I: Summary Information.
- Section II: Facility-Wide Specific Conditions.
- Section III: Emissions Unit Specific Conditions.
- Section IV: Appendices.
  - *Appendix A*: General Permit Conditions.
  - *Appendix B*: Citation Format.

SUMMARY INFORMATION

SUMMARY OF EMISSION UNITS

The facility is operating an asphalt terminal station consisting of two (2) hot oil heaters for liquid asphalt and 15 aboveground storage tanks. The heaters are fired by No. 2 fuel oil with a maximum sulfur content of 0.5% by weight. Each heater is rated at 9.75 MMBTU/hr. The facility will not own the product but will receive and distribute bulk asphaltic cement. The facility will also provide short-term storage of asphaltic cement as part of its distribution operations.
The facility is proposing to burn natural gas, bio-diesel, low and ultra-low diesel fuel oil, and used oil in addition to the previously permitted diesel fuel oil. The facility is also requesting to remove the operating restrictions on the heaters and is proposing to operate both heaters simultaneously without restriction on operating hours.

The facility has the following storage tanks:

- 3 - 54,529 shell barrel (2.29 million gallons) tanks for liquid asphalt
- 1 - 24,235 shell barrel (1.02 million gallons) tank for liquid asphalt
- 2 - 2,630 shell barrel (110,460 gallons) tanks for liquid asphalt
- 1 - 606 barrel (25,452 gallons) tank for No. 2 fuel oil
- 1 - 215 barrel (9,030 gallons) tank for anti-strip storage
- 1 - 30,220 barrel (1.27 million gallons) tank for liquid asphalt
- 6 - 606 barrel (25,452 gallons) tanks for polymer modified asphalt

EMISSIONS UNIT LIST

ID NOS. AND BRIEF DESCRIPTIONS

EU ID No.	Status	Brief Description
001	Regulated	Two (2) hot oil heaters. Each hot oil heater is rated at 9.75 MMBTU/hr.
002	Regulated	Liquid Asphalt Storage Tanks – Thirteen (13) aboveground storage tanks ranging in size from 25,452 gallons to 2.29 million gallons.
003	Unregulated	One (1) 25,452-gallon diesel storage tank and one (1) 9,030 gallons storage tank for anti-stip agent.

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 (Health Department) at P.O. Box 29 (901 Evernia Street), West Palm Beach, Florida, 33402-0029, and telephone number (561) 355-3136. In addition, *copies* shall be submitted to the Air Program, Southeast District Office, Florida Department of Environmental Protection (DEP) at 400 North Congress Avenue, West Palm Beach, Florida, 33401. **[Specific Operating Agreement (SOA)]**

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 Application for Operation Permit: Within 60 days of establishing routine operations for the emissions units described in this permit, the permittee shall apply for an initial operation permit. The application shall include: the Application form *[DEP Form No. 62-210.900(3)]* including certification by a Professional Engineer with Florida registration; the correct application fee; all test reports required by this permit; examples of record keeping requirements, including operation and maintenance logs; and a summary of any changes or substitutions to equipment, processes, fuels, controls, etc., that vary from the original application. **[Rule 62-210.900, F.A.C.]**

(a) The permittee may continue to operate the emissions units in compliance with the conditions of this construction permit during the application process for an operation permit. **[Rule 62-4.030, F.A.C.]**

(b) The permittee must maintain a valid (not expired) air construction permit during the entire application process for an operation permit. This construction permit may be extended at the written request of the permittee prior to its expiration. **[Rule 62-4.080(3), F.A.C.]**

1.5 Applicable Regulations: This facility is subject to the following regulations: Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-212, 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]**

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:

(1) 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.]**

(2) 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.]**

(3) 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)1, F.A.C.]**

2.2 Notifications and Reports: The permittee shall submit all compliance-related notifications and reports required by this permit to the Palm Beach County Health Department and the Florida Department of Environmental Protection's (FDEP) Southeast District Office at:

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

Palm Beach County Health Department

Air Pollution Control Section
Post Office Box 29
West Palm Beach, Florida 33402-0029
Telephone: (561) 355-3136

Fax: (561) 804-9405

2.3 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(203), F.A.C.]***

2.4 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)(a), F.A.C.]**

2.5 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:

(1) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.

(2) Confining abrasives or dust from sand blasting, sanding, and/or grinding where possible. **[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.]**

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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. **[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 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: 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: Before March 1st of each year, the owner or operator shall submit an Annual Operations Report *[DEP Form No. 62-210.900(5)]* to the Health Department which summarizes operations for the previous calendar year. **[Rule 62-210.370(3), F.A.C.]**

5.2 Excess Emissions Report: If excess emissions occur, the Health Department may request a written summary report of the incident. **[Rules 62-4.130 and 62-210.700(6), F.A.C.]**

5.3 Emission Compliance 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. Additional report information may be specified for a given group of emissions units in this permit. **[Rule 62-297.310(8), F.A.C.]**

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS

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

EU ID NO.	EMISSIONS UNIT DESCRIPTION
001	Two (2) hot oil heaters model No. 7.50-43-2 manufactured by First Thermal Heaters. **Each heater is rated at 9.75 MMBTU/hr**. The oil heaters are fired with No. 2 distillate fuel with a maximum sulfur content of 0.5% S by weight. *The facility proposes to burn natural gas, bio-diesel, low and ultra-low diesel fuel oil, and used oil (sulfur content of 1.0%). The facility also proposes to remove operating restrictions for the heaters.*

1.0 OPERATING RESTRICTIONS

1.1 Permitted Capacity. The permittee shall not allow, cause, suffer or permit the operation of the emission unit in excess of the following without prior authorization from the Permitting Authority:

(a) *Distillate fuel -- Annual Fuel Consumption*: The total combined fuel consumption for both heaters shall not exceed 605,000 gallons of distillate fuel oil (including #2 diesel fuel, low sulfur diesel fuel, ultra –low diesel fuel, bio-diesel fuel oil) in any rolling consecutive 12 months, OR

(b) *Natural gas -- Annual Fuel Consumption*: The total combined fuel consumption for both heaters shall not exceed 84 million standard cubit feet of natural gas in any rolling consecutive 12 months, OR

(c) *Used Oil -- Annual Fuel Consumption*: The total combined fuel consumption for both heaters shall not exceed 605,000 gallons of on-spec used oil in any rolling consecutive 12 months.

The above fuel consumption limits are estimated based on 8760 hours of operation (for both heaters combined) and the heat input rate of 9.75 mmbtu/hr. If the facility burns multiple fuels, consumption of each fuel type shall not exceed the equivalent prorated amount. The prorated amount for each fuel type shall be estimated using the heat input of the each fuel and the hours of operation on each fuel.

[Rules 62-4.160(2), 62-210.200(PTE) and 62-210.300, F.A.C.]

1.2 Methods of Operation: The permittee shall not allow, cause, suffer or permit any change in the method(s) of operation resulting in increased short-term or long-term emissions, without prior authorization from the Permitting Authority. The authorized methods of operation include the following:

(a) Sulfur content: The permittee is authorized to fire:

1. distillate fuel oil with a maximum sulfur content of 0.5% by weight,
2. used oil with a maximum sulfur content of 1.0% by weight.

[Requested by applicant]

1.3 Hours of Operation: The combined hours of operation for both units shall not exceed 8760 hours during any consecutive 12-month period without prior authorization from the Permitting Authority. **[Rules 62-4.160(2), 62-210.200(PTE) and 62-210.300, F.A.C.]**

2.0 COMPLIANCE ASSURANCE MONITORING

2.1 Fuel Oil Sulfur Content: All distillate fuel oil sulfur content tests performed pursuant to the requirements of this permit shall be determined using DASTM 4057-88, ASTM D129-91, ASTM D2662-98, or ASTM D4294-90. Copies of the documents are available from ASTM.

The permittee shall demonstrate compliance with the sulfur limits by obtaining a fuel analysis from the vendor for each purchase of fuel. The permittee shall maintain a written log of the date of delivery, quantity of fuel delivered, and the fuel sulfur content. The permittee shall be able to track the actual amount of fuel consumption for these emissions units, reportable on an annual basis. All records shall be maintained on site at the facility. **[Rule 62-4.070(3), F.A.C.]**

2.2 Annual Fuel Consumption: The permittee shall monitor compliance with the annual fuel consumption limits specified in condition 1.1 on a monthly basis. **[Rule 62-4.070(3), F.A.C.]**

3.0 REPORTING AND RECORDKEEPING REQUIREMENTS

3.1 Record Keeping Requirements

(a) For monthly fuel consumption monitoring. Within the first 15 days of each month, the permittee shall record in a written log the following information:

(1) Diesel fuel consumption (in gallons) for the previous month of operation;

(2) Natural gas consumption (in scf) for the previous month of operation

(3) Diesel fuel consumed for the previous consecutive 12 months of operation;

(4) Natural gas consumed for the previous consecutive months of operation, and

(5) Hours of operation for each hot oil heater.

[Rules 62-4.160(2), 62-212.400 F.A.C.]

(b) For fuel sulfur content: The permittee shall maintain all fuel sulfur monitoring records in accordance with specific conditions **2.1 and 3.1(a)**. All records shall be kept for a minimum period of 3 years. **[Rule 62-4.070(3), F.A.C.]**

4.0 USED OIL CONDITIONS

4.1 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]**

4.2 Used Oil Containing PCBs Not Allowed: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.

4.3 On- Specification Used Fuel Oil – Certification Required**:** The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification

used oil and contains a PCB concentration of no greater than 49 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.
[Rule 62-4.070, F.A.C.]

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

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

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

If the owner or operator relies on certification from the marketer as described above, the owner or operator shall, at a minimum, each year, sample one load of used oil received, selected at random by the owner or operator, and analyze the sample for the above parameters.

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 Health Department and provide the analytical results to the Health 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.]

4.5 Special Record Keeping Requirements: The owner or operator shall obtain, make, and keep the following records related to the use of used oil:

(a) The gallons of on-specification used oil received and burned each month.
(b) The name and address of all marketers delivering used oil to the facility.
(c) Copies of the marketer certifications, if obtained, and any supporting information.
(d) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
(e) Results of the analyses required above.
(f) Used oil consumed for the previous consecutive 12 months of operation;
(g) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.

The records shall be retained in a form suitable for inspection at the facility by the Department, and shall be retained permanently.
[40 CFR 279.61 and 761.20(e), and Rule 62-4.070, F.A.C.]

4.6 Annual Reporting Required: The owner or operator shall submit, within sixty days of the end of each calendar year, a copy of the annual analysis and the total amount of on-specification used oil received and burned during the year. **[Rule 62-4.070, F.A.C.]**

SECTION III. B. EMISSIONS UNIT SPECIFIC CONDITIONS

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

EU ID NO.	EMISSIONS UNIT DESCRIPTION
002	Liquid Asphalt Above-Ground Storage Tanks: 3 - 54,529 shell barrel (2.29 million gallons) tanks for liquid asphalt 1 - 24,235 shell barrel (1.02 million gallons) tank for liquid asphalt 2 - 2,630 shell barrel (110,460 gallons) tanks for liquid asphalt 1 - 30,220 barrel (1.27 million gallons) tank for liquid asphalt 6 - 606 barrel (25,452 gallons) tanks for polymer modified asphalt

1.0 OPERATING RESTRICTIONS

1.1 Permitted Capacity The permittee shall not allow, cause, suffer, or permit the capacity of Emissions Unit 002 in excess of the following without prior authorization from the Permitting Authority:

(a) Annual Liquid Asphalt Throughput: The maximum liquid asphalt throughput for the facility shall not exceed 38.125 million gallons per year. **[Rules 62-4.160(2), 62-210.200(228), 62-210.300, F.A.C.]**

1.2 Methods of Operation: The permittee shall not allow, cause, suffer or permit any change in the method of operation of Emissions Unit 002 without prior authorization from the Permitting Authority. The authorized methods of operation include the following:

(a) Liquid asphalt type: The permittee shall only receive and process asphalt cement or emulsified liquid asphalt at this facility. The permittee shall not cause, allow or permit the manufacture, mixing, storage, use or application of cutback asphalt without prior authorization from the Palm Beach County Health Department. **[Rule 62-296.512, F.A.C.]**

1.3 Hours of Operation: The permittee is authorized to operate the units continuously.

2.0 COMPLIANCE DEMONSTRATIONS AND MONITORING

2.1 Operating Parameters: The permittee shall implement the following monitoring requirements to ensure compliance with the Specific Condition 1.1 of Section III.B:

(a) Liquid Asphalt Types: On a daily basis, the permittee shall monitor and record the date, time, quantity, and the type of all the liquid asphalt received into and exported out of the facility. **[Rule 62-4.160 (14), F.A.C]**

APPENDIX	DESCRIPTION
A	General Permit Conditions.
B	Citation Format.

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, and,

(c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

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; and

(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.

(1)

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

G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida 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;

(b) Determination of Prevention of Significant Deterioration; and

(c) Compliance with New Source Performance Standards.

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; and
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.

APPENDIX B
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.

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 permit tracking database
001 or 002 - 3-digit sequential file number assigned by 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 permit tracking database.