



Charlie Christ
Governor

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

JUNE 26, 2009
ELECTRONIC CORRESPONDENCE
EPALENZUELA@SFMATERIALS.COM

NOTICE OF AIR POLLUTION OPERATION PERMIT

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.	0990630-007-AO
Issued:	June 26 , 2009
Expires:	June 26, 2014

Dear Mr. Palenzuela:

Enclosed is Air Permit No. 0990530-007-AO for the operation of 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, 62-210, 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 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

For any questions, contact:


John O' Malley, P.G., R.S. Director
Division of Environmental Health and Engineering

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



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 agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by electronic mail (with read receipt) before the close of business on 6/26/2009 to the permittee.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by electronic mail (with read receipt) on the same date to the following persons:

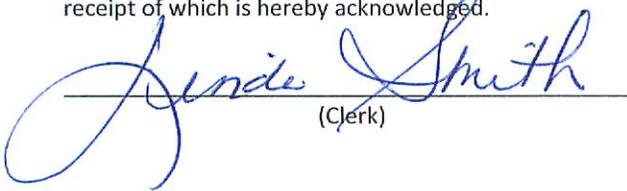
Lee Hoefert, P.E. FDEP/SED
400 North Congress Avenue, Suite 200
West Palm Beach, FL. 33401
Lee.Hoefert@dep.state.fl.us

Richard Vogel, Manager
Environmental & Regulatory Affairs
South Florida Materials Corp.
101 Sansbury's Way
West Palm Beach, FL 33411
rvogel@vecenergy.com

Jim Estler, Consultant
Clean Air Consulting, Inc.
18218 North 30th Street
Lutz, Florida 33559
estler@aol.com

Kenneth E. Given P.E.
18218 North 30th St
Lutz, FL 33559
ken@airtest.fdn.com

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



(Clerk)

6/26/2009
(Date)



Charlie Crist
Governor

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

JUNE 26, 2009
ELECTRONIC CORRESPONDENCE
EPALENZUELA@SFMATERIALS.COM

FINAL AIR POLLUTION OPERATING PERMIT

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.	0990630-007-AO
Issued:	June 26, 2009
Expires:	June 26, 2014

LOCATED AT:

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

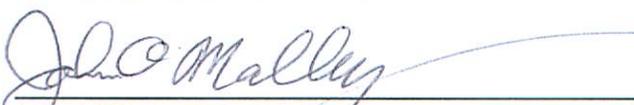
UTM: Zone 17; 593.18 km E.; 2960.83 km N.
Description: Asphalt Terminal Station [SIC: 5032]

STATEMENT OF BASIS:

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

ISSUED BY:

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


John O' Malley, P.G., R.S., Director
Division of Environmental Health and Engineering



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

SUMMARY INFORMATION**PERMIT HISTORY**

06-24-09 PBCHD received request for permit modification and response to RFI (permit no. 0990630-008-AC)
 04-13-09 PBCHD Requested additional Information (permit no. 0990630-007-AO)
 03-24-09 PBCHD received application for an operating permit no. 0990630-007-AO (to incorporate 0990630-004-AC)
 12-19-08 PBCHD issued permit extension for (permit no. 0990630-006-AC)
 12-20-07 PBCHD issued permit extension for (permit no. 0990630-005-AC)
 12-20-06: PBCHD issued permit extension for (permit no. 0990630-004-AC)
 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.

SUMMARY INFORMATION**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 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 provide short-term storage of asphaltic cement as part of its distribution operations.

This permit allows the permittee 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 permit also removes the operating hour restrictions on the heaters. The permittee demonstrates compliance by operating according to the fuel consumption limitation of this permit.

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-strip agent.
	Exempt	Polymer blending operations

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 phone number (561) 355-3136. **[Specific Operating Agreement (SOA)]**
- 1.2 General Permit Conditions: The owner and operators shall be aware of, and operate under, the attached General Permit Conditions listed in *Appendix A* of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**
- 1.3 Citation Format: The format for citing applicable regulations is provided in *Appendix B* of this permit.
- 1.4 Application for Operation Permit: The permittee shall apply for a renewal permit at least 60 days prior to the expiration of this operation permit. The application shall include: the Application Form [*DEP Form No. 62-210.900(4)*]; the correct application processing fee; all required test reports; and a summary of any changes or substitutions to the original equipment, processes, fuels, controls, etc. When the renewal application is timely and sufficient, the existing permit shall remain in effect until final action is taken by the Health Department. **[Rules 62-4.090 and 62-210.900, F.A.C.]**
- 1.5 Applicable Regulations: This facility is subject to the following regulations: Chapters 62-4, 62-210, 62-212, 62-296, and 62-297, F.A.C. 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(2), F.A.C. and the SOA]**

2.0 EMISSION LIMITING STANDARDS

- 2.1 General VOC Standards: The owner or operator shall not store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents without applying known and existing vapor emission control devices or systems. This includes: **[Rule 62-296.320(1), F.A.C.]**
- Regular inspection and maintenance of piping, valves, flanges, tanks, and containers used for storage and transfer of organic liquids in order to minimize fugitive VOC emissions.
 - When not in use, directing solvent-containing materials to containers that prevent evaporation.
- 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 at:

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: No person shall 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(220), F.A.C.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- 2.4 General Visible Emissions Standard: Unless otherwise specified by permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from new, or existing emissions units, the opacity of which is equal to or greater than 20 percent. **[Rule 62-296.320(4)(b), F.A.C.]**
- 2.5 Unconfined Emissions of Particulate Matter: No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions include the following: **[Rule 62-296.320(4)(c), F.A.C.]**
- Paving and maintenance of roads, parking areas and yards.
 - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - Confining abrasive blasting where possible.
 - Enclosure or covering of conveyor systems.

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

3.0 OPERATION AND MAINTENANCE REQUIREMENTS

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

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**4.0 COMPLIANCE MONITORING REQUIREMENTS**

- 4.1 Retain Records: Unless otherwise specified, 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 shall meet all applicable requirements of the 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 Stack Testing Facilities: The owner or operator shall maintain permanent stack testing facilities in accordance with **Rule 62-297.310(6), F.A.C.**
- 4.5 Test Notification: The owner or operator shall notify the Health Department, in writing, at least 15 days prior to the date on which each formal compliance test is to begin, of the test date, the expected test time, the location of the test, the facility contact person responsible for coordinating the test, and the person or company conducting test. The 15-day notification requirement may be waived at the discretion of the Health Department. Likewise, if circumstances prevent testing during the test window specified for the emissions unit, the owner or operator may request an alternate test date before the expiration of this window. **[Rule 62-297.310(7)(a)9., F.A.C.]**
- 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 April 1 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. If the report is submitted using the FDEP's electronic annual operating report software, there is no requirement to submit a copy to the Health Department. **[Rule 62-210.370(3)(c), F.A.C.]**
- 5.2 Excess Emissions Report: If excess emissions occur, the owner or operator shall notify the Air Compliance Section of the Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Health Department may request a written summary report of the incident. **[Rules 62-4.130 and 62-210.700(6), F.A.C.]**
- 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)(c), F.A.C.** 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 II. FACILITY-WIDE SPECIFIC CONDITIONS**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.

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	<p>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.</p> <p><i>The heaters are permitted to burn natural gas, bio-diesel, low and ultra-low diesel fuel oil, and used oil. This permit removes the restriction on operating hours for the heaters.</i></p>

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 cubic 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.

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. **[Permit No. 0990630-004-AC]**

{Permitting Note: The above fuel consumption limits are estimated based on 8760 hours of operation and the heat input rate of 9.75 mmbtu/hr.}

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.

1.3 Hours of Operation: The hours of operation shall be unlimited for both heaters. The permittee shall comply with the fuel usage limits as specified in Section 1.1 this section. **[Rules 62-4.160(2), 62-210.200(245)(PTE), 62-210.300, F.A.C., and permittee's request]**

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS**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. **[Permit No. 0990630-004-AC]**

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. **[Permit No. 0990630-004-AC]**

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

[Rules 62-4.160(2), 62-212.400 F.A.C., Permit No. 0990630-004-AC]

(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. **[Permit No. 0990630-004-AC]**

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]**

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS

- 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. **[Permit No. 0990630-004-AC]**
- 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.

[Permit No. 0990630-004-AC]

- 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.

[Permit No. 0990630-004-AC]

- 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.

SECTION III. A. EMISSIONS UNIT SPECIFIC CONDITIONS**[40 CFR 279.61 and 761.20(e), and Permit No. 0990630-004-AC]**

- 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. **[Permit No. 0990630-004-AC]**

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), 62-210.300, F.A.C., Permit No. 0990630-004-AC]**

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., Permit No. 0990630-004-AC]**

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, Permit No. 0990630-004-AC]**

LIST OF APPENDICES

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)

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

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.