



Florida Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590
Phone: 904/807-3300 ♦ Fax: 904/448-4366

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE:

Oldcastle Lawn and Garden, Inc.
dba North Florida Cypress
1512 Highway 17 N
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert Number: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008
County: Putnam
Latitude/Longitude: 29°49'36.8"N; 81°39'28.7"W
UTM: E- (17) 436.43; N-3299.6
Project: Initial Air Construction Permit

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-210, 62-212, 62-272, 62-296, 62-297 and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

PROJECT

For the construction (after the fact) of a mulch, bark and potting soil products manufacturing facility. The facility also consists of a 1000hp Caterpillar Internal Combustion Engine.

FACILITY DESCRIPTION

The facility consists of wood mulching operation that shreds pine cypress logs into mulch; packages mulch, bark and soil for retail distribution.

Virgin cypress and pinewood logs are delivered from outside vendors, and unload to a storage area via grapple loader or knuckle boom. Pine and cypress logs are transferred from their storage area to the grinder by a grapple loader. A knuckle boom is used to pick up the logs and place them into the grinder hopper. Logs enter the grinder (manufacturer: Peterson Pacific) via an uncovered chain feed conveyor. The maximum production rate of the grinder is 125 tons/hour. Mulch coming out of the grinder is transferred to a storage pile via an uncovered conveyor belt with a discharge height of approximately 14.25 feet.

Pine mulch from the grinding operations or from potential outside vendors, is directly transferred via loader the coloring process where it gets coated with a non-volatile colorant prior to bagging. Cypress mulch is transferred directly to the bagging operation via loader. The coloring operation involves transferring pine mulch to the feed hopper of the Becker Underwood Sahara coloring system. Mulch is sprayed with a diluted colorant in a rotating mixing drum. Colored mulch is transferred from the drum via an uncovered trough conveyor. The uncovered conveyor discharges the colored mulch, to a storage pile, and then it is transferred via loader to either the bagging operation or storage area.

The bark process starts by bark from outside sources via dump trucks and it is stored on piles. The bark material is directly transported via front end loader to a bark separator (size screen), and stored for either coloring and/or bagging prior to its distribution to retail establishments.

The soil process starts by receiving mined soil from outside sources via dump trucks and it is stored on piles for incorporation of the fine wood particles generated from the mulching operation, and natural soil enhancers. Soil material is directly transported via front-end loader to the bagging operation prior to its distribution to retail establishments.

PERMITTEE:
Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

The bagging operation consists of six bagging units. The soil and mulch bagging lines have individual feed hoppers located outside the bagging buildings. The feed hoppers are loaded via loader. Each bagging unit consists of a hopper, belt conveyor, and paddlewheel bagger all inside the bagging building. Five of the units package mulch or bark products and the remaining one package soil. Once soil and mulch is bagged, it gets palletized and transported to the yard via forklift for storage or loaded into trucks for proper distribution.

The facility typically operates 5 to 7 days a week approximately 12 to 15 hours per day, typically from 6 a.m. to 6 p.m. Grinder operation however vary and are limited on high maintenance activities required to properly operate the piece of equipment. The engine type for the grinder is Caterpillar 3412E 1000 hp @ 2100 rpm. The pollutants emitted from the diesel engine include NOx, CO, THC, PM, CO2 and SOx. There are also fugitive emissions from loading/unloading, mulch grinding, storing, packing, conveying and equipment traffic.

OPERATING LOCATION

This facility is located at 1512 Highway 17 N, Bostwick, Putnam County, Florida.

REGULATORY CLASSIFICATION

The facility is classified as a natural minor air pollution source. The Internal Combustion Engine is subject to NSPS, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The facility is not subject to any requirements of NESHA.

<u>E.U. ID No.</u>	<u>Brief Description</u>
01	Stationary Compression Ignition (CI) Internal Combustion Engines (ICE)

RULE APPLICABILITY

The facility is subject to the following regulations:

- **Chapter 62-4, F.A.C. - Permits**
- Rule 62-4.160, F.A.C.- General Permit Conditions
- Rule 62-4.130, F.A.C. – Plant Operation - Problems
- **Chapter 62-210, F.A.C. – Stationary Sources – General Requirements**
- Rule 62-210. 300, F.A.C. – Permits Required
- Rule 62-210. 350, F.A.C. – Public Notice and Comment
- **Chapter 62-256, F.A.C. – Open Burning**
- **Chapter 62-296, F.A.C. – Stationary Sources – Emissions Standards**
- Rule 62-296.320, F.A.C.- General Pollutant Emissions Limiting Standards
- **Chapter 62-297, F.A.C. – Stationary Sources – Emissions Monitoring**
- Rule 62-297.310, F.A.C. – General Test Requirements
- **NSPS, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.**

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number:	1070045
Permit/Cert:	1070045-001-AC
Date of Issue:	February 27, 2007
Expiration Date:	February 27, 2008

ATTACHED APPENDICES ARE MADE A PART OF THIS PERMIT

Appendix GC General Conditions

RELEVANT DOCUMENTS

The documents listed below are the basis of the permit. They are specifically related to this permitting action. These documents are on file with the Department.

Application for Air Permit-Non Title Source received October 23, 2006.

Request for Additional Information letter dated November 20, 2006.

Additional information received January 9, 2007.

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

EMISSIONS UNIT (S) SPECIFIC CONDITIONS:**ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS**

1. Hours of Operation: The hours of operation are not restricted: 24 hours/day; 7 days/week; 52 weeks/year (8760 hours/year).
[Rules 62-4.160(2), 62-210.200(PTE), F.A.C.]
2. Maximum Fuel Consumption Rate: The maximum fuel usage rate for the engine shall not exceed 137,150 gallons of diesel fuel per year.
[Rules 62-4.160(2), 62-210.200(PTE), F.A.C. and applicant's request]
3. Maximum Operation Rate (Internal Combustion Engine): The maximum operation rate for the internal combustion (IC) engine is 2100 rpm @ 1000 hp.
[Rules 62-4.160(2), 62-210.200(PTE), F.A.C.]
4. Method of Operation- Fuels: Diesel fuel is the only permitted fuel for the grinder's internal combustion engine.
[Rule 62-210.200(55), F.A.C.]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

5. Nitrogen Oxides (NOx) Emissions Limiting Standards: The NOx emissions shall not exceed the following value:
 - (a) 17.0 g/kW-hr when maximum test speed is less than 130 rpm.
 - (b) $45.0 \times N^{-0.20}$ when maximum test speed is at least 130 but less than 2000 rpm, where N is the maximum test speed of the engine in revolutions per minute.
(Note: Round speed-dependent standards to the nearest 0.1 g/kW-hr.)
 - (c) 9.8 g/kW-hr when maximum test speed is 2000 rpm or more.

The owners and operators shall operate and maintain stationary CI ICE that achieve the emission standards as required in this specific condition according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.
[40 CFR 60.4204 (a), 40 CFR 94.8(a)(1) and 40 CFR 4206]

6. General Visible Emissions Standard: Except for emissions unit that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharge into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on Ringelmann Chart (20% opacity). Compliance shall be determined by EPA Method 9 upon Department's request, incorporated and adopted by reference in Rule 62-297, F.A.C. [Rule 62-296.320(4)(b) 1., F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants that cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]
8. Open Burning Prohibition: Open burning is prohibited, except when determined by the Department to be the only feasible method of operation and authorized by this permit or an emergency exists which requires immediate action to protect human health and safety. [Rule 62-296.320(3)(a)&(b), F.A.C.]

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

EMISSIONS UNIT (S) SPECIFIC CONDITIONS:

9. Unconfined 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 material; construction, alteration, demolition or wrecking; or industrially activity such as loading, unloading, storing and handling; without taking reasonable precaution to prevent such emissions. Reasonable precautions may include but are not limited to the followings, as necessary:
 - a. Restrict all vehicular traffic within the site to no more than 5 miles per hour.
 - b. Application of water, mulch or an approved chemical dust suppressant to unpaved roads, yard, open stock pile and similar activity.
 - c. Removal of particulate matter from roads and paved areas under the facility's control in order to prevent reentrainment, and from any building or work areas to prevent the particulates from becoming airborne.
 - d. Landscaping or planting of vegetation.
 - e. If deemed necessary, pave or lay asphalt in extreme sensitive areas.[Rule 62-296.320(4)(c), F.A.C. and application received October 3, 2006]
10. Plant Operation – Problems: If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.
[Rule 62-4.130, F.A.C.]
11. Excess Emissions: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing best operational practices to minimize emissions are adhered to and 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 Department for longer duration. 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 startup, shutdown, or malfunction shall be prohibited.
[Rule 62-210.700(1) and (4), F.A.C.]
12. Malfunctions: In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

FUEL REQUIREMENTS

13. Beginning October 1, 2007, owners and operators of stationary CI ICE that use diesel fuel shall use diesel fuel that meets the following per-gallon standards:
 - (a) Sulfur content. 500 parts per million (ppm) maximum.
 - (b) Cetane index or aromatic content, as follows:
 - (i) A minimum cetane index of 40; or
 - (ii) A maximum aromatic content of 35 volume percent.[40 CFR 80.510(a), 40 CFR 4207 (a)]

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

EMISSIONS UNIT (S) SPECIFIC CONDITIONS:

14. Beginning October 1, 2010, owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder that use diesel fuel shall use diesel fuel that meets the following per-gallon standards for nonroad diesel fuel.
- (a) Sulfur content.
 - (i) 15 ppm maximum for NR diesel fuel.
 - (ii) 500 ppm maximum for LM diesel fuel.
 - (b) Cetane index or aromatic content, as follows:
 - (i) A minimum cetane index of 40; or
 - (ii) A maximum aromatic content of 35 volume percent.
- [40 CFR 80.510(b), 40 CFR 4207 (b)]
15. Owners and operators of pre-2011 model year stationary CI ICE may petition the Department for approval to use remaining non-compliant fuel that does not meet the fuel requirements of specific condition No. 13 and 14 beyond the dates required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Department.
- [40 CFR 4207 (c)]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

16. The owner or operator shall operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. The owner or operator shall also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to them.
- [40 CFR 60.4211(a)]
17. Compliance Demonstration: The owner or operator shall demonstrate compliance according to one of the methods specified in paragraphs (a) through (e) of this condition.
- (a) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.
 - (b) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this permit and these methods must have been followed correctly.
 - (c) Keeping records of engine manufacturer data indicating compliance with the standards.
 - (d) Keeping records of control device vendor data indicating compliance with the standards.
 - (e) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in specific condition No.18, as applicable.
- [40 CFR 60.4211(b)]
18. Compliance Testing: The owner or operator who conduct performance tests pursuant to specific condition No.17 (e) shall do so according to paragraphs (a) through (d) of this condition.
- (a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.
 - (b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

PERMITTEE:
Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

EMISSIONS UNIT (S) SPECIFIC CONDITIONS:

- (c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad (\text{Eq. 1})$$

Where:

STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in 40 CFR 60.4213, as appropriate.

- (d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines shall not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in specific condition No.5, determined from the equation in paragraph (c) of this condition.

Where:

STD = The standard specified for that pollutant in Sec. 60.4204(a), Sec. 60.4205(a), or Sec. 60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines may follow the testing procedures specified in 40 CFR 60.4213, as appropriate.

19. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity, which 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 emissions 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.
[Rules 62-297.310(2) & (2)(b), F.A.C.]
20. Compliance Test Procedures: Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.
[Rule 62-296.414(3)(b), F.A.C.]
21. 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.
[Rule 62-297.310(7), F.A.C.]
22. 40 CFR 60, Subpart A-General Provision: The internal combustion engine is subject to the requirements of 40 CFR 60, Subpart A-General Provision (attached).
[40 CFR 60.1]

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

EMISSIONS UNIT (S) SPECIFIC CONDITIONS:

23. Monitoring: If the stationary CI internal combustion engine is equipped with a diesel particulate filter to comply with the emission standards in specific condition No.5, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.
[40 CFR 60.4209(b)]

NOTIFICATION, REPORTING AND RECORDKEEPING

24. Compliance Test Notification: The owner or operator of an affected facility 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.
[Rule 62-297.310(7) 9., F.A.C.]
25. Recordkeeping: The owner or operator shall keep records of the following information:
(i) All notifications submitted and all documentation supporting any notification.
(ii) Maintenance conducted on the engine.
(iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.
(iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.
(v) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.
(vi) The facility's fuel usage for 12-consecutive month.
[40 CFR 60.4214 (a) and (b)]
26. Records Keeping: The owner or operator shall maintain the records of the amount of diesel fuel consumed for 12 consecutive months and retain them on site for at least five years.
27. Compliance Report Submittal: Reports of the required compliance tests shall be submitted as soon as practical but no later than 45 days after the last test is completed. Each test report shall include the maximum input / production rate at which this source was operated since the most recent test.
[Rule 62-297.310(8)(b), F.A.C.]

ADMINISTRATIVE:

28. The I.D. No. and Project name for this source shall be used on all correspondence.
29. Any revision(s) to a permit (and application) must be submitted to the Department, in writing, and approved by the Department prior to implementation.
30. Modifications. No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rule 62-210.300(1), F.A.C.]
31. New or Additional Conditions. For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time.
[Rule 62-4.080(1), F.A.C.]

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

EMISSIONS UNIT (S) SPECIFIC CONDITIONS:

32. A completed **Application for Air Permit –Non-Title V Source** (DEP Form No. 62-210.900(3), F.A.C.), shall be submitted to the Department at least 60 days prior to the expiration date of this construction permit. To properly apply for an operation permit, the permittee shall submit the appropriate application form, processing fee, and compliance test reports as required by this permit.
[Rules 62-4.055 and 62-4.220, F.A.C.]

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

A handwritten signature in black ink, appearing to read "Christopher L. Kirts".

Christopher L. Kirts, P. E.
District Air Program Administrator

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

APPENDIX GC - GENERAL CONDITIONS [RULE 62-4.160]

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.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy any records that must be kept under 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.

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

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.

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.

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.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-730.300, 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- (x) Compliance with New Source Performance Standards (NSPS)

PERMITTEE:

Oldcastle Lawn and Garden, Inc. dba North Florida Cypress
North Florida Cypress
Bostwick, Florida 32007

I.D. Number: 1070045
Permit/Cert: 1070045-001-AC
Date of Issue: February 27, 2007
Expiration Date: February 27, 2008

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 for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the dates analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware 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.