

MIAMI-DADE COUNTY, FLORIDA



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Correspondence

September 25, 2000

BUREAU OF AIR REGULATION

In the Matter of an Application for Permit by:

Mr. J. Michael O'Berry
Manager, Environmental Permitting Services
Florida Rock Industries, Inc.
P.O. Box 4667
Jacksonville, Florida 32201

File No. 0250006-005-AC & 006-AC
Miami-Dade County
Project: Florida Rock Industries, Inc.
Installation of a Powerscreen portable
screening unit and two (2) new
conveyors at the existing # 5 screen.

INTENT TO ISSUE

Dear Mr. O'Berry:

The Miami-Dade County Department of Environmental Resources Management (DERM) gives notice of its intent to issue an air pollution construction permit for the proposed project as detailed in the application specified above, for the reasons stated below. A copy of the draft permit is attached.

The Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the FDEP recognizes the DERM as the approved local air pollution control program of Miami-Dade County. Through a Specific Operating Agreement, the FDEP delegated to the DERM the authority to issue or deny permits for this type of air pollution source located in Miami-Dade County.

The applicant, J. Michael O'Berry, applied on April 27, 2000, to the DERM for an air pollution construction permit consisting of the following:

- A) Installation of a Powerscreen portable screening unit associated conveyors and diesel engines.
- B) The construction of two new conveyors at the existing # 5 screen.
- C) Inclusion of Federally Enforceable conditions by restricting fuel use and annual throughput.
- D) Authorization for the operation of any combination of portable material handling equipment, not to exceed operational limitations.
- E) Extension and replacement of Permit Number 0250006-004-AC.

This facility is located at 12201 NW 25th Street, Miami, Florida 33152.

Specifically, the applicant requested that emissions of air pollutants from this project be limited to less than the Title V applicability thresholds through enforceable permit limitations. The facility shall not exceed a raw material throughput limitation of 10,000,000 tons, and a fuel usage limitation of 250,000 gallons of new number 2 fuel oil in any consecutive 12-month period. The requested emissions limits are below Title V applicability thresholds. These limitations, which address emissions of air pollution on a facility-wide basis, will become federally enforceable in accordance with **F.A.C. Rule 62-210.300(2)(b)** upon issuance of the final permit. The draft permit contains specific conditions which will limit air pollution emissions below Title V applicability thresholds and meet the requirements of federal enforceability.

The DERM has permitting jurisdiction under **Section 403.087, Florida Statutes (F.S.)**, to issue or deny permits for air pollution sources. The project is not exempt from permitting procedures. The DERM has determined that an air pollution construction permit is required for the proposed work, and that the applicant's request for such a permit is accepted.

The DERM intends to issue this permit based on **Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297**, and the belief reasonable assurances have been provided to indicate the proposed project will not adversely impact air quality, and that the specific conditions in the draft permit limit the potential emissions of air pollutants to the amounts described above.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Construction Permit. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Air Facilities Section of the DERM, in person at 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540, or by mail to the DERM, 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540. You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. The DERM will accept as proof of publication only the original notarized affidavit provided to the applicant by the newspaper. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The complete project file, including the application, all supporting information, and draft permit (exclusive of confidential records under **Section 403.111, F.S.**) is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Air Facilities Section of the DERM, 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540.

The DERM will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to **sections 120.569 and 120.57 F.S.**, before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under **sections 120.569 and 120.57** of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Code Enforcement Section of the DERM, 33 SW 2nd Avenue, Miami, Florida 33130-1540. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under **section 120.60(3)** of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the DERM for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under **sections 120.569 and 120.57 F.S.**, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with **rule 28-106.205 of the Florida Administrative Code**.

A petition that disputes the material facts on which the DERM's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the DERM's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the DERM's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the DERM on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the FDEP for a variance from or waiver of the requirements of particular rules, on certain conditions, under **section 120.542, F.S.** The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The FDEP will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in **section 120.542(2), F.S.**, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Miami-Dade County, Florida.

DEPARTMENT OF ENVIRONMENTAL
RESOURCES MANAGEMENT

Mallika Muthiah September 25, 2000


Mallika Muthiah, Chief Date
Air Facilities Section
Air Quality Management Division

MM/ek

attachment

cc: Clair Fancy, P.E., Chief, Bureau of Air Regulation, DEP
Gracy Danois, Operating Source Section, U.S. EPA, Region IV
Isadore Goldman, P.E., Florida Department of Environment, West Palm Beach
Steve C. Cullen, P.E., Koogler & Associates

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


Clerk

9/25/00
Date

MIAMI-DADE COUNTY
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT
REVISED NOTICE OF INTENT TO ISSUE PERMIT

The Miami-Dade County Department of Environmental Resources Management gives notice of its intent to issue an air construction permit which is federally enforceable to J. Michael O'Berry of Florida Rock Industries, Inc., to construct an air pollution source consisting of a power screen portable screening unit, associated conveyors, diesel engines, and two new conveyors located at the existing # 5 screen. This facility is located at 12201 NW 25th Street, Miami, Florida 33152. The DERM's file number in this matter is 0250006-005-AC and 006-AC. The DERM intends to issue this permit based on Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and the belief that reasonable assurances have been provided to indicate the proposed project will not adversely impact air quality.

Specifically, the applicant requested that emissions of air pollutants from this project be limited to less than that in the Title V applicability thresholds through enforceable permit limitations. The facility shall not exceed a raw material throughput limitation of 10,000,000 tons, and a fuel usage limitation of 250,000 gallons of new number 2 fuel oil in any consecutive 12-month period. The requested emissions limits are below Title V applicability threshold. These limitations, which address emissions of air pollution on a facility-wide basis will become federally enforceable in accordance with **F.A.C. Rule 62-210.300(2)(b)** upon issuance of the final permit. The draft permit contains specific conditions which will limit air pollution emissions below Title V applicability thresholds and meet the requirements of federal enforceability.

The DERM will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to **sections 120.569 and 120.57 F.S.**, before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under **sections 120.569 and 120.57** of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Code Enforcement Section of the DERM, 33 SW 2nd Avenue, Miami, Florida 33130-1540. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under **section 120.60(3)** of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the DERM for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under **sections 120.569 and 120.57 F.S.**, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with **rule 28-106.205 of the Florida Administrative Code**.

A petition that disputes the material facts on which the DERM's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the DERM's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the DERM's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the DERM on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the FDEP for a variance from or waiver of the requirements of particular rules, on certain conditions, under **section 120.542, F.S.** The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The FDEP will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in **section 120.542(2), F.S.**, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

The complete project file, including the application, all supporting information, and draft permit (exclusive of confidential records under **Section 403.111, F.S.**) is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Air Facilities Section of the DERM's, 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540.

MIAMI-DADE COUNTY, FLORIDA



ENVIRONMENTAL RESOURCES MANAGEMENT
AIR QUALITY MANAGEMENT DIVISION
33 S.W. 2nd AVENUE
SUITE 900
MIAMI, FLORIDA 33130-1540
(305) 372-6925

NOTICE OF AIR POLLUTION PERMIT

CERTIFIED MAIL P 343 639 736
RETURN RECEIPT REQUESTED

ISSUED TO:

Florida Rock Industries (FRI), Inc.
P.O. Box 4667
Jacksonville, FL 32201

Permit Number: 0250006-005-AC & 006-AC
Issue Date:
Expiration Date:

Authorized Representative:

Mr. J. Michael O' Berry, Manager
Environmental Permitting Services

PROJECT:

- A) Installation of a Powerscreen portable screening unit associated conveyors and diesel engines.
- B) Construction of two new conveyors at the existing # 5 screen.
- C) Inclusion of Federally Enforceable conditions by restricting fuel use and annual throughput.
- D) Authorization for the operation of any combination of portable material handling equipment, not to exceed operational limitations.
- E) Extension and replacement of Permit Number 0250006-004-AC.

Facility Description: Crushed and Broken Limestone (SIC # 1422)

Location: 12201 NW 25th Street, Miami, Florida 33152

Lat./Long.: 25°48 '16" N / 80° 24' 05" W

UTM: Zone 17; 560 Km. E; 2864.0 Km. N

Dear Mr. O' Berry:

This is Permit Number 0250006-005-AC and 006-AC to construct an air pollution source issued by the **Miami-Dade County, Department of Environmental Resources Management (DERM)** pursuant to **Chapter 24, Code of Miami-Dade County and Chapter 403.087, Florida Statutes (F.S.)**. This is a construction permit to authorize construction of the emissions units described in this permit.

NOTICE OF RIGHTS:

Any party to this Order (permit) has the right to seek judicial review of the permit 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 Clerk of the Metropolitan Dade County Department of Environmental Resources Management, Air Facilities Section, at 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540 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 is filed with the Clerk of the DERM.

STATEMENT OF BASIS:

This permit is issued under the provisions of Chapter 24, Code of Miami-Dade County, Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and in conformance with all existing regulations of the FDEP and the DERM rules. The above named owner or operator is hereby authorized to perform the work or construct the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the DERM and made a part hereof and specifically described in this permit.

PERMIT CONTENTS:

Part I -- Summary Information

Part II -- Facility-Wide Specific Conditions

Part III -- Emission Units Specific Conditions

The documents listed below *are* a part of this permit and provide necessary supplementary information applicable to this permitting action.

Appendix A -- General Conditions

PART I -- SUMMARY INFORMATION

CONSTRUCT: This permit addresses the following air pollution emission units:

Emission Unit Number	Emission Unit Description
003	Crusher subject to NSPS Subpart OOO
004	Crusher not subject to NSPS Subpart OOO
005	Affected facilities except crushers subject to NSPS Subpart OOO
006	Processing equipment except crusher not subject to NSPS Subpart OOO
007	Diesel powered units

SIGNIFICANT DATES:

Public Notice of Intent Published: May 1, 2000

Application Received: March 21, 2000

PERMIT HISTORY:

Permit No. 0250006-004-AC issued July 8, 1999

Permit No. 0250006-003-AO issued January 22, 1996.

Permit No. 0250006-002-AC issued January 22, 1996

Permit No. AO 13246053 issued May 26, 1994

Permit No. AC 13223473 issued April 6, 1993

Permit No. AO 133200979 issued October 3, 1991

Permit No. AO 13117239 issued August 4, 1986

This permit supersedes the previously issued permit No.0250006-004-AC

PART II -- FACILITY-WIDE SPECIFIC CONDITIONS

1.0 Administrative Requirements

- 1.1 Regulating Agencies: All applications, tests, reports, notifications, or other submittals required by this permit shall be submitted to the Miami-Dade County Department of Environmental Resources Management, Air Facilities Section located at 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540.
- 1.2 Citation Format: In this permit, references to **F.A.C. Rule 62-xxx** refer to rules promulgated under Title 62 of the Florida Administrative Code; references (if any) to **40 CFR 60.xx** (or **61.xx** or **63.xx**) refer to regulations codified under Part 60 (or 61 or 63) of Title 40 of the Code of Federal Regulations.
- 1.3 Specific and General Conditions: The owner or operator shall be subject to the specific conditions of this permit and the owner or operator shall be aware of, and operate under, the attached General Conditions, attached as Appendix A of this permit. General Conditions are binding and enforceable pursuant to Chapter 403, F.S. [F.A.C. Rule 62-4.160]
- 1.4 Applicable Regulations: This facility is subject to regulation of Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and 40 CFR 60, Subpart OOO. Issuance of this permit does not relieve the facility owner or operator from compliance with any other applicable federal, state or local permitting requirements or other regulations.
- 1.5 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.
- 1.6 Other Permits: This air pollution permit does not preclude the owner or operator from obtaining any other types of required permits, licenses or certifications from the DERM or other departments or agencies.
- 1.7 Operation Permit Required: This permit authorizes construction and/or installation of the permitted emission units and initial operation to determine compliance with Department rules. **An operation permit is required for regular operation of the permitted emission units.** The owner or operator shall apply for and receive an operation permit prior to expiration of this permit. An application for an operation permit shall be submitted to the DERM, Air Facilities Section. To apply for an operation permit, the applicant shall submit the appropriate application fee and, in triplicate, the appropriate application form, a certification that construction was completed with a notation of any deviations from the conditions in the construction permit, compliance test results, and such additional information as the Department may by law require. [Rules 62-4.030, 62-4.050, 62-4.220, and 62-210.300, F.A.C.]
- 1.8 Extension of this Permit: The expiration date of this construction permit may be extended upon request of the owner or operator and submission of the appropriate fee to the DERM, Air Facilities **at least 60 days prior** to the expiration date of this permit. [Rules 62-4.030, 62-4.050, and 62-4.220 F.A.C., F.A.C.]

2.0 General Pollutant Emission Limiting Standards

- 2.1 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.]

2.2 General Visible Emission Standard: Unless otherwise specified by permit or rule, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emission of air pollutants from any activity, the density of which is equal to or greater than 20 percent opacity.
[Rule 62-296.320(4)(b) F.A.C.]

2.3 Unconfined Emission of Particulate Matter:
No person shall cause, let, permit, suffer or allow the emission 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 emission.

Reasonable precautions include the following:

- Paving and maintenance of roads, parking areas and yards.
- Application of water or chemicals to control emission 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 reentrainment, 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.
- Substitution of powdery materials with granular or pelletized materials, where possible.

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

3.0 **Operation Requirements**

3.1 Permitted Capacity: The processed raw material throughput is limited to 10,000,000 tons in any 12-month period.
[Rule 62-210.200, F.A.C., Definitions-PTE; requested by applicant]

3.2 Circumvention: No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.650 F.A.C.]

3.3 Excess Emissions:
Excess emissions resulting from startup, shutdown or malfunction of any emission 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 exceeds 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, F.A.C.]

4.0 Compliance Testing Requirements

- 4.1 Test Notification: Unless otherwise specified in this permit, the DERM, Air Facilities Section shall be notified in writing of expected compliance test dates at least fifteen (15) days prior to compliance testing. The notification shall include the following information: the date, time, and location of each test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner.
[Rule 62-297.310(7)(a)9.]
- 4.2 Testing at Capacity: Compliance testing shall be conducted with the emission units operating at the permitted capacity (90 to 100% of the maximum permitted operation rate of the emission units). If an emission unit is not tested at permitted capacity, the emission unit shall not be operated above 110% of the test load until a new test showing compliance is conducted. Operation of the emission unit above 110% of the test load is allowed for no more than 15 days for the purpose of conducting additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2), F.A.C.]
- 4.3 Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emission or questionable maintenance of control equipment) to believe that any applicable emission standard in Rules 62-204 through 62-297 or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emission unit to conduct compliance tests which identify the nature and quantity of pollutant emission from the emission unit and to provide a report on the results of said tests to the Department.
[Rule 62-297.310(7)(b), F.A.C.]
- 4.4 Determination of Process Variables.
(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
[Rule 62-297.310(5), F.A.C.]

5.0 Reporting and Record Keeping Requirements

- 5.1 Report Excess Emission: In case of excess emission resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. (condition 5.2 below). 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.]
- 5.2 Report Plant Operation Problems: If the owner or operator 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 owner or operator 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 owner or operator from any liability for failure to comply with Department rules.
[Rule 62-4.130, F.A.C.]

5.3 Retain Records: All records required by this permit shall be kept by the owner or operator and made available for Department inspection for a minimum of two (2) years from the date of such records.
[Rule 62-4.070(3), F.A.C.]

5.4 Compliance Test Reports: Compliance test reports shall be submitted to the DERM, Air Facilities Section, as soon as practical, but no later than 45 days after the last sampling run of each test is completed.

Test reports shall provide sufficient detail on the emission unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. Test reports, other than for an EPA or DEP Method 9 test, shall include the following information and other information as necessary to make a complete report required pursuant to Rule 297.310(8)(c), F.A.C.:

- The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
- The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
- The type of air pollution control devices installed on the emission unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
- All measured and calculated data required to be determined by each applicable test procedure for each run.
- The detailed calculations for one run that relate the collected data to the calculated emission rate.
- The applicable emission standard, and the resulting maximum allowable emission rate for the emission unit, plus the test result in the same form and unit of measure.

[Rules 62-297.310(8)(a),(b) & (c), F.A.C.]

5.5 Annual Report Required: On or before March 1 of each calendar year, a completed DEP Form 62-210.900(5), Annual Operating Report (AOR) Form for Air Pollutant Emitting Facility, shall be submitted to DERM, Air Facilities Section.
[Rule 62-4.070(3), F.A.C.]

**PART III A
EMISSION UNIT SPECIFIC CONDITIONS**

This part of this permit addresses the following emission units:

These Units are subject to 40 CFR Part 60, NSPS Subpart 000; Standards of Performance for Non-Metallic Mineral Processing Plants.

Emission Unit Number	Emission Unit Description		
003	CRUSHERS SUBJECT TO NSPS SUBPART 000		
	DESCRIPTION	MANUFACTURER	CAPACITY
	North Primary: #4555 Impactor	Universal	425 tons per hour
	North Secondary: Impactor	Hazemag	300 tons per hour
	South Secondary: Impactor	Hazemag	300 tons per hour
	Portable (Ft. Pierce)	Hewitt Robbins	200 tons per hour
	Portable (Fort Myers)	Cedarapids	400 tons per hour
	Portable (Fort Myers)	Boehringer	600 tons per hour
	Portable (Miami)	Hazemag	800 tons per hour
005	AFFECTED FACILITIES EXCEPT CRUSHERS SUBJECT TO NSPS SUBPART 000		
	<u>SCREENING OPERATIONS</u>		
	DESCRIPTION	MANUFACTURER	CAPACITY
	North Scalper Screen: 4' x 16'	Hewitt Robins	64 square feet
	Screen #3: 8' x 16' Triple-Deck	Simplicity	128 square feet
	Screen #5: 8' x 20' Triple-Deck	Deister	160 square feet
	North Rail Shaker 8' x 20' Triple-Deck	SECO	160 square feet
	South Rail Shaker 8' x 20' Triple-Deck	Nordberg	160 square feet
	Portable Screen and Conveyors (Fort Myers)	Deister/Boehringer	800 tons per hour

<u>SCREENING OPERATIONS contd.</u>		
DESCRIPTION	MANUFACTURER	CAPACITY
Portable Screen and Conveyors (Ft. Pierce)	MGL	96 square feet
Portable Screen and Conveyors (Ft. Pierce)	Powerscreen	50 square feet
Portable Screen (Ft. Pierce)	Read	65 square feet
Portable Screen and Conveyors (Miami)	Powerscreen	50 square feet
Portable Screen and Conveyors (Interlachen/Umatilla)	Screen Machine	100 tons per hour
<u>STORAGE BINS</u>		
DESCRIPTION	MANUFACTURER	CAPACITY
North Dump Hopper	In-House	80 Tons
North Rail Dump Hopper	In-House	35 Tons
South Rail Dump Hopper	In-House	35 Tons
<u>BELT CONVEYORS</u>		
DESCRIPTION	MANUFACTURER	CAPACITY
Conveyor #5	In-House	36 inches
Conveyor #6	In-House	36 inches
Conveyor #7	In-House	24 inches
Conveyor #8	In-House	24 inches
Conveyor #9	In-House	30 inches
Conveyor #10	In-House	24 inches
Conveyor #11	In-House	24 inches
Transfer Conveyor #13	In-House	30 inches
North #89 Stacker	In-House	24 inches
North #57 Stacker	In-House	24 inches

	<u>BELT CONVEYORS contd.</u>		
	DESCRIPTION	MANUFACTURER	CAPACITY
	North Concrete Sand Stacker	In-House	24 inches
	North Asphalt Sand Stacker	In-House	24 inches
	South Asphalt Sand Stacker	In-House	24 inches
	Base Rock Stacker #14	In-House	24 inches
	North Rail Feed Conveyor	In-House	42 inches
	North Rail Stacker	In-House	42 inches
	South Rail Feed Conveyor	In-House	42 inches
	South Rail Transfer Conveyor	In-House	42 inches
	South Rail Stacker	In-House	42 inches
	(NEW) Horizontal Transfer Conveyor	In-House	30 inches
	(NEW) Radial Stacker	In-House	30 inches
	Conveyors for Portable Crusher (Ft. Pierce)	Hewitt Robbins	200 tons per hour
	Conveyors for Portable Crusher (Fort Myers)	Cedarapids	400 tons per hour
	Conveyors for Portable Crusher (Fort Myers)	Boehringer	600 tons per hour
	Conveyors for Portable Crusher (Miami)	In-House	800 tons per hour

A.1 Emission Limiting Standards and Operation Restrictions

A.1.1 Permitted Capacity: See Facility-Wide Specific Condition 3.1 in Part II

A.1.2 Visible Emission Standards:

EMISSION UNIT	UNIT DESCRIPTION	OPACITY STANDARD	RULE REFERENCE
003	Crusher	Not greater than 15%	40 CFR 60.672 (c)
005	Belt Conveyor	Not greater than 10%	40 CFR 60.672(b)
	Truck Dumping	Exempt	40 CFR 60.672(d)
	Wet screening operations, subsequent screening operations, bucket elevators, and belt conveyors that process saturated material ^{1&2}	No visible emission (zero percent)	40 CFR 60.672(h)

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

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

[40 CFR 60.672(h)(1) & (2)]

A.1.3 The opacity standards specified in A.1.2 shall apply at all times except during periods of startup, shutdown and malfunction. At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emission. The duration of excess emission shall be minimized and shall not exceed two hours in any 24-hour period. Excess emission 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.

[Rules 62-210.700 and 40 CFR 60.11(c) & (d), F.A.C.]

A.1.4 Unrestricted Hours of Operation: The referenced emission unit(s) may operate continuously (8760 hours per year).

[Rule 62-210.200 (PTE), F.A.C.]

A.2 Compliance Monitoring and Testing Requirements

A.2.1 Visible Emission Test Required:

In determining compliance with the fugitive particulate matter emission limiting standards above, the owner or operator shall use EPA Method 9 and the procedures in 40 CFR 60.11, with the following additions:

- The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
- The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (EPA Method 9, Section 2.1) must be followed.
- For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emission and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emission is to be made at a point in the plume where the mist is no longer visible.

[40 CFR 60.675(c)(1)]

A.2.2 Performance Test:

The initial visible emission compliance test shall be completed within 180 days of the issuance date of this permit for those affected facilities not tested in 1996. For affected facilities that have previously demonstrated initial compliance, testing for the purposes of obtaining an operation permit shall be conducted prior to the expiration of this permit. Only that portable equipment that is onsite during scheduled compliance testing will be tested.

[40 CFR 60.8(a), Permit No. 0250006-002-AC, SC 8.]

A.2.3 The permittee shall use as reference methods and procedures the EPA test methods in 40 CFR 60 Appendix A, unless the Department

- (1) Specifies or approves, in specific cases, the use of a reference method with minor changes in methodology
- (2) Approves the use of an equivalent method,
- (3) Approves the use of an alternative method the results of which the Department has determined to be adequate for indicating whether a specific source is in compliance,
- (4) Waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Department's satisfaction that the affected facility is in compliance with the standard, or
- (5) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

[40 CFR 60.8(b)]

A.2.4 Opacity Test Requirements:

A) For the purpose of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test, except as noted in B) and C) below. Subsequent compliance tests shall be thirty minutes in duration.

[40 CFR 60.675(c)(2), and 40 CFR 60.11(b), Permit No. 0250006-002-AC, SC 6.c.]

B) When determining compliance for affected facilities under 60.672(b) [Belt Conveyers] the duration of EPA Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

- i) There are no individual readings greater than 10 percent opacity; and
- ii) There are no more than 3 readings of 10 percent for the 1-hour period.

[40 CFR 60.675((c)(3)]

C) When determining compliance for affected facilities under 60.672(c) [Crusher] the duration of Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

- i) There are no individual readings greater than 15 percent opacity; and
- ii) There are no more than 3 readings of 15 percent for the 1-hour period.

[40 CFR 60.675(c)(4)]

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

- i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.
- ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.

[40 CFR 60.675((e)]

E) EPA Method 9 performance tests are not required for:

- i) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to, but not including the next crusher, grinding mill or storage bin.
- ii) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, that process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

A.2.5 Test Notification:

The permittee shall provide the DERM Air Facilities Section at least 15 days prior notice of any performance test.

[40 CFR 60.675, and 40 CFR 60.8(d)]

If, after 15 days notice for an initially scheduled performance test, there is a delay in conducting any scheduled performance test, the permittee shall submit a notice to the DERM at least 7 days prior to any scheduled performance test.

[40 CFR 60.675(g)]

- A.2.6** For transfer points on conveyor belts enclosed by tunnels, emission from these transfer points shall be evaluated by performing opacity determinations using EPA Method 9 at each end of such tunnel. Compliance with the opacity limitation at each end of such tunnel shall indicate the transfer points within each tunnel comply with the opacity limitation. Such opacity observations shall be conducted while the facility is running with the most drop points simultaneously in operation as practicable. Such opacity observations shall be performed in accordance with the frequency, duration, and other requirements specified in this permit.

A.3 Reporting and Record Keeping Requirements

A.3.1 Test Reports:

The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the emission limiting standards above, including reports of opacity observations made using Method 9.

[40 CFR 60.676(f)]

Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to the DERM, Air Facilities Section. All records required by this permit shall be kept by the permittee for a minimum of two years from the date of such records.

[Rule 62-4.070(3).F.A.C.]

A.3.2 Change of processing material (Saturated versus Unsaturated)

Any screening operation, bucket elevator, or belt conveyor that process saturated material and is subject to 40 CFR 672(h) and subsequently processes unsaturated material, shall submit a report of this change to the Department within 30 days following the change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in 40 CFR 672(b) and the emission test requirement of 40 CFR 60.11 and NSPS Subpart OOO. Likewise a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change to the Department within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible limit in 40 CFR 60.672(h).

[40 CFR 676(g)]

A.3.3 **AOR Supplemental Information:** Annual-operating reports for the emission units covered under this section shall include following supplemental information that was recorded in the previous calendar year:

- The amount of material processed on a monthly basis
- A consecutive 12-month total of the amount of material processed, calculated from the monthly totals for the previous twelve calendar months

[Rule 62-4.070(3), F.A.C.]

A.4 Reporting for Replacement of Facilities

A.4.1 When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in 40 CFR 60.671, having the same function as the existing facility, the new facility is exempt from provisions of 40 CFR 60.672 (standards for particulate matter), 40 CFR 60.674 (Monitoring of operations), and 40 CFR 60.675 (Test methods and procedures). Reconstruction costs shall be calculated per 40 CFR 60.673.

[40 CFR 60.670(d)(1)]

A.4.2 Replacing all existing facilities in a production line with new facilities does not qualify for the exemption described as above.

[40 CFR 60.670(d)(3)]

A.4.3 When seeking exemption as mentioned in condition 4.1, the permittee shall submit the following information required by 40 CFR 60.676(a) to the DERM, Air Facilities Section.

The required information shall be submitted for both the existing facility that was replaced, and the replacement equipment.

When Replacing....	Required Information	Rule Reference
a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station	Rated capacity in tons per hour; Model and Serial Numbers	40 CFR 60.676(a)(1)
a screening operation	The total surface area of the top screen; Model and Serial Numbers	40 CFR 60.676(a)(2)
a conveyer belt	The width of the belt	40 CFR 60.676(a)(3)
a storage bin	The rated capacity in tons	40 CFR 60.676(a)(4)

[40 CFR 60.676(a)]

A.4.4 The permittee shall not replace any facility covered under this permit with a piece of equipment of larger size or different function without applying for, and receiving, a modification of this permit to allow such replacement, unless this requirement is specifically waived in writing by the DERM, Air Facilities Section.

[40 CFR 60.670]

PART III B
EMISSION UNIT SPECIFIC CONDITIONS

This part of this permit addresses the following emission units:

Emission Unit Number	Emission Unit Description		
004	CRUSHERS <u>NOT</u> SUBJECT TO NSPS SUBPART OOO		
	DESCRIPTION	MANUFACTURER	CAPACITY
	South Primary: #4560 Impactor	Universal	700 tons per hour
	South Tertiary: #5530 Roll	Cedarapids	60 tons per hour
	Portable (Ft. Pierce)	Cedarapids	300 tons per hour
	Portable (Sunniland)	Cedarapids	350 tons per hour
005	PROCESSING EQUIPMENT EXCEPT CRUSHERS <u>NOT</u> SUBJECT TO NSPS SUBPART OOO		
	<u>SCREENING OPERATIONS</u>		
	DESCRIPTION	MANUFACTURER	CAPACITY
	South Scalper Screen: 4' x 18'	Universal	72 square feet
	Screen #1: 8' x 24' Triple-Deck	Simplicity	192 square feet
	Screen #2: 8' x 20' Triple-Deck	Simplicity	160 square feet
	Screen #3: 8' x 16' Triple-Deck	Simplicity	128 square feet
	Screen #4: 5' x 12' Two-Deck	Hewitt Robins	60 square feet
	<u>BELT CONVEYORS</u>		
	DESCRIPTION	MANUFACTURER	CAPACITY
	Conveyor #1	In-House	36 inches
	Conveyor #2	In-House	24 inches
	Conveyor #3	In-House	36 inches
	Conveyor #4	In-House	24 inches
	South #89 Stacker	In-House	24 inches

	<u>BELT CONVEYORS contd.</u>		
	DESCRIPTION	MANUFACTURER	CAPACITY
	South #57 Stacker	In-House	24 inches
	South Concrete Sand Stacker	In-House	24 inches
	Drainfield Stacker	In-House	24 inches
	Conveyors for Portable Crusher (Ft. Pierce)	Cedarapids	300 tons per hour
	Conveyors for Portable Crusher (Sunniland)	Cedarapids	350 tons per hour
	<u>STORAGE BIN</u>		
	South Dump Hopper	In-House	80 Tons
007	DIESEL ENGINES		
	DIESEL ENGINES FOR PORTABLE CRUSHING UNITS		
	DESCRIPTION	MANUFACTURER	CAPACITY
	Cedar Rapids Portable Crushing Unit (Ft. Pierce)	Detroit Diesel Model 12V71 Caterpillar Model 3408	300 tons per hour
	Hewitt Robbins Portable Crushing Unit (Ft. Pierce)	Deutz Model F3 Caterpillar Model 3408	200 tons per hour
	Cedar Rapids Portable Crushing Unit (Sunniland)	Caterpillar Model 3304PC Detroit Diesel Model 12V71	350 tons per hour
	Cedar Rapids Portable Crushing Unit (Harper Ft. Myers)	Detroit Diesel Model 12V71 Detroit Diesel Model 8V71	400 tons per hour
	Boehringer Portable Crushing Unit (Harper Ft. Myers)	Cummins Model KTV1150C Onan Model VT12-635	600 tons per hour

DIESEL ENGINES FOR PORTABLE SCREENING UNITS		
DESCRIPTION	MANUFACTURER	CAPACITY
Hazemag Portable Crushing Unit (Miami)	Caterpillar Model 3512	800 tons per hour
Deister Portable Screening Unit (Harper Ft. Myers)	Caterpillar Model 3306	800 tons per hour
MGL Portable Screening Unit (Ft. Pierce)	Cummins Model B5.9P-174	400 tons per hour
Powerscreen Portable Screening Unit (Ft. Pierce)	Deutz Model BF4M-1012	125 tons per hour
Read Portable Screening Unit (Ft. Pierce)	Deutz Model TXT3	75 tons per hour
Powerscreen Portable Screening Unit (Miami)	Deutz Model BF-4M-1012 Deutz Model IFN	225 tons per hour
Portable Screening Unit (Interlachen)	Cummins Model B5.9P-135	100 tons per hour

B.1 Emission Limiting Standards and Operation Restrictions

- B.1.1 Unrestricted Hours of Operation: The referenced emission units may operate continuously (8760 hours per year).
- B.1.2 Allowable Fuels: Fuel burned shall be limited to new number 2 fuel oil with a maximum sulfur content of 0.5% by weight.
[Rule 62-4.070(3), F.A.C.]
- B.1.3 Fuel Consumption Limits: Diesel fuel consumption by all diesel units shall not exceed 250,000 gallons in any consecutive 12-month period.
[Rule 62-4.070(1), F.A.C. and requested by applicant]

B.2 Compliance Monitoring and Testing Requirements

- B.2.1 Allowable Fuels: The owner or operator shall record and maintain records of the types of fuel burned. The owner or operator shall maintain records to demonstrate that each shipment of diesel fuel has 0.5 percent or less (by weight) of sulfur and that the sulfur content was determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in Rule 62-297.440(1). Certifications from the fuel supplier in accordance with the above requirement shall be satisfactory records.
[Rule 62-4.070(3), F.A.C.]

B.2.2 Test Frequency:

Visible emission : Though the permittee is not required to perform a visible emissions compliance test to demonstrate compliance with the facility-wide limitation annually or before renewal, when the DERM Air Facilities Section believes that the general visible emissions standard is being violated, DERM may require that the owner or operator perform a visible emissions compliance test per Chapter 62-297.310(7)(b), Special Compliance Tests, F.A.C.; or DERM personnel who are certified to perform visible emissions tests may determine compliance with the general visible emission standard.

[Guidance on the use of the General Visible Emissions Standard, DARM-PER-33, March 1, 2000]

B.3 Reporting and Record Keeping Requirements

B.3.1 AOR Supplemental Information: Annual-operating reports for the emission units covered under this section shall include following supplemental information that was recorded in the previous calendar year:

- a. The fuel consumption rate on a monthly basis, used by all diesel units
 - b. The highest 12-month total fuel consumption, calculated from the monthly totals for the previous twelve calendar months
 - c. The highest percent sulfur content (by weight) of diesel fuel received
- [Rule 62-4.070(3), F.A.C.]

B.3.2 Fuel Consumption Limits: The owner or operator shall record and maintain records of the fuel consumption on a monthly basis.

The permittee shall record and maintain the total consumption of diesel fuel by the diesel engines on a **monthly** basis. From the monthly records the permittee shall record and maintain a rolling 12-month total record of the amount of fuel consumed to demonstrate compliance with the fuel limitation in specific condition number Part III B.1.3.

[Rule 62-4.070(3), F.A.C.]

Executed in Miami-Dade County, Florida

DEPARTMENT OF ENVIRONMENTAL
RESOURCES MANAGEMENT

DRAFT

Mallika Muthiah, Chief
Air Facilities Section

MM/ek

cc: R. Bruce Mitchell , Bureau of Air Regulation, DEP
Doug Neeley, Chief, Air Programs Branch, U.S. EPA, Region IV (Attn.: Gracy Danois)
Isadore Goldman, P.E. Florida Department of Environmental Protection, West Palm Beach
Steve C. Cullen, P.E., Koogler & Associates

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

DRAFT

Clerk

Date

APPENDIX A
GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections **403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.)**. The permittee is placed on notice that the DERM 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 DERM.
3. As provided in **Subsections 403.087(6) and 403.722(5), F.S.**, 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 DERM permit that may be required for other aspects of the total project which are not addressed in this 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 DERM's rules, unless specifically authorized by an order from the DERM.
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 DERM's 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 DERM's rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized DERM personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, 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 DERM's rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the DERM with the following information:
 - (a) A description of and cause of noncompliance; and

APPENDIX A
GENERAL CONDITIONS

- (b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the DERM 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 DERM, may be used by the DERM as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or DERM's rules, except where such use is prescribed by **Sections 403.111 and 403.73, F.S.** 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 DERM's 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 DERM's rules.
11. This permit is transferable only upon DERM approval in accordance with **Rule 62-4.120 and 62-30.300, Florida Administrative Code (F.A.C.)**, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the DERM.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. The permittee shall comply with the following :
- (a) Upon request, the permittee shall furnish all records and plans required under DERM's rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the DERM.
- (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 DERM's 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 date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.
14. When requested by the DERM, 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 the relevant facts were not submitted or were incorrect in the permit application or in any report to the DERM, such facts or information shall be submitted or corrected promptly.