

Jeb Bush  
Governor

# Department of Environmental Protection **COPY**

Southeast District  
P.O. Box 15425  
West Palm Beach, Florida 33416

**RECEIVED** David B. Guhs  
Secretary

NOTICE OF AIR POLLUTION PERMIT

JUN 07 2000

BUREAU OF AIR REGULATION

**JUN 06 2000**  
CERTIFIED MAIL  
P 109 463 198

**ISSUED TO:**

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

Permit Number: 1110072-014-AC  
Issue Date: June 6, 2000  
Expiration Date: June 5, 2001

*Issued in SE.  
District - Treat as  
Correspondence*

**Authorized Representative:**

Thompson S. Baker, II  
President Aggregates Group

**PROJECT:**

Project: Installation of MGL Screening Unit; Reinstatement of Cedarapids Crusher, Federal Enforceability and Allowance of Crushers and Screening Units from other FRI locations.  
Facility Description: Crushed and Broken Limestone (SIC # 1422)  
Location: St. Lucie County, Florida  
Lat./Long.: 27°14'41" N / 80°30'57" W  
UTM: Zone 17; 547.5 Km. E; 3013.5 Km. N

Dear Baker:

This is Permit Number 1110072-014-AC to construct an air pollution source issued pursuant to Chapter 403.087, Florida Statutes (F.S.). This is a new construction permit to authorize construction of the emission units described in this permit.

**NOTICE OF RIGHTS:**

Any party to this Order has the right to seek judicial review of the permit under Section 120.68 of the Florida Statutes, by filing a Notice of Appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Department.

**STATEMENT OF BASIS:**

This permit is issued under the provisions of 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 Florida Department of Environmental Protection. The above named owner or operator 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, in accordance with the terms and conditions of this permit.

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

*Printed on recycled paper.*

**PART I -- SUMMARY INFORMATION**

**PERMIT CONTENTS:**

Part I -- Summary Information  
Part II -- Facility-Wide Specific Conditions  
Part III -- Emission Units Specific Conditions  
Appendix A -- General Conditions

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

Emission Unit Number at Ft. Pierce Plant	Emission Unit Description
001	Crusher (Hewitt Robins rated at 200 TPH; Model 13654VM; Serial 20-G04944-01) subject to NSPS Subpart OOO
002	All other operations subject to NSPS Subpart OOO Screening and Conveying Systems (Powerscreen; Model Commander 510; Serial 5700685) (MGL Screen Machine; Model VFP4816; Serial FRK616) (Reed Screen; Model RD9513; Serial 1212)
003	Diesel Powered Units (Deutz; Model F3; Serial F3L912F; for Hewitt Robins Crusher) (CAT; Model 3408; Serial 67U07679; for Hewitt Robins Crusher) (Detroit; Model 12V71; Serial 12V115801510; for Cedarapids Crusher) (CAT; Model 3408; Serial 67U09934; for Cedarapids Crusher) (Deutz; Model BF4M-1012-0; Serial 00075072; for Powerscreen) (Cummins; Model B5.9P-174; Serial 45844436; for MGL Screen Machine) (Deutz; Model TXT3; Serial 4300229TXT3A052; for Reed Screen) (John Deere; Model TF150; Serial T0608T793893; Pump: settling pit to canal) (Deutz; Model F4; Serial F4L1011F; Pump: settling pit to water trucks) (John Deere; Model TF150; Serial T0608T736391; Pump: working pit to settling pit) (Perkins; Model N/A; Serial 57872400; Pump: Water supply to Powerscreen) (CAT; Model 3304PC; Serial 6N7984; for Cedarapids Crusher from Sunniland) (Detroit; Model 12V71; Serial 12VAB700703; for Cedarapids Crusher from Sunniland) (Detroit; Model 12V71; Serial 713-7330; for Cedarapids Crusher from Ft. Myers) (Detroit; Model 8V71; Serial 7083-7000; for Cedarapids Crusher from Ft. Myers) (Cummins; Model KTV1150C; Serial 31102039; for Bohringer Crusher from Ft. Myers) (Onan; Model VT12-635; Serial 10351734; for Bohringer Crusher from Ft. Myers) (CAT; Model N/A; Serial HU1517; for Hazemag Crusher from Miami) (CAT; Model 3306; Serial 9NR04099; for Deister/Bohringer Screen from Ft. Myers) (Deutz; Model BF-4M-1012-0; Serial N/A; for Powerscreen from Miami) (Deutz; Model IFN; Serial F4-1912; for Powerscreen from Miami) (Cummins; Model B5.9P-135; Serial 45733144; for Screen Machine from Interlachen)
004	All other operations not subject to NSPS Subpart OOO Crusher (Cedarapids rated at 300 TPH; Model 4340; Serial 37823) Screening and Conveying Systems (Cedarapids)

Emission Unit Number at other FRI locations	Emission Unit Description
005	Crusher (Cedarapids rated at 350 TPH; Model 4340; Serial 37496) from Sunniland
006*	Crusher (Cedarapids rated at 400 TPH; Model 4340; Serial 38149) from Ft. Myers
007*	Crusher (Bohringer rated at 600 TPH; Model RC1450; Serial 124858) from Ft. Myers
008*	Crusher (Hazemeg rated at 700 TPH; Model N/A; Serial HU1517) from Miami
009*	Screening Systems (Deister rated at 800 TPH; Model RM1510-4200; Serial 45-3744) from Ft. Myers
010*	Screening Systems (Powerscreen rated at 225 TPH; Model Commander 510; Serial 5701297) from Miami
011*	Screening Systems (Screen Machine rated at 100 TPH; Model Maximum II; Serial D612-M-91966) from Interlachen

\*Subject to 40 CFR Part 60, Subpart OOO

#### SIGNIFICANT DATES:

Public Notice of Intent Published: May 1, 2000  
Application Received: March 21, 2000

#### PERMIT HISTORY:

Permit No. 110072-001-AC; 002-AC; 003-AO issued January 29, 1996.  
Permit No. 110072-004-AC; 005-AO issued September 26, 1996  
Permit No. 110072-006-AC issued July 7, 1998  
Permit No. 110072-007-AO issued November 24, 1998  
Permit No. 110072-008-AO issued January 14, 1999  
Permit No. 110072-009-AC withdrawn March 21, 2000  
Department Order No. 00-0848 executed April 13, 2000

**This permit supersedes all construction permits issued previously.**

### PART II – FACILITY-WIDE SPECIFIC CONDITIONS

Conditions in this part generally apply to all emission units and activities covered under this permit.

#### 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 Florida Department of Environmental Protection, Southeast District Office, Air Program at PO Box 15425, West Palm Beach, Florida, 33416 (street address 400 North Congress Avenue, West Palm Beach, Florida, 33401, phone 561-681-6600).
- 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. [Rule 62-4.160 F.A.C.]

- 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 Part 60-Subpart OOO-Standards of Performance for Nonmetallic Processing Plants. 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 **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 this Department or other departments or agencies.
- 1.6 **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 Department of Environmental Protection, Southeast District Office, Air Program. To apply for an operation permit, the applicant shall submit the appropriate application fee and, in quadruplicate, 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.]
- 1.7 **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 Department of Environmental Protection, Southeast District Office, Air Program 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 Emission:  
Excess emission resulting from startup, shutdown or malfunction of any emission unit shall be permitted providing best operational practices to minimize emission are adhered to, and the duration of excess emission 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 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.  
[Rule 62-210.700, F.A.C.]

### **4.0 Compliance Testing Requirements**

- 4.1 Test Notification: Unless otherwise specified in this permit, the Department of Environmental Protection, Southeast District Office, Air Program 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 62-297.340(1) F.A.C.]
- 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 Department of Environmental Protection, Southeast District Office, Air Compliance 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.]

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- 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 the Department of Environmental Protection, Southeast District Office, Air Program. **Included with this report shall be any additional reports, if any, required by this permit in Part III -- Emission Unit Specific Conditions.**  
[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:

Emission Unit Numbers at Ft. Pierce Plant	Emission Unit Description
001	Crusher (Hewitt Robins rated at 200 TPH; Model I3654VM; Serial 20-G04944-01)
002	All other operations subject to NSPS Subpart OOO Screening and Conveying Systems (Powerscreen Model Commander 510; Serial 5700685) (MGL Model VFP; Serial FRK616) (Read Model RD9513; Serial 1212)

Emission Unit Numbers at other FRI locations	Emission Unit Description
006	Crusher (Cedarapids rated at 400 TPH; Model 4340; Serial 38149) from Ft. Myers
007	Crusher (Bohringer rated at 600 TPH; Model RC1450; Serial 124858) from Ft. Myers
008	Crusher (Hazemeg rated at 700 TPH; Model N/A; Serial HU1517) from Miami
009	Screening Systems (Deister rated at 800 TPH; Model RM1510-4200; Serial 45-3744) from Ft. Myers
010	Screening Systems (Powerscreen rated at 225 TPH; Model Commander 510; Serial 5701297) from Miami
011	Screening Systems (Screen Machine rated at 100 TPH; Model Maximum II; Serial D612-M-91966) from Interlachen

These Units are subject to 40 CFR Part 60, NSPS Subpart OOO, Standards of Performance for Non-Metallic Mineral Processing Plants. Emission units 001 and 002 are located at the Fort Pierce Plant. However, emission units 006 – 011 are located at other Florida Rock plants, which may be brought to the Fort Pierce plant.

**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
001, 006, 007, 008	Crusher	Not greater than 15%	40 CFR 60.672 (c)
002, 009, 010, 011	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 <u>process saturated material</u> <sup>1</sup>	No visible emission (zero percent)	40 CFR 60.672(h)



**Note:** *These operations (screening, conveyors, and bucket elevators) process saturated material in the production line up to the next crusher, grinding mill or storage bin, or these operations in the production line downstream of wet mining operations and 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 above 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.1.5 Equipment from other locations: Emission units 006 – 011 shall be in compliance with specific condition A.1.2 prior to being moved to the Fort Pierce plant.  
[Rule 62-4. 070(3), 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:

- a. The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
- b. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (EPA Method 9, Section 2.1) must be followed.
- c. For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter 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.  
[40 CFR 60.8(a)]

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.  
[40 CFR 60.675(c)(2), and 40 CFR 60.11(b)]
- 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 emission from two or more facilities continuously interfere so that the opacity of fugitive emission 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 emission stream.
  - ii). Separate the emission so that the opacity of emission 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 Department at least 30 days prior notice of any performance test.  
[40 CFR 60.675, and 40 CFR 60.8(d)]

If, after 30 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 Department 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 Department of Environmental Protection, Southeast District Office, Air Program. 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 Vs 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 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 60.670.670(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 Department of Environmental Protection, Southeast District Office, Air Program.

*The required information shall be submitted for both existing facility 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 Department of Environmental Protection, Southeast District Office, Air Program.  
[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
003	<p>Diesel Powered Units (Deutz; Model F3; Serial F3L912F; for Hewitt Robins Crusher)  (CAT; Model 3408; Serial 67U07679; for Hewitt Robins Crusher)  (Detroit; Model 12V71; Serial 12V115801510; for Cedarapids Crusher)  (CAT; Model 3408; Serial 67U09934; for Cedarapids Crusher)  (Deutz; Model BF4M-1012-0; Serial 00075072; for Powerscreen)  (Cummins; Model B5.9P-174; Serial 45844436; for MGL Screen Machine)  (Deutz; Model TXT3; Serial 4300229TXT3A052; for Reed Screen)  (John Deere; Model TF150; Serial T0608T793893; Pump: settling pit to canal)  (Duetz; Model F4; Serial F4L1011F; Pump: settling pit to water trucks)  (John Deere; Model TF150; Serial T0608T736391; Pump: working pit to settling pit)  (Perkins; Model N/A; Serial 57872400; Pump: Water supply to Powerscreen)  (CAT; Model 3304PC; Serial 6N7984; for Cedarapids Crusher from Sunniland)  (Detroit; Model 12V71; Serial 12VAB700703; for Cedarapids Crusher from Sunniland)  (Detroit; Model 12V71; Serial 713-7330; for Cedarapids Crusher from Ft. Myers)  (Detroit; Model 8V71; Serial 7083-7000; for Cedarapids Crusher from Ft. Myers)  (Cummins; Model KTV1150C; Serial 31102039; for Bohringer Crusher from Ft. Myers)  (Onan; Model VT12-635; Serial 10351734; for Bohringer Crusher from Ft. Myers)  (CAT; Model N/A; Serial HU1517; for Hazemag Crusher from Miami)  (CAT; Model 3306; Serial 9NR04099; for Deister/Bohringer Screen from Ft. Myers)  (Deutz; Model BF-4M-1012-0; Serial N/A; for Powerscreen from Miami)  (Deutz; Model IFN; Serial F4-1912; for Powerscreen from Miami)  (Cummins; Model B5.9P-135; Serial 45733144; for Screen Machine from Interlachen)</p>
004	All other operations not subject to NSPS Subpart OOO Crusher (Cedarapids rated at 300 TPH; Model 4340; Serial 37823)
005	Crusher (Cedarapids rated at 350 TPH; Model 37496; Serial 12VA-870073)

Emission units 003 and 004 are located at the Fort Pierce plant. However, emission unit 005 is located at another Florida Rock facility, which may be brought to the Fort Pierce plant. Emission unit 005 is not subject to 40 CFR Part 60 Subpart OOO.

**B.1 Emission Limiting Standards and Operation Restrictions**

- B.1.1 Visible Emission:** Fugitive particulate matter emission shall not be equal to or greater than 20 percent opacity from any non-NSPS facility.  
[Rule 62-296.320(4)(b), F.A.C.]
- B.1.2 Unrestricted Hours of Operation:** The referenced emission units may operate continuously (8760 hours per year).
- B.1.3 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.1.4 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 Visible Emission Test Required:

Emission Unit	Compliance Method	Duration	Rule Reference
003	EPA Method 9	30 Minutes	Rule 62-297.401(9)(a), F.A.C.
004	EPA Method 9	30 Minutes	
005	EPA Method 9	30 Minutes	

- B.2.2 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.2.3 Test Frequency:

Visible emission compliance tests shall be completed before issuance of the operation permit. See facility wide condition 1.6 in PART II of this permit.  
[Rules 62-4.030, 62-4.050, 62-4.220, and 62-210.300, F.A.C.]

**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:

- The fuel consumption rate on a monthly basis, used by all diesel units
  - The highest 12-month total fuel consumption, calculated from the monthly totals for the previous twelve calendar months
  - 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, 1.5.

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

- B.3.3 The permittee shall submit written reports of the results of all compliance tests conducted to demonstrate compliance with the emission limiting standards above, including reports of opacity observations made using Method 9. All records required by this permit shall be kept by the permittee for a minimum of two years from the date of such records.


[Rules 62-4.070(1) and 62-297.310(8), F.A.C.]

**B.4 Reporting for Replacement of Facilities**

- B.4.1 When an existing facility (one that is not subject to the NSPS requirements) 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 the NSPS requirements, but is not exempt from any other requirements of Department rules or this permit. If the permittee replaces all existing facilities in a production line with new facilities, the new facilities become subject to and must comply with the NSPS requirements. The permittee shall submit the information required by 40 CFR 60.676(a) and (b) to the Department of Environmental Protection, Southeast District Office, Air Program, and the US Environmental Protection Agency, prior to replacing any existing facility. Reconstruction costs shall be calculated per 40 CFR 60.673.  
[40 CFR 60.670(d) and 60.676(a) & (b)]

Executed in West Palm Beach, Florida.

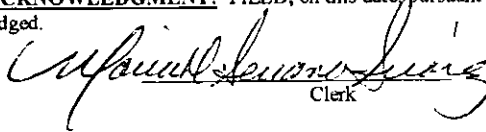
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

 JUN 06 2000  
Isidore Goldman, P.E. Date  
District Air Program Administrator  
Southeast District

IG/la

cc: R. Bruce Mitchell, Bureau of Air Regulation, DEP  
Doug Neeley, Chief, Air Programs Branch, U.S. EPA, Region IV (Attn.: Gracy Danois)  
Tom Tittle, SED

**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.

  
Clerk

06-06-00  
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 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), 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 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 or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
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 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 Department 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 Department with the following information:
  - (a) A description of and cause of noncompliance; and



# State of Florida

## Department of Environmental Protection

### Memorandum

TO: Bruce Mitchell *BM*

THRU:

FROM: William Leffler, PE *WLP*

DATE: Tuesday, May 09, 2000

DAY 90

SUBJECT Florida Rock industries 1119<sup>00</sup>72-014-AC

This permit disturbs me. While it designates much of the equipment that was the subject of the February relocatable applications, there is no attempt to quantify emissions from the various units in any manner that can be used to determine whether the facility is approaching the 100 ton per year title V threshold

The permit is specific about visual emission limits which are the primary control under 40 CFR 60, subpart OOO, but these visual limitations are still only surrogate measures of particulate control.

The permit application lacks a technical evaluation which tabulates the hourly or daily particulate emissions factors from each unit which might be set up in a spread sheet to be multiplied by some measurable factor, whether running hours or fuel consumption to provide a measurable threshold at which we can say you are either safe from title V or clearly subject to title V. For the same reason the inclusion of many diesel engines and pumps into single emission units suffers from the same lack of regulatory logic. The engines associated with particular mine machinery might well be carried with the machinery as a single emission unit so that the engine can be metered for fuel or running hours, but it is meaningless to lump all the engines together whether all or only part of them may be running at any time.

I presume that this permit is Lennon Anderson's attempt to integrate Florida Rock's desire to provide for temporary use of transportable machinery. While it provides a grocery list of the auxiliary equipment, it fails to designate it as transportable. Nor does it provide a method of segregating the emission contribution from each designated emission unit.

The permit also fails to include the serial numbers or unit specific identification of the major components of the primary crushers and classifiers which are subject to 40CFR 60, subpart OOO.

APPENDIX --A

GENERAL CONDITIONS CONTINUED:

- (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 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 403.111 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 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 Rule 62-4.120 and 62-730.300, 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 Department.
  - 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 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 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 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 the 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 submitted or corrected promptly.

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

3. \_\_\_\_\_

1. R. Bruce Mitchell

2. DEP

5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:

\_\_\_\_ SECRETARY'S SIGNATURE

\_\_\_\_ DIV/DIST DIR SIGNATURE

\_\_\_\_ MY SIGNATURE

\_\_\_\_ YOUR SIGNATURE

\_\_\_\_ DUE DATE \_\_\_\_\_

ACTION/DISPOSITION

\_\_\_\_ DISCUSS WITH ME

\_\_\_\_ COMMENTS/ADVISE

\_\_\_\_ REVIEW AND RETURN

\_\_\_\_ SET UP MEETING

\_\_\_\_ FOR YOUR INFORMATION

\_\_\_\_ HANDLE APPROPRIATELY

\_\_\_\_ INITIAL AND FORWARD

\_\_\_\_ SHARE WITH STAFF

☒ FOR YOUR FILES

COMMENTS:

*Bureau of Air  
Regulation  
Tallahassee  
Mail Station  
# 5505*

FROM:

SED/Air Program

DATE:

6/6/00

PHONE:

226-6659

*Mama*



Jeb Bush  
Governor

# Department of Environmental Protection

RECEIVED

MAY 01 2000

BUREAU OF AIR REGULATION

Southeast District  
P.O. Box 15425  
West Palm Beach, Florida 33416

David B. Struhs  
Secretary

April 28, 2000

CERTIFIED MAIL  
P 109 463 176

In the Matter of an Application for Permit by:

Mr. Michael O'Berry  
Environmental Permitting Manager  
Florida Rock Industries (FRI), Inc.  
P.O. Box 4667  
Jacksonville, FL 32201

DEP File No. 1110072-014-AC  
St. Lucie County  
Project: Installation of MGL Screening Unit;  
Reinstatement of Cedar Rapids Crusher, Federal  
Enforceability and Allowance of Crushers and  
Screening Units from other FRI locations.

## INTENT TO ISSUE

Dear Mr. O'Berry:

The Department of Environmental Protection gives notice of its intent to issue a permit (copy attached) 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 applicant, Florida Rock Industries, Inc., applied on March 21, 2000, to the Department of Environmental Protection for a permit to construct an air pollution source consisting of crushing, screening and conveying systems. This facility is located at 14171 Rangeline Road, Port St. Lucie, Florida. The purpose of this application was to obtain a construction permit for:

- (1) installation of new MGL screening unit, previously submitted under DEP File No. 1110072-009-AC
- (2) reinstatement of a Cedar Rapids portable crushing unit
- (3) establishment of non-Title V facility status based on federally enforceable conditions
- (4) authorization of portable crushing and screening units from other FRI facilities

Specifically, the applicant requested that emissions of air pollutants from this project be limited to less than the Title V applicability criteria through enforceable permit limitations.

The Department 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 Department has determined that an air pollution construction permit is required for the proposed work.

The Department intends to issue this air construction 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 Air Permitting Section of the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Air Permitting Section of the Department of Environmental Protection, in person at 400 North Congress Avenue, West Palm Beach, Florida 33401, or by mail to the Department of Environmental Protection, Southeast District, P.O. Box 15425, West Palm Beach, Florida 33416 (Telephone 561-681-6600; Fax 561-681-6790). You must provide proof of publication

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

*Printed on recycled paper.*

within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. 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 Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change or terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Air Permitting Section of the Department's Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department 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 petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida's Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. 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 Department 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 Department'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 demand for relief.

A petition that does not dispute the material facts upon which the Department'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 Department'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 Department 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 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 Department 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 West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

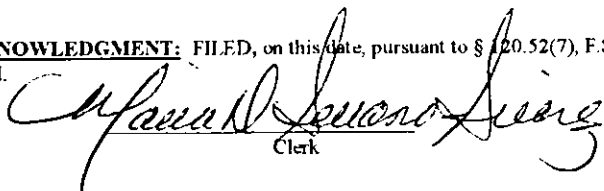
 **APR 8 8 2000**  
Isidore G. Gorman, P.E. Date  
District Air Program Administrator  
Southeast District

IG/la

attachment

cc: R. Bruce Mitchell, Bureau of Air Regulation, DEP  
Tom Tittle, Air Program

**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.

 **04/28/00**  
Clerk Date

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit to Florida Rock Industries, Inc., P.O. Box 4667, Jacksonville, FL, 32201, to construct an air pollution source consisting of crushing, screening and conveying systems. This facility is located at 14171 Rangeline Road, Port St. Lucie, Florida. The Department's file number in this matter is 1110072-014-AC. The Department 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 emission of air pollutants from this project be limited to less than the Title V applicability criteria through enforceable permit limitations. The facility shall not exceed a raw material throughput limitation of 10,000,000 tons and 250,000 gallons of new number 2 fuel oil in any consecutive 12-month period.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Air Permitting Section of the Department's Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department 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 petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida's Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. 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 Department 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 Department'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 demand for relief.

A petition that does not dispute the material facts upon which the Department'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 Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department 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.

## NOTICE OF AIR POLLUTION PERMIT

CERTIFIED MAIL

### ISSUED TO:

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

Permit Number: 1110072-014-AC  
Issue Date:  
Expiration Date:

Authorized Representative:

Thompson S. Baker, II  
President Aggregates Group

### PROJECT:

Project: Installation of MGL Screening Unit; Reinstatement of Cedar Rapids Crusher, Federal Enforceability and Allowance of Crushers and Screening Units from other FRI locations.  
Facility Description: Crushed and Broken Limestone (SIC # 1422)  
Location: St. Lucie County, Florida  
Lat./Long.: 25°52'44" N / 80°23'37" W  
UTM: Zone 17; 547.2 Km. E; 3014.0 Km. N

Dear Baker:

This is Permit Number 1110072-014-AC to construct an air pollution source issued pursuant to Chapter 403.087, Florida Statutes (F.S.). This is a new construction permit to authorize construction of the emission units described in this permit.

### NOTICE OF RIGHTS:

Any party to this Order has the right to seek judicial review of the permit under Section 120.68 of the Florida Statutes, by filing a Notice of Appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Department.

### STATEMENT OF BASIS:

This permit is issued under the provisions of 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 Florida Department of Environmental Protection. The above named owner or operator 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, in accordance with the terms and conditions of this permit.



## PART I -- SUMMARY INFORMATION

### PERMIT CONTENTS:

Part I -- Summary Information  
Part II -- Facility-Wide Specific Conditions  
Part III -- Emission Unit(s) Specific Conditions  
Appendix A -- General Conditions

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

Emission Unit Number	Emission Unit Description
001	Crusher (Hewitt Robins rated at 350 TPH; Model 3654; Serial #) subject to NSPS Subpart OOO
002	All other operations subject to NSPS Subpart OOO Screening and Conveying Systems (Powerscreen Model #: Serial #) (MGL Screen Machine Model #: Serial #)
003	Diesel Powered Units (Deutz Model #: Serial # for Hewitt Robins Crusher) (CAT Model 3408; Serial # ) (Detroit Model 1271; Serial # for the Cedar Rapids Crusher) (CAT Model 3408; Serial # ) (Detroit Model 671; Serial # Pump #1: From settling pit to canal) (Detroit Model 671; Serial # Pump #3: From settling pit to water trucks) (Detroit Model 671; Serial # Pump #4: From working pit to settling pit)
004	All other operations not subject to NSPS Subpart OOO Crusher (Cedar Rapids rated at 550 TPH; Model 4340; Serial #) Screening and Conveying Systems (Cedar Rapids)
005	Crusher (Cedarapids rated at 350 TPH; Model 37496; Serial 12VA-870073)
006	Crusher (Cedarapids rated at 400 TPH; Model 4340; Serial 38149)
007	Crusher (Bohringer rated at 600 TPH; Model RC1450; Serial 124858)
008	Crusher (Hazemeg rated at 700 TPH; Model N/A; Serial HU1517)
009	Screening Systems (Deister rated at 800 TPH; Model RM1510-4200; Serial 45-3744)
010	Screening Systems (Powerscreen rated at 225 TPH; Model Commander 510; Serial 5701297)
011	Screening Systems (Screen Machine rated at 100 TPH; Model Maximum II; Serial D612-M-91966)

### SIGNIFICANT DATES:

Public Notice of Intent Published: ^  
Application Received: March 21, 2000

### PERMIT HISTORY:

Permit No. 110072-001-AC; 002-AC; 003-AO issued January 29, 1996  
Permit No. 110072-004-AC; 005-AO issued September 26, 1996  
Permit No. 110072-006-AC issued July 7, 1998  
Permit No. 110072-007-AO issued November 24, 1998  
Permit No. 110072-008-AO issued January 14, 1999  
Permit No. 110072-009-AC withdrawn March 21, 2000  
Department Order No. 00-0848 executed April 13, 2000

This permit supersedes all construction permits issued previously.

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## PART II -- FACILITY-WIDE SPECIFIC CONDITIONS

Conditions in this part generally apply to all emission units and activities covered under this permit.

### 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 Florida Department of Environmental Protection, Southeast District Office, Air Program at PO Box 15425, West Palm Beach, Florida, 33416 (street address 400 North Congress Avenue, West Palm Beach, Florida, 33401, phone 561-681-6600).
- 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. [Rule 62-4.160 F.A.C.]
- 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 Part 60-Subpart OOO-Standards of Performance for Nonmetallic Processing Plants. 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 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 this Department or other departments or agencies.
- 1.6 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 Department of Environmental Protection, Southeast District Office, Air Program. To apply for an operation permit, the applicant shall submit the appropriate application fee and, in quadruplicate, 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.]
- 1.7 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 Department of Environmental Protection, Southeast District Office, Air Program 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 which 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.]

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- 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 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.]

- 3.2 Excess Emission:  
Excess emission resulting from startup, shutdown or malfunction of any emission unit shall be permitted providing best operational practices to minimize emission are adhered to, and the duration of excess emission 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 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.  
[Rule 62-210.700, F.A.C.]

### 4.0 Compliance Testing Requirements

- 4.1 Test Notification: Unless otherwise specified in this permit, the Department of Environmental Protection, Southeast District Office, Air Program 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 62-297.340(1) F.A.C.]

- 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.]

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- 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 Department of Environmental Protection, Southeast District Office, Air Compliance 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 the Department of Environmental Protection, Southeast District Office, Air Program. **Included with this report shall be any additional reports, if any, required by this permit in Part III -- Emission Unit Specific Conditions.**  
[Rule 62-4.070(3), F.A.C.]

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**PART III -A-  
EMISSION UNIT SPECIFIC CONDITIONS**

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This part of this permit addresses the following emission units:

Emission Unit Number	Emission Unit Description
001	Crusher (Hewitt Robins rated at 200 TPH; Model I3654VM; Serial 20-G04944-01)
002	All other operations subject to NSPS Subpart 000 Screening and Conveying Systems (Powerscreen Model Commander 510; Serial 5700685) (MGL Model VFP; Serial FRK616) (Read Model RD9513; Serial 1212)
006	Crusher (Cedarapids rated at 400 TPH; Model 4340; Serial 38149)
007	Crusher (Bohringer rated at 600 TPH; Model RC1450; Serial 124858)
008	Crusher (Hazemeg rated at 700 TPH; Model N/A; Serial HU1517)
009	Screening Systems (Deister rated at 800 TPH; Model RM1510-4200; Serial 45-3744)
010	Screening Systems (Powerscreen rated at 225 TPH; Model Commander 510; Serial 5701297)
011	Screening Systems (Screen Machine rated at 100 TPH; Model Maximum II; Serial D612-M-91966)

These Units are subject to 40 CFR Part 60, NSPS Subpart 000: Standards of Performance for Non-Metallic Mineral Processing Plants. Emission units 001 and 002 are located at the Fort Pierce Plant. However, emission units 006 – 011 are located at other Florida Rock plants, which may be brought to the Fort Pierce plant.

**A.1 Emission Limiting Standards and Operation Restrictions**

**A.1.1 Permitted Capacity:** The processed raw material throughput is limit to 10,000,000 TPY (facility-wide).  
[Rule 62-210.200, F.A.C., Definitions-PTE; requested by applicant]

**A.1.2 Visible Emission Standards:**

EMISSION UNIT	UNIT DESCRIPTION	OPACITY STANDARD	RULE REFERENCE
001, 006, 007, 008	Crusher	Not greater than 15%	40 CFR 60.672 (c)
002, 009, 010, 011	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 <u>process saturated material</u> <sup>1</sup>	No visible emission (zero percent)	40 CFR 60.672(h)

**Note:** *These operations (screening, conveyors, and bucket elevators) process saturated material in the production line up to the next crusher, grinding mill or storage bin, or these operations in the production line downstream of wet mining operations and 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 above 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.1.5. Equipment from other locations: Emission units 006 – 011 shall be in compliance with specific condition A.1.2 prior to operating at the Fort Pierce plant.  
[Rule 62-4. 070(3), F.A.C.]

## A.2 Compliance Monitoring and Testing Requirements

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### 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 Method 9 and the procedures in 40 CFR 60.11, with the following additions:

- a. The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
- b. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
- c. For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter 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.  
[40 CFR 60.8(a)]

### A.2.3 The permittee shall use as reference methods and procedures the 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.  
[40 CFR 60.675(c)(2), and 40 CFR 60.11(b)]
- B) When determining compliance for affected facilities under 60.672(b) [Belt Conveyers] 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 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 emission from two or more facilities continuously interfere so that the opacity of fugitive emission 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 emission stream.
  - ii). Separate the emission so that the opacity of emission from each affected facility can be read.
- [40 CFR 60.675((e)]
- E) Initial 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 upto, 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 upto the first crusher, grinding mill, or storage bin in the production line.

**A.2.5 Test Notification:**

The permittee shall provide the Department at least 30 days prior notice of any performance test.  
[40 CFR 60.675, and 40 CFR 60.8(d)]

If, after 30 days notice for an initially scheduled performance test, there is a delay in conducting any rescheduled performance test, the permittee shall submit a notice to the Department at least 7 days prior to any rescheduled 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 Department of Environmental Protection, Southeast District Office, Air Program. 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 Vs 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 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 material processed on a monthly basis
- A consecutive 12-month total material processed, calculated from the monthly totals for the previous twelve calendar months

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

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### 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 60.670.670(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 Department of Environmental Protection, Southeast District Office, Air Program.

*The required information shall be submitted for both existing facility 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	40 CFR 60.676(a)(1)
a screening operation	The total surface area of the top screen	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 Department of Environmental Protection, Southeast District Office, Air Program.  
[40 CFR 60.670]

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### PART III B EMISSION UNIT SPECIFIC CONDITIONS

This part of this permit addresses the following emission units:

Emission Unit Number	Emission Unit Description
003	Diesel Powered Units (Deutz Model #; Serial #) for Hewitt Robins Crusher) (CAT Model 3408; Serial # ) (Detroit Model 1271; Serial # for the Cedar Rapids Crusher) (CAT Model 3408; Serial # ) (Detroit Model 671; Serial # Pump #1: From settling pit to canal) (Detroit Model 671; Serial # Pump #3: From settling pit to water trucks) (Detroit Model 671; Serial # Pump #4: From working pit to settling pit)
004	All other operations not subject to NSPS Subpart OOO Crusher (Cedarapids rated at 300 TPH; Model 4340; Serial 37496) Screening and Conveying Systems (Cedarapids)
005	Crusher (Cedarapids rated at 350 TPH; Model 37496; Serial 12VA-870073)

Emission units 003 and 004 are located at the Fort Pierce plant. However, emission unit 005 is located at another Florida Rock facility, which may be brought to the Fort Pierce plant. Emission unit 005 is not subject to 40 CFR Part 60 Subpart OOO.

#### B.1 Emission Limiting Standards and Operation Restrictions

- B.1.1 Permitted Capacity: The processed raw material throughput is limit to 10,000,000 TPY (facility-wide).  
[Rule 62-210.200, F.A.C., Definitions-PTE; requested by applicant]
- B.1.2 Visible Emission: Fugitive particulate matter emission shall not be equal to or greater than 20 percent opacity from any facility.  
[Rule 62-296.320(4)(b), F.A.C.]
- B.1.3 Unrestricted Hours of Operation: The referenced emission units may operate continuously (8760 hours per year).
- B.1.4 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.1.5 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]

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#### B.2 Compliance Monitoring and Testing Requirements

- B.2.1 Visible Emission Test Required:

Emission Unit	Compliance Method	Duration	Rule Reference
003	EPA Method 9	30 Minutes	Rule 62-297.401(9)(a), F.A.C.
004	EPA Method 9	30 Minutes	
005	EPA Method 9	30 Minutes	

**B.2.2 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.2.3 Test Frequency:**

Visible emission compliance tests shall be completed before issuance of the operation permit. See facility wide condition 1.6 in PART II of this permit.  
[Rules 62-4.030, 62-4.050, 62-4.220, and 62-210.300, F.A.C.]

**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. A consecutive 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, 1.5.  
[Rule 62-4.070(3), F.A.C.]

**B.3.3** The permittee shall submit written reports of the results of all compliance tests conducted to demonstrate compliance with the emission limiting standards above, including reports of opacity observations made using Method 9. All records required by this permit shall be kept by the permittee for a minimum of two years from the date of such records.  
[Rules 62-4.070(1) and 62-297.310(8), F.A.C.]

**DRAFT**

**B.4 Reporting for Replacement of Facilities**

**B.4.1** When an existing facility (one that is not subject to the NSPS requirements) 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 the NSPS requirements, but is not exempt from any other requirements of Department rules or this permit. If the permittee replaces all existing facilities in a production line with new facilities, the new facilities become subject to and must comply with the NSPS requirements. The permittee shall submit the information required by 40 CFR 60.676(a) and (b) to the Department of Environmental Protection, Southeast District Office, Air Program, and the US Environmental Protection Agency, prior to replacing any existing facility. Reconstruction costs shall be calculated per 40 CFR 60.673.  
[40 CFR 60.670(d) and 60.676(a) & (b)]

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Isidore G. [Signature] Date  
District Air Program Administrator  
Southeast District

IG/la

cc: Clair Fancy, P.E., Chief, Bureau of Air Regulation, DEP  
Doug Neeley, Chief, Air Programs Branch, U.S. EPA, Region IV (Attn.: Gracy Danois)

**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.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

DEP ROUTING AND TRANSMITTAL SLIP	
TO: (NAME, OFFICE, LOCATION) <span style="float: right;">3. _____</span>	
1. <u>Bruce R. Mitchell</u>	
2. <u>Tallahassee Office</u>	
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FROM: <u>WPB SED</u> DATE: <u>4/28/00</u> PHONE: <u>226-6659</u>	

**Technical Evaluation**  
Florida Department of Environmental Protection, Southeast District Air Permitting Section  
Page 1 of 1

ARMS No.: 1110072-014-AC  
Florida Rock Industries (FRI), Inc., Ft. Pierce Quarry

Type of Application:

Modification and Construction

Reviewed By: Lennon Anderson

Agency determination:

Pursuant to F.A.C. Rules 62-4.070, 62-212, and F.S. 403.087 & 403.021, the Department may issue a permit to an applicant when the applicant has provided reasonable assurance that the proposed project as described and subject to the draft permit conditions will not cause pollution in contravention of Department standards or rules; cause or contribute to a violation of, or interfere with the reasonable further progress toward attaining, any air quality standard; or adversely impact human health, welfare or the environment.

The Florida Department of Environmental Protection, Southeast District Office, has such reasonable assurance and the Department, therefore, intends to issue an air pollution construction permit to the applicant.

Project Description:

FRI plans to install a new MGL Screening Unit, reinstate a Cedar Rapids Crusher, seek federal enforceability and allow crushers and screening units from other FRI locations to operate at the Fort Pierce location.

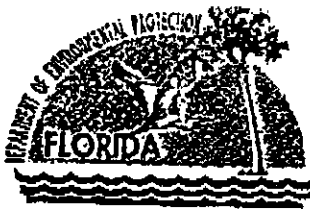
Emission Limitations & Potential Emissions:

In order to remain a non-title V facility, FRI opted to place a cap on facility-wide fuel usage at 250,000 gallons and material processed at 10,000,000 tons per year. According to emission factors from AP-42 for internal combustion engines, the emission for various pollutants are shown below. The facility remains a non-title V facility since none of the pollutants exceeded 100 tons per year.

Emission Units	Limitations			CO tpy	NOx tpy	SO2 tpy	PM tpy	VOC tpy
	Hours of Operation	Fuel Type or Sulfur %	Other					
All Diesel Power units	8760	0.5	250,000 gallons (Facility-wide)	16.7	77.2	5.10	5.4	6.3

Title V Applicability:

The facility is not subject to requirements of Title V because it will be synthetically limited through federally enforceable permit conditions.



Jeb Bush  
Governor

# Department of Environmental Protection

Southeast District  
P.O. Box 15425  
West Palm Beach, Florida 33416

David B. Struhs  
Secretary

## FAX TRANSMITTAL

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### COMMENTS:

As you requested, the technical evaluation  
is attached. Please call me at 850 226-6632.  
I have a question.

Thanks!

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

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