



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
Secretary

NOTICE OF INTENT TO ISSUE PERMIT

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

DEP File No.: 1190030-005-AC
County: Sumter

Mr. Reese Sumrall, Jr., Owner/Authorized Representative
Charlotte Pipe and Foundry Company - Plastics Division
4210 Old Charlotte Highway
Monroe, NC 28110

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.

The applicant, Charlotte Pipe and Foundry Company, applied on February 24, 2004 to the Department of Environmental Protection for the construction of a new chlorinated polyvinyl chloride (CPVC) pipe production line and one additional polyvinyl chloride (PVC) pipe hopper feeding one (1) PVC extruder at the facility located at County Road 124A, Wildwood, Sumter County, issued pursuant to Section 403.087, Florida Statutes (F.S.).

The Department has permitting jurisdiction under Section 403.087, F.S. The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 & 62-4.

Pursuant to Section 403.815, F.S., and Rule 62-110.106, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice will be published one time only within thirty (30) days of receipt of this Intent to Issue, in the legal ad section of a newspaper of general circulation in the area affected. For the purposes of this rule "publication in a newspaper of general circulation in the affected area" 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. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address

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or telephone number listed above. The applicant shall provide proof of publication to the Department, at 3804 Coconut Palm Drive, Tampa Florida 33619 within 7 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

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 for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the 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);
- (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 the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the Department that are relevant to the permit decision.

The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT." Written comments should be provided to the Southwest District office of the Department at 3804 Coconut Palm Drive, Tampa Florida 33619 to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1190030-005-AC. All comments received within fourteen (14) days of receipt of this Intent to Issue will be considered in the Department's final determination. 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.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Gerald J. Kissel, P.E.
District Air Program Administrator
Southwest District

GJK/jgz
Attachment

copy to: Mr. Edward C. Fiss, Jr., P.E., Aware Environmental® Inc., 9305 Monroe Road
Suite J, Charlotte, NC, 28270

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE was sent to the addressee by certified mail and all copies were mailed by regular mail before the close of business on MAY 27 2004 to the listed persons.

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

MAY 27 2004

Date

7002 3150 0003 8458 3351

U.S. Postal Service™	
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<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	
Certified Fee	
Reti (Endorse)	Mr. Reese Sumrall, Jr. Owner/Authorized Representative
Restrict (Endorse)	Charlotte Pipe & Foundry Co - Plastics Division 4210 Old Charlotte Highway Monroe, NC 28110
Total Pct	
Sent To	1190030-005-AC JZ ITI 05/27/2004
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
PS Form 3800, June 2002	
See Reverse for Instructions	

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

The Department of Environmental Protection gives notice of its intent to issue an air pollution permit (1190030-005-AC) to Charlotte Pipe and Foundry Company – Plastics Division for the construction of a new chlorinated polyvinyl chloride (CPVC) pipe production line and one (1) additional polyvinyl chloride (PVC) pipe hopper feeding one (1) PVC extruder at the facility located at County Road 124A in Wildwood, Sumter County. (APPLICANT MAILING ADDRESS: Charlotte Pipe and Foundry Company – Plastics Division, 4210 Old Charlotte Highway, Monroe, NC 28110 to the attention of Mr. Reese Sumrall, Jr., Owner/Authorized Representative.

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 for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. 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 (14) 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), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) 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, F.A.C.

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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

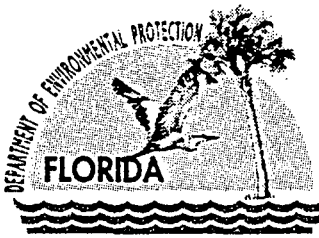
A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 permit. 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.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 8407 Laurel Fair Circle, Suite 214, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, the Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of "Public Notice of Intent to Issue Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1190030-005-AC. 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.



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Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Colleen M. Castille
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PERMITTEE:

Charlotte Pipe and Foundry Company
Plastics Division
4210 Old Charlotte Hwy.
Monroe, NC 28110

Permit No.: 1190030-005-AC

County: Sumter

Effective Date:

Expiration Date: 05/03/2005

Project: CPVC Production Line &
Additional PVC
Hopper and Extruder

DRAFT

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-204, 62-210, 62-212, 62-213, 62-296, 62-297 & Chapter 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the Florida Department of Environmental Protection:

This permit is for the construction modification of the previously issued Permit No. 1090030-004-AO. Specifically, the modification is to:

- A. Construct and install a chlorinated polyvinyl chloride (CPVC) pipe extruding operation (line) with a maximum production throughput rate of 2,500 tons/year. The CPVC pipe extruding line consists of a vacuum railcar unloader system, one (1) CPVC compound storage silo, one (1) CPVC extruder hopper receiver and one (1) CPVC extruder. The CPVC pipe extruding line will also be sharing equipment permitted as part of the already existing polyvinyl chloride (PVC) pipe extrusion line; specifically, equipment associated with Emission Unit Nos. 005 (scrap grinder). Powdered polymer is vacuum unloaded to a filter receiver and then moved to the storage silo via the vacuum unloader system. Stored material is then moved by vacuum to the extruder feed hopper, where pipe is extruded. Off-specification pipe is ground, dumped into hoppers, and sent to a day bin before being emptied into a supersack. When enough regrind has been collected, the regrind material will be used as raw material in the pipe extrusion process. Particulate emissions from emission points are controlled by baghouses with a minimum collection efficiency of 99.0%
- B. Construct and install one additional (1) PVC pipe hopper receiver feeding one (1) PVC pipe extruder to be added the already existing and permitted PVC pipe extruding line (Permit No. 1090030-004-AO; E.U. 004). The additional PVC equipment permitted by

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Charlotte Pipe and Foundry Company

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Project: CPVC Production Line &
Additional PVC Hopper
and Extruder

this construction permit shall bring the total number of PVC hopper receivers and PVC extruders operating at the facility to ten (10) each. The addition of this equipment will not change the facility's current maximum PVC production throughput rate of 40,000 tons/year. Particulate emissions from the additional equipment shall be controlled by baghouses with a minimum collection efficiency of 99%.

Permitted Emission Units

Emission Unit ID No. 004* – Ten (10) PVC hopper receivers feeding (10) PVC extruders.
Emission Unit ID No. 007 – One (1) CPVC storage silo and associated vacuum unloader railcar system.

Emission Unit ID No. 008 – One (1) CPVC hopper receiver and one (1) CPVC extruder.

Emission sources with emission points and control devices under each emission unit are provided in the table below:

FACILITY EMISSION SOURCE INFORMATION				
Emission Unit ID #	Emission Source ID #	Emission Source Description	Control Device	Emission Point ID #
004	ES-16	Extruder Hopper Receiver 1A	Bagfilter	EP-10
004	ES-17	Extruder Hopper Receiver 1B	Bagfilter	EP-10
004	ES-18	Extruder Hopper Receiver 2A	Cartridge Filter	EP-11
004	ES-19	Extruder Hopper Receiver 2B	Cartridge Filter	EP-11
004	ES-20	Extruder Hopper Receiver 3A	Cartridge Filter	EP-12
004	ES-21	Extruder Hopper Receiver 3B	Cartridge Filter	EP-12
004	ES-22	Extruder Hopper Receiver 4	Cartridge Filter	EP-13
004	ES-23	Extruder Hopper Receiver 5	Cartridge Filter	EP-14
004	ES-24	Extruder Hopper Receiver 6	Cartridge Filter	EP-15
004	ES-35	Extruder Hopper Receiver 7	Bagfilter	EP-23
007	ES-36	CPVC Railcar Vacuum Unloader & CPVC Compound Storage Silo	Cartridge Filter	EP-24
008	ES-37	CPVC Extruder Hopper Receiver 8	Bagfilter	EP-25

***NOTE:** E.U. No. 004 previously contained nine (9) PVC hopper receivers feeding nine (9) PVC extruders that were constructed under Permit No. 1190030-002-AC. Emission Source ID No. ES-35 will be constructed in accordance with this construction permit bringing the total number of PVC hopper receivers and extruders under E.U. No. 004 to ten (10) respectively.

Rule Applicability Notes

The CPVC pipe extrusion facility and additional PVC hopper receiver and associated extruder are subject to General Visible Emission Standard as specified in Rule 62-296.320(4)(b)1., F.A.C.

Permittee:
Charlotte Pipe and Foundry Company

Permit N 1190030-005-AC
Project: CPVC Production Line &
Additional PVC Hopper
and Extruder

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Facility Information Summary

Location: County Road 124A, Wildwood, Sumter County

UTM Coordinates: Zone 17-399.0 East 3197.0 North

Latitude: 28°53'45"

Longitude: 82°02'00"

Facility No.: 1190030

Emissions Unit (EU) ID Nos. and Descriptions:

004 – One (1) PVC hopper receiver feeding one (1) PVC extruder.

007 – One (1) CPVC Railcar Vacuum Unloader and one (1) CPVC Compound Storage Silo.

008 – One (1) CPVC Hopper Receiver and one (1) CPVC Extruder

NOTE: Please reference Permit No. and Emissions Unit ID in all correspondence, test report submittals, applications, etc.

Permit History

This facility is currently permitted under Permit No. 1090030-004-AO.

Specific Conditions

1. **General Conditions** - A part of this permit is the attached 15 General Conditions.
[Rule 62-4.160, F.A.C.]

2. **Other Requirements** - Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-213, 62-296, 62-297 and 62-4, or any other requirements under federal, state or local law.
[Rule 62-210.300, F.A.C.]

Operation and Emission Limitations

3. **Operating Hours** - This facility is allowed to operate a maximum of 8,760 hours per year.
[Rule 62-210.200, F.A.C., Definitions-(PTE)]

Permittee:
Charlotte Pipe and Foundry Company

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Permit No. 1190030-005-AC
Project: CPVC Production Line &
Additional PVC Hopper
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4. **Production Rate** - The production rate of CPVC material from this facility shall not exceed 12.5 tons/hour (daily average production basis) and 2,500 tons in any consecutive 12-month period.

{NOTE: The facility has not requested an increase in the production rate of PVC material from the existing PVC pipe extrusion line. As a result, the facility's total maximum production rate of PVC and CPVC material shall not exceed 42,500 (40,00 tons of PVC and 2,500 tons of CPVC) tons for the most recent consecutive 12-month period.}

[Rule 62-210.200, F.A.C., Definitions-(PTE) and Request for Additional Information Response Letter Dated April 6, 2004.]

5. **Unconfined Emissions of Particulate Matter (PM)** - All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions shall include, but are not limited to the following:

- A. Paved parking and trafficked areas shall be maintained and kept free of particulate matter build-up.
- B. Sprinkling with water shall be used as necessary on paved and unpaved areas.

{NOTE: If operating experience indicates that these reasonable precautions are not sufficient to control unconfined emissions, the Department or its designee reserves the right to require additional measures, such as recordkeeping for water truck gallons applied, etc.}

[Rules 62-4.070(3) and 62-296.320(4)(c), F.A.C.]

6. **Fugitive Emissions Opacity Standard** - In order to provide reasonable assurance that the precautions and practices taken at the facility are adequate, emissions of unconfined particulate matter from all sources of unconfined particulate matter shall not exceed 5% opacity. If the 5% opacity (indicator value) is exceeded, it will not be a violation in and of itself, but an indication that additional control precautions and/or practices beyond those outlined in Specific Condition No. 5 may be necessary.

[Rule 62-4.070(3), F.A.C. and Permit No. 1190030-002-AC]

7. **Objectionable Odor** - The permittee shall not cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An objectionable odor is any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.

[Rules 62-210.200, and 62-296.320(2), F.A.C.]

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Charlotte Pipe and Foundry Company

Permit N 1190030-005-AC
Project: CPVC Production Line &
Additional PVC Hopper
and Extruder

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8. **General Visible Emission (VE) Limit** – Visible Emissions (VE) from this facility shall not be equal to or greater than 20% opacity. [Rule 62-296.320(4)(b)(1), F.A.C.]

9. **Circumvention** – No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable control device operating properly. As an indicator that the baghouses are functioning properly, visible emissions from each baghouse shall not exceed 5% opacity. If this value is exceeded it will not be considered a violation in and of itself, but may indicate that additional control methods or procedures are necessary.

[Rules 62-4.070(3), 62-210.650, F.A.C. and Permit No. 1190030-002-AC]

Compliance Testing Requirements

10. **Visible Emission (VE) Testing**– Test emissions from the CPVC storage silo and vacuum railcar unloading system* (Emission Unit No. 007, Emission Point No. EP-24*) of the facility for visible emissions within sixty (60) days after receipt of this construction permit. Submit test report(s) along with application(s) for operation of the facility within forty-five (45) days of completion of such test(s).

VE testing shall be conducted while the CPVC storage silo and the vacuum railcar unloading system are operating simultaneously.

{NOTE: Emissions from E.U. Nos. 004, and 008 vent indoors.}

[Rule 62-297.310(7)(a), F.A.C. and Construction Permit Application Dated February 18, 2004]

11. **Visible Emission (VE) Test Method** - Compliance with the visible emission limitation of Specific Condition No. 8 shall be determined in accordance with EPA Method 9 as referenced in Rule 62-297, F.A.C. Each test shall be conducted by a certified observer and be a minimum of thirty (30) minutes in duration. [Rules 62-297.310(4)(a)2 and 62-297.401(9)(c), F.A.C.]

12. **Testing Notification** - The owner or operator shall notify the Air Compliance Section of the Southwest District Office of the Department at least fifteen (15) days prior to the date on which each formal compliance test is to begin. The notification shall include, at a minimum, the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted. [Rule 62-297.310(7)(a)9., F.A.C.]

13. **Testing Rate** - Testing of emissions shall be conducted within 90-100% of the maximum permitted material production rate (12.5 tons per hour). A compliance test submitted at a rate less than 90% of the maximum permitted rate will automatically constitute an amended permit rate at that lesser rate plus 10%. Within thirty (30) days of that lower amended

(Continued)

Permittee:
Charlotte Pipe and Foundry Company

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Permit N° 1190030-005-AC
Project: CPVC Production Line &
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13. Continued

permitted material production rate being exceeded by more than ten (10%), a new compliance test shall be conducted at the higher rate. The test results shall be submitted to the Southwest District Office of the Department within forty-five (45) days of testing. Acceptance of the test by the Department will automatically constitute an amended permit at the higher tested rate plus 10%, but in no case shall the maximum permitted material production rate be exceeded. [Rules 62-4.070(3) and 62-297.310(2), F.A.C.]

14. Required Equipment – The owner or operator of an emission unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine the 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 emissions units with applicable emission limiting standards. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weigh 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 ten percent (10%) of its true value. [Rule 62-297.310(5), F.A.C.]

15. Special Compliance Tests – When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

Reporting and Recordkeeping

16. Operating Records – In order to document continued compliance with Specific Condition No. 4, the facility shall maintain the following:

Daily – Record the following:

- A. Tons of CPVC pipe produced
- B. Hours of plant production
- C. Daily average CPVC pipe production in tons/hour

Monthly – Record the most recent consecutive 12-month total of the following:

- A. Tons of CPVC pipe produced, tons per most recent consecutive 12-month period; and
 - B. Tons of PVC pipe produced, tons per most recent consecutive 12-month period; and
- [Rule 62-4.070(3), F.A.C.]

Permittee:
Charlotte Pipe and Foundry Company

Permit N 1190030-005-AC
Project: CPVC Production Line &
Additional PVC Hopper
and Extruder

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17. Records Retention - All records required by this permit shall be maintained at the facility for a minimum of the most recent three (3) year period and be made available to the Department upon request.
[Rule 62-4.070(3), F.A.C.]

Operation Permit

18. Modification of Current Operation Permit – An application for an operating permit (currently DEP Form 62-210.900(3)) shall be submitted (along with the appropriate processing fee) to the Southwest District Office of the Department within sixty (60) days of completed construction, but no later than 120 days prior to the expiration date of this construction permit. To apply properly, the applicant shall submit the following:

- A. The appropriate Department application form (see Rule 62-210.900, F.A.C. (Forms and Instructions));
- B. The appropriate operation permit fee;
- C. A copy of the VE test report as per Specific Condition No. 10; and
- D. A copy of the records/logs for the most recent month of operation as required by Specific Condition No. 16.

[Rules 62-4.070(3), 62-4.090, 62-4.210, 62-210.300(2), and 62-297.310(7), F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Gerald J. Kissel, P.E.
District Air Program Administrator
Southwest District

GJK/jgz

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ATTACHMENT - 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 this permit.

4. Not applicable to Air Permits.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are 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 conditions of the permit;

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GENERAL CONDITIONS:

- 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 reasonable 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 this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including 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 Section 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 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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

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GENERAL CONDITIONS:

13. This permit also constitutes:

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

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

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

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.

Affidavit of Publication The Daily Commercial

Leesburg, Lake County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF LAKE

Before the undersigned authority personally appeared Jim Perry who on oath says that he is Publisher of The Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

No: 02542552

in the matter of Notice of Intent To Issue

Permit

in the _____ Court,

was Inserted in said newspaper in the issues of _____

June 3, 2004

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Signed _____

Jim Perry, Publisher

Sworn to and subscribed before me this 3 day of

June

, 2004, by Jim Perry,

Publisher, who is personally known to me.

(Seal)

Tina L. Reader
Tina L. Reader, Notary Public



TINA L. READER
Notary Public - State of Florida
My Commission Expires Nov 19, 2005
Commission # DD060474
Bonded by National Notary Assn.

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

The Department of Environmental Protection gives notice of its intent to issue an air pollution permit (1190030-005-AC) to Charlotte Pipe and Foundry Company-Plastics Division for the construction of a new chlorinated polyvinyl chloride (CPVC) pipe production line and one (1) additional polyvinyl chloride (PVC) pipe hopper feeding one (1) PVC extruder at the facility located at County Road 124A in Wildwood, Sumter County. (APPLICANT MAILING ADDRESS: Charlotte Pipe and Foundry Company-Plastics Division, 4210 Old Charlotte Highway, Monroe, NC 28110 to the attention of Mr. Reese Sumrall, Jr., Owner/Authorized Representative.

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 for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. 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 (14) 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), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) 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, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the fol-

- The name and address of each agency affected and each agency's file or identification number, if known;
- 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;
- A statement of how and when petitioner received notice of the agency action or proposed action;
- A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the 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, F.A.C.

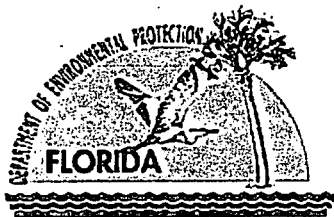
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any such final decision of 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.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 8407 Laurel Fair Circle, Suite 214, Tampa, Florida. Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, the Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of the publication of "Public Notice of Intent

to Issue Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1190030-005-AC. 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.

No.: 02542552
June 3, 2004

JK



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-1352

Colleen M. Castille
Secretary

P.E. Certification Statement

Permittee: *Charlotte Pipe*

Permit No.: *1190030-005-AC*

Project type: *PVC/CPVC Pipe Mfg.*

I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).



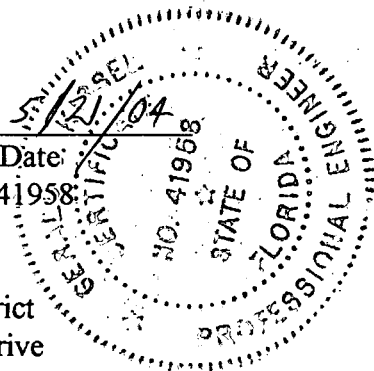
G.J. Kissel P.E.

Registration Number: 41958

Date: *12/10/04*

Permitting Authority:

FDEP Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619
813/744-6100 Ext 116
Fax: 813/744-6458



Memorandum

Florida Department of Environmental Protection

TO: Jerry Kissel, P.E.
District Air Engineer

Through: Jason Waters *JW*
Air Permitting Supervisor

FROM: Jose Zornitta *JZ*
Permit Engineer

DATE: 04/29/2004

Company: Charlotte Pipe and Foundry Company
Permit No: 1190030-005-AC Intent to Issue
County: Sumter
Project: CPVC production line & Additional PVC Hopper and Extruder
Default Date **(Day 90): 07/06/2004**

On 02/24/2004, the Department received an application from Charlotte Pipe and Foundry Company for the construction of a new CPVC pipe extrusion line and one (1) additional PVC hopper receiver feeding one (1) additional PVC pipe extruders located in Wildwood, Sumter County.

The facility proposes to construct and install a chlorinated polyvinyl chloride (CPVC) pipe extruding operation (line) with a maximum production throughput rate of 2,500 tons/year. The CPVC pipe-extruding line consists of a vacuum railcar unloader system, one (1) CPVC compound storage silo, one (1) CPVC extruder hopper receiver and one (1) CPVC extruder. The CPVC pipe extruding line will also be sharing equipment permitted as part of the already existing polyvinyl chloride (PVC) pipe extrusion line; specifically, equipment associated with Emission Unit Nos. 005 (scrap grinder). Powdered polymer is vacuum unloaded to a filter receiver and then moved to the storage silo via the vacuum unloader system. Stored material is then moved by vacuum to the extruder feed hopper, where pipe is extruded. Off-specification pipe is ground, dumped into hoppers, and sent to a day bin before being emptied into a supersack. When enough regrind has been collected, the regrind material will be used as raw material in the pipe extrusion process. Particulate emissions from emission points are controlled by baghouses with a minimum collection efficiency of 99.0%.

The facility also proposes to construct and install one additional (1) PVC pipe hopper receiver feeding one (1) PVC pipe extruder to be added the already existing and permitted PVC pipe extruding line (Permit No. 1090030-004-AO; E.U. 004). The additional PVC equipment permitted by this construction permit shall bring the total number of PVC hopper receivers and PVC extruders operating at the facility to ten (10) each. The addition of this equipment will not change the facility's current maximum PVC production throughput rate of 40,000 tons/year. Particulate emissions from the additional equipment shall be controlled by baghouses with a minimum collection efficiency of 99%.

The facility's total maximum production rate of CPVC and PVC material shall not exceed 42,500 tons/year.

I recommend that this Intent to Issue and draft permit be sent out as attached and submit it for your review and approval.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION
FOR
Charlotte Pipe and Foundry Company

Wildwood
Sumter County

Construction Permit Application Number

1190030-005-AC

**CPVC Production Line and
Additional PVC Hopper and Extruder**

Florida Department of Environmental Protection

Southwest District

Tampa, FL

April 12, 2004

Prepared by: Jose Zornitta

I. Project Description:

A. Applicant:

Mr. Reese Sumrall, Jr.
Owner/Authorized Representative
Charlotte Pipe and Foundry Company, Plastics Division
4210 Old Charlotte Highway
Monroe, NC 28110

B. Engineer:

Mr. Edward C. Fiss, Jr., P.E.
Aware Environmental, Incorporated
9305 Monroe Road, Suite J
Charlotte, NC 28270

C. Project and Location:

The proposed project is for the construction of a new chlorinated polyvinyl chloride (CPVC) pipe production line and one additional polyvinyl chloride (PVC) pipe hopper feeding one (1) PVC extruder at the facility located at County Road 124A, Wildwood, Sumter County.

D. Process and Controls:

Construct and install a chlorinated polyvinyl chloride (CPVC) pipe extruding operation (line) with a maximum production throughput rate of 2,500 tons/year. The CPVC pipe extruding line consists of a vacuum railcar unloader system, one (1) CPVC compound storage silo, one (1) CPVC extruder hopper receiver and one (1) CPVC extruder. The CPVC pipe extruding line will also be sharing equipment permitted as part of the already existing polyvinyl chloride (PVC) pipe extrusion line; specifically, equipment associated with Emission Unit Nos. 005 (scrap grinder). Powdered polymer is vacuum unloaded to a filter receiver and then moved to the storage silo via the vacuum unloader system. Stored material is then moved by vacuum to the extruder feed hopper, where pipe is extruded. Off-specification pipe is ground, dumped into hoppers, and sent to a day bin before being emptied into a supersack. When enough regrind has been collected, the regrind material will be used as raw material in the pipe extrusion process. Particulate emissions from emission points are controlled by baghouses with a minimum collection efficiency of 99.0%

The additional (1) PVC pipe hopper receiver feeding one (1) PVC pipe extruder will be added the already existing and permitted PVC pipe extruding line (Permit No. 1090030-004-AO; E.U. 004). The additional PVC equipment permitted by this construction permit shall bring the total number of PVC hopper receivers and PVC extruders operating at the facility to ten (10) each. The addition of this equipment will not change the facility's current maximum PVC production throughput rate of 40,000 tons/year. Particulate emissions from the additional equipment shall be controlled by baghouses with a minimum collection efficiency of 99%.

The total facility production throughput rate for both PVC and CPVC will be 42,500 tons/year.

E. Application Information: Received and complete on: April 8, 2004

II. Rule Applicability

Subject to:	Y/N
Rule 62-212.300, Sources Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C. ¹	Y
Rule 62-212.400, Prevention of Significant Deterioration, F.A.C. ²	N
Rule 62-296.320, General Particulate Emission Limiting Standards, F.A.C. ³	Y
Rule 62-296.320, General Pollutant Emission Limiting Standards, F.A.C. ⁴	Y
Rule 62-296.400, Stationary Source Emission Standards, F.A.C. ⁵	N
Rule 62-296.500, Reasonably Available Control Technology (VOC) ⁶	N
Rule 62-296.700, Reasonably Available Control Technology (PM) ⁷	N
Rule 62-204.800, Stds. of Performance for New Stationary Sources, F.A.C. ⁸ (NSPS)	N
Rule 62-204.800, Natl. Emission Std for Hazardous Air Pollutants, F.A.C. ⁹ (NESHAPS)	N
Chapter 62-213, Operation Permits for Major Sources of Air Pollution, F.A.C. ¹⁰	N
Rule 62-207.310, General Compliance Test Requirements, F.A.C. ¹¹	Y

1. Not exempt from general permitting requirements
2. Facility is PSD minor source
3. Facility is source of particulate emissions
4. Facility is a source of VOCs (including HAPs)
5. There is no applicable source category
6. There is no applicable source category
7. There is no applicable source category
8. There is no applicable source category
9. There is no applicable source category
10. Facility is minor non-Title V source
11. Compliance testing is required (VE Testing)

III. Summary of Emissions

Allowable Emissions

- Visible Emissions not to exceed 5% opacity.
- Testing shall be in accordance with EPA Method 9.

Emission Estimate

<u>Pollutant</u>	Maximum Estimated Emissions TPY
PM	0.770
PM -10	0.377
Vinyl chloride	0.014
Chloroform	0.0000035

Carbon Tetrachloride 0.000006

IV. Conclusions

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-296, F.A.C.

The general and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204 through 297, F.A.C.

V. Proposed Agency Action

Pursuant to Section 403.087, Florida Statutes and Section 62-4.07, Florida Administrative Code, the Department hereby gives notice of its intent to issue a permit to construct the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).